

JOURNAL OF THE HOUSE

1985

REGULAR SESSION SEVENTY-FIRST GENERAL ASSEMBLY

**Convened January 14, 1985
Adjourned May 4, 1985**

**Volume II
April 4 - May 4**

**TERRY E. BRANSTAD, Governor
ROBERT T. ANDERSON, President of the Senate
DONALD D. AVENSON, Speaker of the House**

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JOURNAL OF THE HOUSE

Eighty-first Calendar Day—Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 4, 1985

The House met pursuant to adjournment, Arnould of Scott in the chair.

Prayer was offered by Reverend Scott Woodworth, pastor of the First United Methodist Church, Denison.

The Journal of Wednesday, April 3, 1985 was approved.

PETITIONS FILED

The following petitions favoring legislation increasing the appropriation to the State Transit Assistance Fund to insure continuation of public transit service to Iowans were received and placed on file:

By Arnould of Scott from thirty-six members of the Commission on Aging for Senior Iowans, Inc.

By Hester of Pottawattamie from fifty-three Senior Citizens of Council Bluffs and twenty-nine constituents of the Golden Age Center, Woodbine.

By Pellett of Cass from twenty-two constituents of District 97.

The following petitions were received and placed on file:

By Daggett of Taylor, from one hundred seventy-four constituents from District 92, favoring Senate File 9, an act to allow families to drive all terrain vehicles on the highway shoulder and all secondary roads for agricultural purposes.

By Hammond of Story, from fifty-nine residents of Ames favoring House File 102, relating to non-smokers rights.

SENATE MESSAGES CONSIDERED

Senate File 422, by committee on state government, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

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

Senate File 524, by committee on state government, a bill for an act creating a residential care licensing classification for the mentally ill.

Read first time and referred to committee on **state government.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the members of the conference committee to Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, on the part of the Senate, appointed April 3, 1985, are: The Senator from Polk, Senator Palmer, Chair; the Senator from Muscatine, Senator Drake; the Senator from Montgomery, Senator Hultman; the Senator from Lee, Senator Junkins; and the Senator from Dubuque, Senator Welsh.

Also: That the Senate has on April 2, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

Also: That the Senate has on April 2, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 26, to direct the Department of Public Instruction to conduct a study of nonapproved nonpublic schools and home study.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:18 a.m., until 10:45 a.m.

The House reconvened, Connors of Polk in the chair.

CONSIDERATION OF BILLS Regular Calendar

The House resumed consideration of **House File 753**, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date, deferred April 3, 1985.

The House stood at ease at 11:07 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 753 at 12:00 noon, Arnould of Scott in the chair.

Sherzan of Polk offered the following amendment H—3634 filed by Sherzan, et al.:

H—3634

1 Amend House File 753 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. 1984 Iowa Acts, chapter 1314, section
5 1, subsection 1, unnumbered paragraphs 1 and 3, are
6 amended to read as follows:

7 "Comparable worth pay grade" means the pay grade as
8 determined by the factor determined score for the job
9 title as finally determined after completion of the
10 review process as outlined in this Act, and the
11 appropriate pay grade position for that factor
12 determined score on the following scale, except that a
13 job classification shall not be placed at a pay grade
14 lower than its assignment on January 1, 1985:

15 However, if there is a change in the total of all
16 factor determined scores for all job titles of more
17 than two percent as a result of decisions following
18 reviews, the maximum factor determined score for each
19 pay grade shall be adjusted by a percentage change
20 equal to the percentage change in the total of all
21 factor determined scores for all job titles prior and
22 subsequent to the review process, rounded to the
23 nearest whole number.

24 Sec. 2. 1984 Iowa Acts, chapter 1314, section 3,
25 unnumbered paragraph 1, and subsections 1 and 2, are
26 amended to read as follows:

27 For noncontractual employees under the state merit
28 system, the following implementation schedule applies
29 for the initial phase of comparable worth adjustments:

30 1. In implementing the first phase of comparable
31 worth adjustments, employees in job titles whose
32 current pay grade is below the comparable worth pay
33 grade shall be adjusted upward to their comparable
34 worth pay grade. However, no job titles shall be
35 raised above pay grade thirty-two under the initial
36 implementation process. This implementation shall
37 only be done after completion of the review process.

38 2. In implementing the first phase of comparable
39 worth adjustments, employees whose pay grades will be

40 increased shall retain their merit step positions when
41 these adjustments are made. have their pay adjusted as
42 follows:

43 a. Employees who are paid on a step within a
44 salary range shall be placed one step below their
45 current step in the new range, except that an employee
46 shall not be placed below the minimum salary for the
47 new range.

48 b. Employees who are not paid on a step within a
49 salary range shall have their pay adjusted in a manner
50 consistent with employees whose adjustments for

Page 2

1 comparable worth were calculated in accordance with
2 paragraph "a".

3 Sec. 3. 1984 Iowa Acts, chapter 1314, section 4,
4 unnumbered paragraph 1, is amended by striking the
5 unnumbered paragraph.

6 Sec. 4. 1984 Iowa Acts, chapter 1314, section 5,
7 is amended to read as follows:

8 SEC. 5. DISTRIBUTION OF FUNDS. Upon completion of
9 the review process as established in section 2 of this
10 Act, the The state comptroller's office, in
11 consultation with the legislative fiscal bureau, shall
12 determine the total biweekly salary costs for
13 implementing the first phase of comparable worth
14 adjustments, if the adjustments for all employees,
15 both contractual and noncontractual, under the merit
16 system were to be made in accordance with section 3,
17 subsections 1 and 2 of this Act, and shall determine
18 the net effect on the general fund for these
19 adjustments.

20 Sec. 5. 1984 Iowa Acts, chapter 1314, section 8,
21 is amended to read as follows:

22 SEC. 8. AGENCY COMPARABLE WORTH REPORTS. Agencies
23 with positions which are exempt or partially exempt
24 from the state merit system shall report to the
25 governor and the legislative council by December 15,
26 1984, on the degree to which the salary plans covering
27 positions substantially equivalent to those in the
28 state merit system comply with the provisions of 1983
29 Iowa Acts, chapter 170. The reports shall include a
30 plan for implementation in fiscal year 1986 of
31 comparable worth salary adjustments, if necessary, and
32 the amount of appropriations necessary to implement
33 those adjustments. However, plans developed pursuant
34 to this section may be implemented in the fiscal year
35 1985 if funds are available. Implementation of this
36 section shall be consistent in principle with other
37 sections of chapter 1314. Notwithstanding sections

38 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa
 39 Code, the provisions of this section of this Act shall
 40 be applicable to the judicial department.
 41 Sec. 6. This Act, being deemed of immediate
 42 importance, takes effect from and after its
 43 publication in the Telegraph Herald, a newspaper
 44 published in Dubuque, Iowa, and in the Ames Daily
 45 Tribune, a newspaper published in Ames, Iowa."

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carl of Poweshiek on request of Zimmerman of Dallas.

Lloyd-Jones of Johnson offered the following amendment H-3642, to amendment H-3634, filed from the floor by Lloyd-Jones, Halvorson of Webster, Hammond, Swearingen, Hanson, Carpenter, Lonergan, Baxter and Haverland and moved its adoption:

H-3642

1 Amend the amendment, H-3634 to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec.____. REVIEW OF FACTOR SCORES AND FACTOR
 6 DETERMINED SCORES.
 7 1. Any state employee may request review of the
 8 factor scores or the factor determined score that
 9 employee's job title received under the study com-
 10 missioned under 1983 Iowa Acts, chapter 170, section
 11 2, or under a study required of a state agency to
 12 implement the requirements of section 79.18. Requests
 13 for review by more than one employee within a job
 14 title shall be considered together, and a request for
 15 review by one or more employees within a job title
 16 shall be considered as a request on behalf of all
 17 employees in that job title.
 18 2. The Iowa merit employment department may
 19 request review of factor scores or the factor
 20 determined scores on any job titles under the state
 21 merit system. The requests for review shall be
 22 available to merit employees prior to the notice
 23 required in subsection 4. The request shall include
 24 the reasons for review of the factor scores and the
 25 Iowa merit employment department's recommended changes
 26 in the factor scores.

27 3. State agencies with employees exempt or par-
28 tially exempt from the state merit system may request
29 review of factor scores or factor-determined scores
30 received for job titles under a study required of a
31 state agency to implement the requirements of section
32 79.18. The requests for review shall be available to
33 their nonmerit employees prior to the notice required
34 in subsection 4. The request shall include the
35 reasons for the review of the factor scores and the
36 state agency's recommended changes in the factor
37 scores.

38 4. Employees shall be notified of their right to
39 request review of their factor scores and factor
40 determined scores with one or more biweekly pay checks
41 or monthly pay checks if employees are paid monthly.
42 The Iowa merit employment department shall make
43 "request for review" forms available to all
44 departments and agencies and shall provide complete
45 access to information regarding the study and the
46 methods for determining factor scores in the system.
47 Employees shall have at least four weeks from the time
48 the first notice of the right to request review is
49 distributed in which to file a request for review.

50 5. Requests for review shall be filed with the

Page 2

1 public employment relations board. A request for
2 review shall be heard by a hearing board established
3 for that purpose. One member of the board shall be
4 appointed by the public employment relations board;
5 one member shall be appointed by the Iowa merit
6 employment department to represent the employing
7 agency; and one member shall be appointed by an
8 employee organization if the petitioner is subject to
9 a collective bargaining agreement or by the employees
10 of the job class under procedures established by the
11 public employment relations board if the petitioner is
12 not subject to a collective bargaining agreement. The
13 public employment relations board shall adopt rules
14 establishing procedures for the conduct of the
15 hearings and specifying the responsibilities of the
16 hearing officers. The rules shall also provide for
17 the scheduling of hearings and the notification of
18 participants. The decision of a hearing board on a
19 request for review is final. The proceedings and
20 decision of an appeal board under this section do not
21 constitute a contested case proceeding or a final
22 agency action under the Iowa Administrative Procedures
23 Act and the proceedings and decision of an appeal
24 board are exempt from review or other proceedings
25 under the Iowa Administrative Procedures Act.

26 6. This section does not apply to state employees
 27 who were given the opportunity to have their job
 28 titles reviewed as a part of a study completed for an
 29 agency with positions which are exempt or partially
 30 exempt from the state merit system.

31 7. The review process under this section shall be
 32 completed by January 1, 1986."

33 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 52, nays 35.

Amendment H—3642 was adopted.

Tabor of Jackson in the chair at 12:59 p.m.

Carpenter of Polk offered the following amendment H—3647, to amendment H—3634, filed by her and Lloyd-Jones of Johnson from the floor:

H—3647

1 Amend the amendment, H—3634, to House File 753 as
 2 follows:

3 1. Page 1, by inserting after line 23 the
 4 following:

5 "However, new employees hired after July 1, 1987,
 6 to job titles which are above their comparable worth
 7 pay rate shall be hired at the comparable worth pay
 8 grade for that job title."

9 2. Page 2, by inserting after line 40 the
 10 following:

11 "Sec. _____. RESTORATION OF STEP OR EQUIVALENT
 12 REDUCTION.

13 Effective with the first pay period beginning after
 14 July 1, 1987, any step reduction within a salary range
 15 or equivalent pay adjustment reduction given a state
 16 employee in the implementation of the first phase of
 17 comparable pay adjustments under 1984 Iowa Acts,
 18 chapter 1314, section 3, subsection 2, is restored to
 19 the state employee."

Arnould of Scott in the chair at 1:08 p.m.

Speaker Avenson in the chair at 1:11 p.m.

Carpenter of Polk moved the adoption of amendment H—3647, to amendment H—3634.

Roll call was requested by Hummel of Benton and Halvorson of Clayton.

Rule 75 was invoked.

On the question "Shall amendment H—3647, to amendment H—3634, be adopted?"

The ayes were, 56:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carpenter	Carter
Chapman	Clark	Connolly	De Groot
Doderer	Fey	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Jay	Jochum
Johnson	Lageschulte	Lloyd-Jones	Lonergan
Metcalf	Miller	Mullins	Norland
O'Kane	Osterberg	Parker	Paulin
Pellett	Peterson	Renken	Rensink
Rosenberg	Shoning	Shoultz	Siegrist
Swartz	Tabor	Teaford	Torrence
Van Camp	Varn	Zimmerman	Mr. Speaker

The nays were, 42:

Bennett	Black	Branstad	Cochran
Connors	Cooper	Corey	Daggett
Diemer	Fogarty	Grandia	Halvorson, R. A.
Harbor	Hummel	Knapp	Koenigs
Kremer	Maulsby	McIntee	McKean
Muhlbauer	Ollie	Oxley	Pavich
Peick	Platt	Poney	Renaud
Royer	Running	Schnekloth	Sherzan
Skow	Speak	Stromer	Stueland
Sturgeon	Sullivan	Swearingen	Van Maanen
Welden	Woods		

Absent or not voting, 2:

Carl	Hermann
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Amendment H—3647 was adopted.

Rosenberg of Story offered the following amendment H—3655, to amendment H—3634, filed by him from the floor:

H-3655

- 1 Amend House amendment H-3634 to House File 753 as
2 follows:
3 1. Page 2, by inserting after line 2 the
4 following:
5 "3. In implementing the second phase of comparable
6 worth adjustments, employees whose steps or pay were
7 adjusted under subsection two of this section shall
8 have that step restored or their equivalent pay
9 adjustment restored commencing July 1, 1986, so that
10 the effect of subsection two is only a delay until
11 July 1, 1986 of full upward adjustments for those
12 receiving comparable worth adjustments."

Carpenter of Polk rose on a point of order that amendment H-3655 was not in order.

Hanson of Delaware in the chair at 1:40 p.m.

Rosenberg of Story asked and received unanimous consent to withdraw amendment H-3655.

With the withdrawal of amendment H-3655, the point of order was no longer before the body.

Speaker Avenson in the chair at 1:55 p.m.

Rosenberg of Story offered the following amendment H-3651, to amendment H-3634, filed by him from the floor and moved its adoption:

H-3651

- 1 Amend House amendment H-3634 to House File 753
2 as follows:
3 1. Page 2, by inserting after line 2 the
4 following:
5 "3. In implementing the second phase of
6 comparable worth adjustments for noncontractual
7 employees under the state merit system and other
8 state systems, employees whose steps or pay were
9 adjusted under subsection 2 of this section will
10 have that step restored or their pay adjusted back
11 in a consistent manner with those who had their
12 steps restored commencing with the last pay period
13 starting prior to July 1, 1986. For contractual
14 employees under the state merit system and other

15 state systems, the governor and the certified
16 bargaining representatives shall implement the
17 second phase of comparable worth adjustments out-
18 lined in this section consistent with the provisions
19 of chapter 20. Any step restoration or pay adjustment
20 under this subsection shall be in addition to other
21 adjustments that might have occurred as a result of
22 general salary or step adjustments for employees."

A non-record roll call was requested.

The ayes were 5, nays 41.

Amendment H—3651 lost.

Norland of Worth asked and received unanimous consent that House File 753 be deferred and that the bill retain its place on the calendar.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules to include the bills on the Thursday, April 4, 1985, Daily Debate Calendar on the Monday, April 8, 1985 Daily Debate Calendar.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 1985, he approved and transmitted to the Secretary of State the following bill:

House File 587, an act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

COMMUNICATION FROM SECRETARY OF STATE

April 3, 1985

Mr. Joe O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that Senate File 117 was published in the Kossuth County

Advance, Algona, Iowa on March 23, 1985 and in the Audubon News-Advocate, Audubon, Iowa on March 27, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

SUPPLEMENTAL REPORT OF COMMITTEE ON MILEAGE

Mr. Speaker: Your committee appointed to determine the mileage for the members of the House submits the following supplemental report:

Name	Round Trip Miles
Horace Daggett	192

Respectfully submitted,
JO ANN ZIMMERMAN, Chair
DENNIS E. BLACK
RUHL MAULSBY

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty sixth grade students from Southeast Warren Elementary School, Lacona, accompanied by Mrs. Phillips and Mrs. Butler. By Beatty of Warren.

Twenty sixth grade students from Klemme Elementary School, Klemme, accompanied by Gladys Wessels. By Stromer of Hancock.

Thirty eighth grade students from Mar-Mac Middle School, McGregor, accompanied by Jim Elliott and Ron Vick. By Halvorson of Clayton.

SUBCOMMITTEE ASSIGNMENTS

House File 237

Appropriations: Welden, Chair; Sullivan and Swartz.

House File 252

Appropriations: Swartz, Chair; Harbor and Varn.

House File 461

Appropriations: Mullins, Chair; Blanshan and Varn.

House File 566

Appropriations: Jochum, Chair; Varn and Welden.

House File 658

Appropriations: Blanshan, Chair; Halvorson of Clayton and Swartz.

House File 722

Appropriations: Varn, Chair; Mullins and Sullivan.

House Concurrent Resolution 25

Appropriations: Varn, Chair; Blanshan and Harbor.

Senate File 14

Judiciary and Law Enforcement: Renaud, Chair; McIntee and Woods.

Senate File 172

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

Senate File 191

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Senate File 203

Judiciary and Law Enforcement: Chapman, Chair; Running and Siegrist.

Senate File 268

Local Government: O'Kane, Chair; Beatty, Cooper, Hester and Renken.

Senate File 295

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Senate File 309

Judiciary and Law Enforcement: Renaud, Chair; Kremer and Running.

Senate File 314

Judiciary and Law Enforcement: Rosenberg, Chair; and Schneklath.

Senate File 370

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Senate File 393

Local Government: O'Kane, Chair; Beatty and Renken.

Senate File 398

Education: Haverland, Chair; Daggett and Zimmerman.

Senate File 406

Local Government: Cooper, Chair; Black and Hester.

Senate File 433

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate File 438

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Senate File 440

Education: Groth, Chair; Haverland, Hughes, Siegrist and Swearingen.

Senate File 444

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Senate File 447

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate File 449

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Senate File 450

Energy and Environmental Protection: Hughes, Chair; Mullins, Osterberg, Paulin and Peterson.

Senate File 452

Local Government: O'Kane, Chair; Cooper and Renken.

Senate File 456

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate File 459

Agriculture: Cochran, Chair; Carter, Rensink, Skow and Van Maanen.

Senate File 460

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Senate File 470

Education: Johnson, Chair; Miller and Teaford.

Senate File 480

Education: Ollie, Chair; Siegrist and Spear.

Senate File 485

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Senate File 490

Judiciary and Law Enforcement: Hammond, Chair; Holveck and Lageschulte.

Senate File 497

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Senate File 508

Judiciary and Law Enforcement: Running, Chair; Brammer and McKean.

Senate File 513

Education: Hughes, Chair; Connolly and Handorf.

Senate File 514

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Senate File 515

Judiciary and Law Enforcement: McIntee, Chair; Chapman and Woods.

Senate File 521

Judiciary and Law Enforcement: Rosenberg, Chair; Carl and McIntee.

Senate File 524

State Government: Blanshan, Chair; Cochran, Hanson and Teaford.

Senate File 525

State Government: Pavich, Chair; Beatty and Van Maanen.

Senate File 526

Education: Johnson, Chair; Carpenter and Haverland.

Senate File 530

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

Senate File 540

State Government: Arnould, Chair; Buhr and Renken.

Senate Concurrent Resolution 32

State Government: Lloyd-Jones, Chair; Arnould and Swearingen.

STUDY BILL SUBCOMMITTEE ASSIGNMENT

Study Bill 396

Agriculture: Cochran, Chair; Gruhn and Handorf.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 414, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 1985.

Senate File 480, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3640**, April 3, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

Senate Concurrent Resolution 25, a concurrent resolution declaring the opposition to the General Assembly of certain proposed federal program reductions.

Fiscal Note is not required.

Recommended **Do Pass and Laid Over Under Rule 25**, April 3, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 157, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 1985.

Senate File 183, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 1985.

COMMITTEE ON TRANSPORTATION

Senate File 313, a bill for an act allowing certain truck tractors to be registered as special trucks.

Fiscal Note is required.

Committee Action **Failed to Pass** April 3, 1985.

Senate File 413, a bill for an act relating to farm-to-market road fund allocations.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 1985.

AMENDMENTS FILED

H-3640	S.F.	480	Committee on Education
H-3641	H.F.	753	Swartz of Marshall
H-3643	H.F.	753	Hanson of Delaware
			Connors of Polk
			Sherzan of Polk
			Doderer of Johnson
H-3644	H.F.	753	Connors of Polk
			Sherzan of Polk
			Doderer of Johnson
H-3645	H.F.	753	Connors of Polk
			Sherzan of Polk
			Doderer of Johnson
H-3646	H.F.	737	Van Camp of Scott
H-3648	H.F.	753	Carpenter of Polk
			Lloyd-Jones of Johnson
H-3649	H.F.	753	Carpenter of Polk
			Hanson of Delaware
H-3650	H.F.	753	Hanson of Delaware
			Hammond of Story
H-3652	H.F.	753	Hanson of Delaware
			Hammond of Story
H-3653	H.F.	753	Carter of Henry
			Varn of Johnson
			Hammond of Story
H-3654	H.F.	719	Kremer of Buchanan
H-3656	S.F.	479	Peick of Linn
H-3657	H.F.	753	Hanson of Delaware
			Hammond of Story
H-3658	S.F.	407	Hanson of Delaware
H-3659	H.F.	726	Hummel of Benton
H-3660	H.F.	726	Hummel of Benton
H-3661	H.F.	737	Kremer of Buchanan
H-3662	S.F.	296	O'Kane of Woodbury
H-3663	H.F.	554	Pellett of Cass
H-3664	H.F.	705	Tabor of Jackson
H-3665	H.F.	726	Tabor of Jackson
			Osterberg of Linn
			Hummel of Benton
H-3666	H.F.	554	Cochran of Webster
H-3667	H.F.	547	Schnekloth of Scott

H—3668	H.F.	705	Daggett of Taylor Skow of Guthrie Hughes of Union
H—3669	H.F.	554	Tabor of Jackson
H—3670	H.F.	753	Doderer of Johnson Buhr of Polk
H—3671	H.F.	753	Doderer of Johnson
H—3672	H.F.	554	Fogarty of Palo Alto
H—3673	H.F.	753	Doderer of Johnson Metcalf of Polk Zimmerman of Dallas
H—3674	H.F.	753	Doderer of Johnson Carpenter of Polk
H—3675	H.F.	753	Doderer of Johnson Swartz of Marshall
H—3676	H.F.	753	Doderer of Johnson Buhr of Polk Carpenter of Polk

On motion by Norland of Worth, the House adjourned at 1:58 p.m., until 1:00 p.m., Monday, April 8, 1985.

JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day — Fifty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 8, 1985

The House met pursuant to adjournment, Connors of Polk in the chair.

Prayer was offered by Senator Jack Hester.

The Journal of Thursday, April 4, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cochran of Webster on request of Muhlbauer of Crawford.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn, from one hundred thirteen constituents of District 50, opposing any proposed cuts in the state budget which would decrease funding to the State Transit Assistance Fund.

By Running of Linn, from seventy-one constituents opposing the new seat belt law.

SENATE MESSAGE CONSIDERED

Senate File 409, by Junkins and Hultman, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 303, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

K. MARIE THAYER, Secretary

HOUSE FILE 726 DEFERRED

Norland of Worth asked and received unanimous consent that House File 726 be deferred and that the bill retain its place on the calendar.

RULE 74.b SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 74.b to allow the members of the conference committee to have their votes recorded until adjournment today.

CONSIDERATION OF BILLS Regular Calendar

House File 678, a bill for an act relating to drainage and drainage districts, was taken up for consideration.

Spear of Lee offered the following amendment H—3396 filed by him and moved its adoption:

H—3396

- 1 Amend House File 678 as follows:
- 2 1. Page 6, by inserting after line 35 the
- 3 following:
- 4 "Sec. 12. Section 462.22, Code 1985, is amended to
- 5 read as follows:
- 6 462.22 ELECTIONS — HOW CONDUCTED.
- 7 After the first election of trustees, the trustees
- 8 shall act as judges of election; the however, a
- 9 trustee standing for election shall not serve as a
- 10 judge and shall be replaced as judge by a person not

11 standing for election who is eligible to be elected as
 12 a trustee. The clerk of the board shall act as one of
 13 the clerks; and some owner of land in the district
 14 shall be appointed by the board to act as another
 15 clerk. The trustees shall fill all vacancies in the
 16 election board. The result of each election shall be
 17 certified to the auditor or the several county
 18 auditors if the district is located in more than one
 19 county."

Amendment H—3396 was adopted.

Hanson of Delaware offered the following amendment H—3532
 filed by him and moved its adoption:

H—3532

1 Amend House File 678 as follows:
 2 1. Page 6, by inserting after line 35 the
 3 following:
 4 "Sec._____. Section 465.22, Code 1985, is amended
 5 to read as follows:
 6 465.22 DRAINAGE IN COURSE OF NATURAL DRAINAGE —
 7 RECONSTRUCTION — DAMAGES.
 8 Owners of land may drain the same in the general
 9 course of natural drainage by constructing or
 10 reconstructing open or covered drains, discharging the
 11 same in any natural watercourse or depression whereby
 12 the water will be carried into some other natural
 13 watercourse, and when such drainage is wholly upon the
 14 owner's land the owner shall not be liable in damages
 15 therefor, nor shall any such for it unless it
 16 increases the quantity of water or changes the manner
 17 of discharge on the land of another. An owner in
 18 constructing a replacement drain, wholly on the
 19 owner's own land, and in the exercise of due care be
 20 is not liable in damages to another in case a
 21 previously constructed drain on the owner's own land
 22 is rendered inoperative or less efficient by such new
 23 drain, unless in violation of the terms of a written
 24 contract. Nothing in this section shall in any manner
 25 be construed to affect the rights or liabilities of
 26 proprietors in respect to running streams."

Amendment H—3532 lost.

Gruhn of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 678)

The ayes were, 96:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Royer	Shoning
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 4:

Cochran	Connolly	Hermann	Jay
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 164, a bill for an act relating to the payment of commissions to commission salespersons and providing a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Muhlbauer of Crawford offered the following amendment H—3409 filed by the committee on labor and industrial relations and moved its adoption:

H—3409

- 1 Amend House File 164 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 91A.2, subsection 3,
- 5 unnumbered paragraph 1, Code 1985, is amended to read
- 6 as follows:
- 7 "Employee" means a natural person who is employed
- 8 in this state for wages by an employer. Employee also
- 9 includes a commission salesperson who takes orders or
- 10 performs services on behalf of a principal and who is
- 11 paid on the basis of commissions but does not include
- 12 persons who purchase for their own account for resale.
- 13 For the purposes of this chapter, the following
- 14 persons engaged in agriculture are not employees:".

The committee amendment H—3409 was adopted.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 164)

The ayes were, 96:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poney	Renaud
Renken	Rensink	Rosenberg	Royer

Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 4:

Cochran	Connolly	Hermann	Jay
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 702 AND 543 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 702 and 543 be deferred and that the bills retain their place on the calendar.

House File 746, a bill for an act relating to merged area hospitals, was taken up for consideration.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendment H—3595.

Spear of Lee offered the following amendment H—3632 filed by him and Zimmerman of Dallas and moved its adoption:

H—3632

- 1 Amend House File 746 as follows:
- 2 1. Page 2, by striking line 32, and inserting the
- 3 following: "contracts for the operation and".

Amendment H—3632 was adopted, placing out of order amendment H—3595 filed by Spear of Lee on April 2, 1985.

Zimmerman of Dallas offered the following amendment H—3633 filed by her:

H—3633

- 1 Amend House File 746 as follows:
- 2 1. Page 5, by inserting after line 21 the

3 following:

4 "Sec. _____. Section 347.9, Code 1985, is amended to
5 read as follows:

6 347.9 TRUSTEES – APPOINTMENT – TERMS OF OFFICE.

7 When it has been determined by the voters of a
8 county to establish a county public hospital, the
9 board shall appoint seven trustees chosen from among
10 the resident citizens of the county with reference to
11 their fitness for such office, and not more than four
12 of such the trustees shall be residents of the city or
13 village at which such the hospital is located. Such
14 The trustees shall hold office until the following
15 general election, at which time their successors shall
16 be elected, two for a term of two years, two for four
17 years, and three for six years, and they shall
18 determine by lot their respective terms, and
19 thereafter their successors shall be elected for
20 regular terms of six years each, none of whom shall be
21 physicians or licensed practitioners. A trustee or
22 spouse of the trustee shall not receive direct
23 compensation from the county public hospital or from a
24 person contracting for services with the hospital."

Lonergan of Boone rose on a point of order that amendment H-3633 was not germane.

The Speaker ruled the point well taken and amendment H-3633 not germane.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 746)

The ayes were, 95:

- | | | | |
|------------------|-------------|-----------|------------------|
| Arnould | Avenson | Baxter | Beatty |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Clark | Cooper |
| Corey | Daggett | De Groot | Diemer |
| Doderer | Fey | Fogarty | Grandia |
| Groninga | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Hatch | Haverland | Hester |
| Holveck | Hughes | Hummel | Jochum |
| Johnson | Knapp | Koenigs | Kremer |
| Lageschulte | Lloyd-Jones | Lonergan | Maulsby |

McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Connors)	

The nays were, none.

Absent or not voting, 5:

Cochran	Connolly	Hermann	Jay
Shultz			

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

House File 676, a bill for an act relating to the establishment of an export trade division within the Iowa development commission, was taken up for consideration.

Baxter of Des Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 676)

The ayes were, 94:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee

McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, 1:

Torrence

Absent or not voting, 5:

Cochran	Connolly	Hermann	Jay
Knapp			

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

HOUSE FILE 737 DEFERRED

Norland of Worth asked and received unanimous consent that House File 737 be deferred and that the bill retain its place on the calendar.

House File 749, a bill for an act relating to discrimination on the basis of gender, status as a veteran, and marital status, was taken up for consideration.

Buhr of Polk in the chair at 2:06 p.m.

Connors of Polk asked and received unanimous consent to temporarily defer on amendment H—3583.

Spear of Lee offered the following amendment H—3561 filed by him and moved its adoption:

H—3561

- 1 Amend House File 749 as follows:
- 2 1. Page 5, by inserting after line 17 the
- 3 following:
- 4 "Sec. 11. Section 595.3, subsection 4, Code 1985,
- 5 is amended to read as follows:
- 6 4. Where the parties are within the degrees of
- 7 consanguinity ~~or affinity~~ in which marriages are
- 8 prohibited by law."
- 9 2. Page 5, line 20, by inserting after the word
- 10 "his" the words "grandmother, mother,".
- 11 3. Page 5, line 25, by inserting after the word
- 12 "her" the words "grandfather, father,".

Amendment H—3561 was adopted.

Connors of Polk offered the following amendment H—3583 filed by Connors et al.:

H—3583

- 1 Amend House File 749 as follows:
- 2 1. By striking page 4, line 25 through page 5,
- 3 line 17.
- 4 2. By renumbering sections.

Connors of Polk offered the following amendment H—3681, to amendment H—3583, filed by him from the floor and moved its adoption:

H—3681

- 1 Amend amendment H—3583 to House File 749 as follows:
- 2 1. Page 1, by inserting after line 1, the following:
- 3 "_____. By striking page 1, line 16, through page 2,
- 4 line 4."

Amendment H—3681 was adopted.

On motion by Connors of Polk, amendment H—3583, as amended, was adopted.

Norland of Worth asked and received unanimous consent that House File 749 be deferred and that the bill be placed on the unfinished business calendar.

Connors of Polk in the chair at 2:15 p.m.

MOTION TO RECONSIDER WITHDRAWN
(House File 740)

Sherzan of Polk asked and received unanimous consent to withdraw the motion to reconsider House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization, filed by him on April 2, 1985.

The House stood at ease at 2:17 p.m., until the fall of the gavel.

The House resumed session at 2:21 p.m., Connors of Polk in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for an immediate meeting of the committee on appropriations.

The House stood at ease at 2:22 p.m.

The House resumed session at 4:03 p.m., Rosenberg of Story in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 356, a bill for an act allowing the state department of transportation to issue a certificate of title for a vehicle when the previous title was surrendered for a junking certificate due to mistake or inadvertence.

Also: That the Senate has on April 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 516, a bill for an act relating to chemical tests for blood alcohol concentration.

Also: That the Senate has on April 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 523, a bill for an act to provide specific restrictions upon a restitution order for damage resulting directly from a violation of section 321.281.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 702, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 702)

The ayes were, 98:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker *		
	(Rosenberg)		

The nays were, none.

Absent or not voting, 2:

Cochran

Hermann

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

House File 726, a bill for an act relating to joint exercise of powers to finance hydro-electric power facilities, was taken up for consideration.

Tabor of Jackson offered the following amendment H-3637 filed by him and moved its adoption:

H-3637

- 1 Amend House File 726 as follows:
- 2 1. Page 1, lines 4 and 5, by striking the words
- 3 "agencies, private agencies" and inserting the
- 4 following: "agencies".

Amendment H-3637 was adopted.

Hummel of Benton asked and received unanimous consent to withdraw amendments H-3660 and H-3659 filed by him on April 4, 1985.

Jay of Appanoose asked and received unanimous consent to withdraw amendment H-3494 filed by Jay, et al., on March 27, 1985.

Tabor of Jackson offered the following amendment H-3665 filed by Tabor, et al., and moved its adoption:

H-3665

- 1 Amend House File 726 as follows:
- 2 1. Page 1, by striking lines 11 through 17 and
- 3 inserting the following:
- 4 "In addition to other powers, a hydroelectric
- 5 utility having complied with chapter 469A shall have
- 6 the power of eminent domain for the purposes of
- 7 constructing a hydroelectric utility but before
- 8 exercising the power it shall first exhaust all

9 efforts to secure the necessary voluntary easements.
 10 The hydroelectric utility shall comply with provisions
 11 of law then in effect, including section 28F.11, and
 12 applicable to those public agencies comprising the
 13 hydroelectric utility in connection with the
 14 construction of hydroelectric power facilities."

Amendment H—3665 was adopted.

Tabor of Jackson offered the following amendment H—3638
 filed by him and moved its adoption:

H—3638

1 Amend House File 726 as follows:
 2 1. Page 1, line 32, by striking the word "fit"
 3 and inserting the following: "fit, subject to section
 4 476.43".

Amendment H—3638 was adopted.

Osterberg of Linn moved that the bill be read a last time now
 and placed upon its passage which motion prevailed and the bill was
 read a last time.

On the question "Shall the bill pass?" (H.F. 726)

The ayes were, 77:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Cartier
Chapman	Clark	Connolly	Cooper
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Holveck
Hughes	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Peick	Peterson	Platt
Poncy	Renaud	Rensink	Running
Schnekloth	Sherzan	Shoning	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Tabor	Teaford
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			
(Rosenberg)			

The nays were, 19:

Corey	Daggett	Grandia	Harbor
Hester	Hummel	Jay	Loneragan
Maulsby	Pavich	Pellett	Renken
Royer	Siegrist	Sturgeon	Swearingen
Torrence	Van Maanen	Welden	

Absent or not voting, 4:

Carpenter	Cochran	Connors	Hermann
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER LOST (House File 705)

Blanshan of Greene called up for consideration the motion to reconsider House File 705, filed on April 3, 1985, and moved to reconsider the vote by which House File 705, a bill for an act relating to the ownership of real property by providing for the holding of repossessed real property by a state bank, providing for redemption periods, providing for the transfer of title without judicial foreclosure, permitting certain persons to take and foreclose on security interests in agricultural land and to own agricultural land for purposes of research and experimentation, and providing for the execution of foreclosure judgments, passed the House and was placed on its last reading on April 3, 1985.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 40, nays 55.

The motion lost placing the following motions and amendments out of order:

The motions to reconsider filed by Tabor of Jackson and De Groot of Lyon on April 3, 1985.

H-3664 filed by Tabor of Jackson on April 4, 1985.

H-3668 filed by Daggett, et al., on April 4, 1985.

(Senate File 79)

Carter of Henry called up for consideration the motion to reconsider Senate File 79, filed on April 3, 1985, and moved to reconsider the vote by which Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date, passed the House and was placed on its last reading on April 3, 1985.

A non-record roll call was requested.

The ayes were 35, nays 52.

The motion lost placing out of order the following motions and amendments:

The motions to reconsider filed by Welden of Hardin and De Groot of Lyon on April 3, 1985.

H—3639, (to amendment H—3580), filed by Welden of Hardin on April 3, 1985.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 164, 746, 676, 702 and 726.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 110, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa.

Also: That the Senate has on March 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 249, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 274, a bill for an act relating to the size of basketball used by certain students in grades kindergarten through twelve.

Also: That the Senate has on April 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 441, a bill for an act relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 442, a bill for an act requiring school bus drivers to be at least eighteen years of age.

Also: That the Senate has on April 8, 1985, passed (with amendment S-3538 adopted) the following bill in which the concurrence of the House is asked:

Senate File 538, a bill for an act relating to an agricultural supply dealer's lien.

K. MARIE THAYER, Secretary

MOTIONS TO RECONSIDER (House File 678)

I move to reconsider the vote by which House File 678 passed the House on April 8, 1985.

HAYERLAND of Polk

(Amendment H-3647, to amendment H-3634, to House File 753)

I move to reconsider the vote by which amendment H-3647, to amendment H-3634, to House File 753 was adopted by the House on April 4, 1985.

RENKEN of Grundy

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 8, 1985, he approved and transmitted to the Secretary of State the following bills:

Senate File 150, an act relating to the appointment date for a secretary of a school board.

Senate File 269, an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

COMMUNICATION FROM SECRETARY OF STATE

April 4, 1985

Mr. Joe O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 100 was published in the Creston News-Advertiser, Creston, Iowa on March 12, 1985 and in the Lenox Time-Table, Lenox, Iowa on March 13, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Hanson of Delaware presented to the House the Honorable Maurice Hennessey, former member of the House representing Delaware, Dubuque, Jackson and Jones Counties.

Clark of Cerro Gordo presented to the House Foreign Exchange Student Simone Lukas of Fernitz, Austria. She is attending school at Rockford High School, Rockford.

The Speaker announced that the following visitors were present in the House chamber:

Fifty tenth grade students from Urbandale High School, Urbandale, accompanied by Rhonda Fey. By Metcalf of Polk.

Ten government students from Graceland College, Lamoni, accompanied by Bill Russell. By Daggett of Taylor.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully

reports that certificates of recognition have been issued as follows:

- 1985-17 Students of Moravia Elementary School — Contributed \$250 towards the restoration of the Statue of Liberty.
- 1985-18 Anne Marie Wehril, Council Bluffs — "Mrs. Iowa" for 1985.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 459, a bill for an act relating to real property which is subject to foreclosure.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 465, a bill for an act relating to agricultural limestone.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 466, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3685**, April 4, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 121, a bill for an act relating to nonsubstantive Code corrections.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 230, a bill for an act relating to qualifications of sureties.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3680**, April 4, 1985.

Senate File 318, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 377, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3679**, April 4, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 383, a bill for an act relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3677**, April 4, 1985.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 308, a bill for an act relating to the appointment of assessors.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Pursuant to Rule 31.7, Senate File 308 was referred to the committee on ways and means.

Senate File 317, a bill for an act relating to qualifying for office.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 355, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

COMMITTEE ON STATE GOVERNMENT

Senate File 81, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 154, a bill for an act relating to the duties of the secretary for the state board of engineering examiners.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

Senate File 328, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3678**, April 4, 1985.

Senate File 407, a bill for an act relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 1985.

RESOLUTION FILED

SCR 26, by committee on education, a concurrent resolution to direct the Department of Public Instruction to conduct a study of nonapproved nonpublic schools and home study.

Referred to committee on **education**.

AMENDMENTS FILED

H-3677	S.F.	383	Committee on Labor and Industrial Relations
H-3678	S.F.	328	Committee on State Government
H-3679	S.F.	377	Committee on Judiciary and Law Enforcement
H-3680	S.F.	244	Committee on Judiciary and Law Enforcement
H-3682	H.F.	753	Carl of Poweshiek
H-3683	S.F.	317	Spear of Lee
H-3684	H.F.	719	Kremer of Buchanan
H-3685	S.F.	450	Committee on Energy and Environmental Protection
H-3686	H.F.	554	Pellett of Cass Handorf of Marshall
H-3687	S.F.	406	Schnekloth of Scott
H-3688	S.F.	459	McIntee of Black Hawk
H-3689	H.F.	747	Swartz of Marshall Varn of Johnson
H-3690	H.F.	737	Parker of Jasper Osterberg of Linn

On motion by Norland of Worth, the House adjourned at 4:57 p.m., until 9:00 a.m., Tuesday, April 9, 1985.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day — Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 9, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Paul Johansen, pastor of the Liberty Lutheran Church, Rake.

The Journal of Monday, April 8, 1985 was approved.

PETITIONS FILED

The following petitions favoring legislation increasing the appropriation to the State Transit Assistance Fund to insure continuation of public transit service to Iowans were received and placed on file:

By Peterson of Carroll, from twenty-four constituents of District 95.

By Royer of Page, from forty-six constituents of District 93.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 224, a bill for an act relating to discrimination on the basis of gender and marital status.

Also: That the Senate has on April 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' self-insured workers' compensation plan.

Also: That the Senate has on April 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 539, a bill for an act relating to motor vehicle fuel.

Also: That the Senate has on April 8, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 34, exempting Senate File 492 from Joint Rule 20.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 110, by Mann, Bruner, Colton, Horn, Hannon, Priebe, Gettings, Readinger, Soorholtz, Neighbour, Carr, Welsh, Gronstal, Murphy, Husak, Boswell, Brown and Miller of Des Moines, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties.

Read first time and referred to committee on **state government**.

Senate File 224, by Corning, Holden, Schwengels, Readinger, Holt and Taylor, a bill for an act relating to discrimination on the basis of gender and marital status.

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

Senate File 249, by committee on labor and industrial relations, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 274, by Horn, a bill for an act relating to the size of basketball used by certain students in grades kindergarten through twelve.

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

Senate File 303, by committee on energy and environment, a bill for an act relating to the lease by state agencies of real and personal

properties and facilities for use as or in connection with any energy conservation measure.

Read first time and referred to committee on **energy and environmental protection**.

Senate File 356, by Jensen, a bill for an act allowing the state department of transportation to issue a certificate of title for a vehicle when the previous title was surrendered for a junking certificate due to mistake or inadvertence.

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

Senate File 441, by committee on transportation, a bill for an act relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located.

Read first time and referred to committee on **local government**.

Senate File 442, by committee on education, a bill for an act requiring public school bus drivers to be at least eighteen years of age.

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

Senate File 503, by committee on local government, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' or other self-insured workers' compensation plan formed under section 87.4.

Read first time and referred to committee on **small business and commerce**.

Senate File 516, by committee on judiciary, a bill for an act relating to chemical tests for blood alcohol concentration.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 523, by committee on judiciary, a bill for an act to provide specific restrictions upon a restitution order for damages resulting directly from a violation of section 321.281.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 538, by committee on agriculture, a bill for an act relating to an agricultural supply dealer's lien.

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

Senate File 539, by committee on agriculture, a bill for an act relating to motor vehicle fuel.

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

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a committee on state government meeting at 4:00 p.m. today.

On motion by Norland of Worth, the House was recessed at 9:21 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 432, a bill for an act relating to the makeup of the board of nursing examiners.

Also: That the Senate has on April 9, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 463, a bill for an act relating to the disposal of hazardous wastes, and providing an effective date.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 432, by committee on state government, a bill for an act relating to the makeup of the board of nursing examiners.

Read first time and referred to committee on **state government**.

Senate File 463, by committee on energy and environment, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

Read first time and referred to committee on **energy and environmental protection**.

HOUSE FILE 543 DEFERRED

Norland of Worth asked and received unanimous consent that House File 543 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Regular Calendar

House File 737, a bill for an act regarding the methodology used for evaluating the efficiency of public utility management for certain public utilities, was taken up for consideration.

Rosenberg of Story offered the following amendment H-3564 filed by him:

H-3564

- 1 Amend House File 737 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 476.20, subsection 4, Code
- 5 1985, is amended to read as follows:
- 6 4. A public utility which violates a provision of
- 7 this section relating to the disconnection of service
- 8 or which violates a rule of the commerce commission
- 9 relating to disconnection of service is subject to
- 10 civil penalties imposed by the commission under
- 11 section 476.51 and the public utility shall refund any
- 12 reconnect fees collected as a result of such
- 13 disconnection along with interest calculated at the
- 14 rate set pursuant to section 476.6, subsection 13."

- 15 2. Title page, line 3, by inserting after the
16 word "utilities" the words "and requiring public
17 utilities to issue refunds of reconnect fees collected
18 as a result of the public utilities' improper
19 disconnections of service".
20 3. Renumber sections as necessary.

Van Camp of Scott offered the following amendment H—3646, to amendment H—3564, filed by him and moved its adoption:

H—3646

- 1 Amend amendment H—3564 to House File 737 as
2 follows:
3 1. Page 1, line 6, by inserting after the word
4 "which" the word "knowingly".
5 2. Page 1, line 8, by inserting after the word
6 "which" the word "knowingly".

Amendment H—3646 was adopted.

Paulin of Plymouth rose on a point of order that amendment H—3564 was not germane.

The Speaker ruled the point well taken and amendment H—3564 not germane.

Rosenberg of Story asked for unanimous consent to suspend the rules to consider amendment H—3564.

Objection was raised.

Rosenberg of Story moved that the rules be suspended to consider amendment H—3564, as amended.

A non-record roll call was requested.

The ayes were 54, nays 38.

The motion prevailed and the rules were suspended on amendment H—3564, as amended.

Rosenberg of Story moved the adoption of amendment H—3564, as amended.

A non-record roll call was requested.

The ayes were 50, nays 33.

Amendment H—3564, as amended, was adopted.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—3607 filed by him and Parker of Jasper on April 2, 1985.

Parker of Jasper offered the following amendment H—3690 filed by him and Osterberg of Linn:

H—3690

1 Amend House File 737 as follows:

2 1. By striking page 1, line 11 through page 3,
3 line 28 and inserting the following:

4 "1. COMPARISON GROUP. Investor-owned electric
5 utilities shall be compared to the other investor-
6 owned electric utilities in Iowa and the adjoining
7 states. The natural gas utilities shall be compared
8 to the other natural gas distribution utilities in
9 Iowa and the adjoining states and served by the same
10 pipelines that serve Iowa. Regulated operations of
11 telephone utilities shall be compared with regulated
12 operations of comparable telephone utilities in Iowa
13 and the adjoining states. The comparison groups shall
14 include only utilities with one hundred or more full-
15 time equivalent employees or more than ten million
16 dollars in annual gross revenues.

17 2. PERFORMANCE MEASURE. The commission shall
18 select whatever measures it deems appropriate to
19 provide incentives for a utility's efficiency,
20 productivity and service quality.

21 3. PERFORMANCE RATING. Based upon the measures
22 selected by the commission utilities shall be rated.
23 The best utilities shall be rated "A", the worst
24 utilities a "C", and all other a "B".

25 4. PERFORMANCE RANKING. Based upon measures
26 selected by the commission, the utilities shall be
27 ranked as to their position within each of the three
28 categories of ratings calculated under subsection 3.

29 5. REDUCTION OR ADJUSTMENT FOR LOW RATING. In a
30 proceeding conducted under section 476.3 or 476.6 the
31 commission shall determine the public utility's rating
32 pursuant to this section and if the commission finds
33 that a public utility is rated "C", the public utility
34 shall have its level of profit reduced or its revenue
35 requirement adjusted by the commission. In addition,
36 a portion of the total compensation of the public

37 utility's top five management positions shall be
 38 treated as below-the-line expenditures. The
 39 commission shall specify by rule the evidence and
 40 criteria to be considered when deciding the amount of
 41 the adjustment or reduction which shall be made to
 42 provide incentives to the public utility to correct
 43 its inefficient operation. In the proceeding,
 44 interested parties may present alternative ratings and
 45 rankings, including alternative comparison groups,
 46 which the commission may consider in determining the
 47 public utility's rating.

48 6. EXCEPTION. The adjustment or reduction under
 49 subsection 5 does not apply to a public utility which
 50 is rated "C" if the commission finds that the low

Page 2

1 ranking of the utility is due to extraordinary
 2 customer mix, territory of the utility, economic
 3 conditions in the areas served, weather patterns or
 4 disasters.

5 Sec. 2. NEW SECTION. 476.52A OPERATIONS REVIEW
 6 DIVISION MANAGEMENT EFFICIENCY REPORT.

7 1. The commission's operations review division
 8 shall file with the commission ratings and rankings
 9 for investor-owned electric, natural gas and telephone
 10 utilities on or before January 1 of each year. The
 11 rating and rankings shall be based upon methods
 12 specified by commission rules and other methods deemed
 13 appropriate by the division's staff."

Paulin of Plymouth offered the following amendment H—3700, to amendment H—3690, filed by him from the floor and moved its adoption:

H—3700

1 Amend amendment H—3690 to House File 737 as
 2 follows:
 3 1. Page 1, line 30, by inserting after the figure
 4 "476.6" the following: "which was commenced on or
 5 after January 1, 1988,"
 6 2. Page 2, line 10, by inserting after the word
 7 "year" the following: "beginning in 1988".

A non-record roll call was requested.

The ayes were 49, nays 43.

Amendment H—3700 was adopted.

Paulin of Plymouth offered the following amendment H—3699, to amendment H—3690, filed by him from the floor and moved its adoption:

H—3699

- 1 Amend amendment H—3690 to House File 737 as
- 2 follows:
- 3 1. Page 2, line 4, by inserting after the word
- 4 "disasters" the words "or to bad debts which arise due
- 5 to state-mandated programs".

Amendment H—3699 was adopted.

Norland of Worth asked and received unanimous consent that House File 737 be deferred and that the bill be placed on the unfinished business calendar.

(Amendment H—3690, as amended, pending.)

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Maulsby of Calhoun, until his return, on request of Van Maanen of Mahaska.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules to take up out of order House File 507.

Unfinished Business Calendar

The House resumed consideration of **House File 507**, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures, deferred and retained on the unfinished business calendar on March 27, 1985.

Jochum of Dubuque asked and received unanimous consent that House File 507 be referred to the committee on appropriations.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Black of Jasper on request of Hughes of Union.

MOTION TO RECONSIDER PREVAILED
(House File 629)

Spear of Lee called up for consideration the motion to reconsider House File 629, filed on March 29, 1985, and moved to reconsider the vote by which House File 629, a bill for an act relating to the membership of the state board of regents, failed to pass the House and was placed on its last reading on March 29, 1985.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 51, nays 46.

The motion prevailed and the House reconsidered House File 629, placing out of order the motion to reconsider filed by Diemer of Black Hawk on March 29, 1985.

Spear of Lee asked and received unanimous consent to reconsider amendment H—3436 found on page 1146 of the House Journal.

Spear of Lee offered the following amendment H—3560, to amendment H—3436, filed by him:

H—3560

- 1 Amend amendment H—3436 to House File 629 as
- 2 follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "expenses" the following: "which are not otherwise
- 5 chargeable to their official duties which are".

The House stood at ease at 2:24 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—3560, to amendment H—3436, to House File 629 at 3:22 p.m., Connors of Polk in the chair.

On motion by Spear of Lee, amendment H—3560, to amendment H—3436, was adopted.

On motion by Spear of Lee, amendment H—3436, as amended, was adopted.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 629)

The ayes were, 47:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Connolly
Doderer	Fey	Groninga	Groth
Halvorson, R. N.	Hanson	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Mullins
Norland	O'Kane	Ollie	Parker
Pavich	Peick	Peterson	Renaud
Running	Sherzan	Shoultz	Siegrist
Skow	Sturgeon	Swartz	Swearingen
Woods	Zimmerman	Mr. Speaker (Connors)	

The nays were, 50:

Bennett	Branstad	Carpenter	Cochran
Cooper	Corey	Daggett	De Groot
Diemer	Fogarty	Grandia	Gruhn
Halvorson, R. A.	Hammond	Handorf	Harbor
Hester	Hummel	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Osterberg
Oxley	Paulin	Pellett	Platt
Poncy	Renken	Rensink	Rosenberg
Royer	Schnekloth	Shoning	Spear
Stromer	Stueland	Sullivan	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden		

Absent or not voting, 3:

Black	Hermann	Maulsby
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The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order House File 554.

House File 554, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties, was taken up for consideration.

Norland of Worth asked and received unanimous consent that House File 554 be deferred and that the bill be placed on the unfinished business calendar.

MOTIONS TO RECONSIDER WITHDRAWN
(House File 678)

Haverland of Polk asked and received unanimous consent to withdraw the motion to reconsider on House File 678, a bill for an act relating to drainage and drainage districts, filed by him on April 8, 1985.

(House File 730)

Jay of Appanoose asked and received unanimous consent to withdraw the motion to reconsider on House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, filed by him on April 1, 1985.

RULE 31.8 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 31.8, relating to the filing of amendments, and that the deadline for filing amendments today be extended to 4:45 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the

House and the President of the Senate, and presented to the Governor for his approval on this 9th day of April, 1985: House File 29.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Monday, April 8, 1985. Had I been present, I would have voted "aye" on House Files 164, 676, 678, 702, 726 and 746.

COCHRAN of Webster

I was necessarily absent from the House chamber on April 8, 1985. Had I been present, I would have voted "aye" on House Files 164, 676, 678 and 746.

CONNOLLY of Dubuque

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 252, a bill for an act to establish an Iowa small and high risk business new jobs training program, authorizing an area school to levy a tax to provide matching funds, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3713**, April 8, 1985.

Committee Bill (Formerly House File 310), requiring certain persons to report suspected dependent adult abuse to the department of human services.

Fiscal Note is not required.

Recommended Amend and Do Pass April 8, 1985.

Committee Bill, relating to and making appropriations to state agencies for capital projects and providing that the act takes effect upon its publication.

Fiscal Note is not required.

Recommended Amend and Do Pass April 8, 1985.

RESOLUTION FILED

SCR 34, by committee on education, a concurrent resolution to exempt Senate File 492 from Joint Rule 20.

Referred to committee on **education**.

AMENDMENTS FILED

H-3693	H.F.	753	Doderer of Johnson Carpenter of Polk Hanson of Delaware Carter of Henry Connors of Polk
H-3694	H.F.	753	Doderer of Johnson Carpenter of Polk Hanson of Delaware Carter of Henry Connors of Polk
H-3695	H.F.	683	O'Kane of Woodbury
H-3696	H.F.	683	Sturgeon of Woodbury
H-3697	H.F.	698	Chapman of Linn
H-3698	H.F.	683	Sturgeon of Woodbury
H-3701	S.F.	450	Van Camp of Scott
H-3702	S.F.	377	Kremer of Buchanan
H-3703	H.F.	737	Van Camp of Scott
H-3704	H.F.	737	Van Camp of Scott
H-3705	H.F.	737	Knapp of Dubuque Rensink of Sioux Muhlbauer of Crawford
H-3706	H.F.	737	McIntee of Black Hawk
H-3707	H.F.	737	Paulin of Plymouth
H-3708	H.F.	737	Paulin of Plymouth
H-3709	H.F.	737	Paulin of Plymouth
H-3710	H.F.	737	McIntee of Black Hawk
H-3711	H.F.	737	Mullins of Kossuth
H-3712	H.F.	749	Hammond of Story

H-3713	H.F.	252	Committee on Appropriations
H-3714	H.F.	737	Paulin of Plymouth
H-3715	H.F.	753	Carl of Poweshiek
H-3716	H.F.	737	De Groot of Lyon

On motion by Norland of Worth, the House was recessed at 4:05 p.m., until 7:30 p.m.

EVENING SESSION

The House reconvened at 7:30 p.m. for a joint Senate and House memorial session, Haverland of Polk in the chair.

JOINT MEMORIAL SERVICE

- Prelude — Flute Solo
- Fantasy #6, D Minor Telemann
Merilee Johnson
Secretary to Representative Elaine Baxter, Des Moines
- Invocation Representative Mark A. Haverland, Polk
- “God of Our Fathers” George W. Warren
Legislative Chorus

MEMORIALS — HOUSE

Reading: Representative Florence Buhr, Polk

MEMORIALS — SENATE

Reading: Senator Joy Corning, Black Hawk

- “Heavenly Manna” Cesar Franck
Janis Bowden, Soloist
Secretary to Representative Jo Ann Zimmerman, Dallas

MEMORIALS — HOUSE

Reading: Representative Betty Jean Clark, Cerro Gordo

MEMORIALS – HOUSE AND SENATE

Reading: Senator Larry Murphy, Fayette

“If My People” Darlene Janzen Swanson
Legislative Chorus

MEMORIALS – HOUSE

Reading: Representative Brian Carter, Henry

MEMORIALS – SENATE

Reading: Senator Richard Vande Hoef, Osceola

“Amazing Grace” Arranged by: Gordon Young
Choral Group – Representatives: Mark A. Haverland and Darrell R. Hanson; Secretaries: Janis Bowden, Mark Lambert, Joan Koenigs, Anita O’Gara and Clarretta De Groot; and Page: Michael Booheister

MEMORIALS – HOUSE

Reading: Representative Janet Metcalf, Polk

“God Bless America” Irving Berlin
Legislative Chorus

Benediction Senator Charles P. Miller, Des Moines

IN MEMORIAM

SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE

Honorable Howard C. Buck (Marshall County) House – 53rd, 54th, 55th and 56th.
(Marshall County) Senate – 57th, 58th, 59th, 60th and 60th Extra.

Honorable J. Henry Lucken (Plymouth County) House – 52nd, 53rd, 54th, 55th,
56th, 57th, and 58th. (Cherokee, Ida and Plymouth Counties) Senate – 59th,
60th, 60x, 61st, 62nd and 63rd.

Honorable Clifford M. Vance (Henry County) House – 56th. (Henry, Washington
and Jefferson Counties) Senate – 57th, 58th, 59th, 60th, 60x and 61st. President
Pro Tempore, 60th.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Armour Boot (Marion County) 61st.

Honorable James W. Burke (Woodbury County) 61st.

Honorable Henry W. Busch (Bremer County) 60th, 61st and 62nd.

Honorable Sonja L. Egenes (Story County) 64th, 65th, 66th, 67th, 67x, 68th, 69th, and 69x.

Honorable Charles H. Everett (Story County) 53rd.

Honorable Carl H. Hensley (Audubon County) 57th and 59th.

Honorable Charles E. Knoblauch (Webster County) 63rd and 64th.

Honorable Max William Kreager (Jasper County) 59th and 60th.

Honorable Rayman D. Logue (Iowa County) 63rd and 65th.

Honorable Harvey J. Long (Clinton County) 49th, 50th, 51st, 52nd and 53rd.

Honorable Elroy Maule (Monona County) 57th, 58th, 59th, 60th and 61st.

Honorable Katheryn C. Metz (Decatur County) 53rd and 54th.

Honorable Maurice M. Neal (Dallas County) 52nd.

Honorable Henry William Siefkas (Clarke County) 48th, 49th, 50th, 51st, 52nd and 53rd.

Honorable Ted P. Sloane (Polk County) 50th, 51st, 52nd, 53rd and 54th.

Honorable Clair Strand (Poweshiek County) 62nd, 63rd and 64th.

Honorable John J. Swaner (Johnson County) 49th, 50th and 51st.

Honorable Dick H. Vanderwilt (Mahaska County) 51st.

Honorable Herman W. Walter (Pottawattamie County) 48th, 49th, 50th, 51st and 52nd.

SERVED IN THE SENATE

Honorable Duane Dewel (Emmet, Kossuth and Palo Alto Counties) 51st, 52nd, 55th, 56th, 57th and 58th. Senate Majority Leader, 56th.

Honorable A. V. Doran (Boone and Story Counties) 60th and 60x.

Honorable Peter F. Hansen (Carroll, Crawford, Greene and Sac Counties) 58th, 59th, 60th, 60x and 61st.

Honorable John R. Hattery (Boone and Story Counties) 49th, 50th, 50x, 53rd and 54th.

Honorable Gerald W. Prince (Audubon, Dallas and Guthrie Counties) 57th and 58th.

Honorable DeVere Watson (Pottawattamie County) 49th, 50th, 50x, 51st, 52nd, 53rd, 54th, 55th and 56th. President Pro Tempore, 56th.

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Candlelighters: Representative Linda Beatty, Indianola
 Representative Joan L. Hester, Honey Creek
 Senator Julia B. Gentleman, Des Moines
 Senator Beverly A. Hannon, Anamosa

* * * * *

Hosts: Representative Kenneth De Groot, Doon
 Representative Paul W. Johnson, Decorah
 Representative Don Shoning, Sioux City
 Senator C. Joseph Coleman, Clare
 Senator Dale L. Tieden, Elkader
 Senator Don E. Gettings, Ottumwa

* * * * *

LEGISLATIVE CHORUS

Director: Senator Ray Taylor, Steamboat Rock
 Accompanist: Christopher Sorensen, Senate Page

HOUSE MEMORIAL COMMITTEE

Honorable Mark A. Haverland, Chair
 Honorable Linda L. Beatty
 Honorable Kenneth De Groot
 Honorable Joan L. Hester

* * * * *

SENATE MEMORIAL COMMITTEE

Honorable Charles P. Miller, Chair
 Honorable C. Joseph Coleman
 Honorable Ray Taylor
 Honorable Dale L. Tieden

On motion by Connors of Polk, the House adjourned at 8:09 p.m.,
 until 9:00 a.m., Wednesday, April 10, 1985.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day — Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 10, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Robert Harness, pastor of the St. Elizabeth Catholic Church, Harper.

The Journal of Tuesday, April 9, 1985 was approved.

PETITION FILED

The following petition was received and placed on file:

By De Groot of Lyon, from two hundred sixty-five constituents favoring legislation increasing the appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 9, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 266, a bill for an act relating to veteran preference in public employment and providing an effective date.

Also: That the Senate has on March 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 475, a bill for an act relating to corporate takeovers and providing penalties.

Also: That the Senate has on April 9, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 477, a bill for an act relating to the search of students or protected student areas.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 756, by Corey, a bill for an act relating to the payment of installments of special assessments.

Read first time and referred to committee on **ways and means**.

House File 757, by committee on appropriations, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication.

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

SENATE MESSAGES CONSIDERED

Senate File 266, by Husak, Nystrom, Drake, Miller of Des Moines, Coleman, Boswell, Dieleman, Jensen, Priebe, Waldstein, Soorholtz, Vande Hoef, Hutchins, Rife, Brown, Miller of Cerro Gordo, Wells and Rodgers, a bill for an act relating to veteran preference in public employment and providing an effective date.

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

Senate File 475, by Mann, a bill for an act relating to corporate takeovers and providing penalties.

Read first time and referred to committee on **small business and commerce**.

Senate File 477, by Mann, a bill for an act relating to the search of students or protected student areas.

Read first time and referred to committee on **judiciary and law enforcement**.

On motion by Norland of Worth, the House was recessed at 9:32 a.m., until 11:15 a.m.

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque, until his return, on request of Varn of Johnson.

RULE 34 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 34, relating to the daily debate calendar, on House File 554.

Unfinished Business Calendar

The House resumed consideration of **House File 554**, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties, deferred and placed on the unfinished business calendar on April 9, 1985.

Hummel of Benton asked and received unanimous consent to temporarily defer action on amendment H—3547.

Fogarty of Palo Alto asked and received unanimous consent to withdraw amendment H—3630 filed by Fogarty, et al., on April 3, 1985, placing out of order amendment H—3663 (to amendment H—3630), filed by Pellett of Cass on April 4, 1985.

Tabor of Jackson offered the following amendment H—3669 filed by him and moved its adoption:

H—3669

- 1 Amend House File 554 as follows:
- 2 1. Page 1, line 9, by striking the words "and
- 3 even though the buyer knows of its existence" and
- 4 inserting the following: "and even though the buyer
- 5 knows of its existence".
- 6 2. By striking page 1, line 15, through page 3,
- 7 line 6, and inserting the following:
- 8 "Sec. 2. Section 554.9307, Code 1985, is amended
- 9 by adding the following new subsection:
- 10 **NEW SUBSECTION.** 4. a. A buyer in ordinary course
- 11 of business buying farm products from a person engaged
- 12 in farming operations takes free of a security

13 interest created by that person's seller even though
14 the security interest is perfected, unless the buyer
15 receives prior written notice of the security
16 interest, or unless the buyer purchases the farm
17 products outside of the seller's trade area, or the
18 buyer's principal place of business is located outside
19 of the seller's trade area. The "seller's trade area"
20 consists of the county in which the seller resides or
21 a county that is contiguous to or corners upon the
22 county where the seller resides. "Written notice"
23 means a writing which may contain information
24 regarding more than one debtor and more than one lien
25 and contains all of the following:

26 (1) The full name, address and social security or
27 tax identification number of the debtor.

28 (2) The full name and address of the secured
29 party.

30 (3) A description generally identifying the farm
31 products subject to the security interest.

32 (4) The date and signature of the secured party.

33 b. The written notice expires on the earlier of
34 either of the following dates:

35 (1) Eighteen months after the date the secured
36 party signs the notice.

37 (2) When the debt that appears on the notice is
38 satisfied.

39 c. For the notice to be effective, the buyer of
40 the farm products must have received the notice prior
41 to the time the buyer has made full payment to the
42 person engaged in farming operations. The notice is
43 not effective against any payments made prior to
44 receipt of the notice.

45 d. A debtor engaged in farming operations who has
46 created a security interest in farm products shall
47 provide the secured party with a written list of
48 potential buyers of the farm products at the time the
49 debt is incurred if the secured party requests such a
50 list. The debtor shall not sell the farm products to

Page 2

1 a buyer who does not appear on the list or is not in
2 the debtor's trade area unless the secured party has
3 given prior written permission or the debtor applies
4 the proceeds the debtor receives from the sale to the
5 debt within fifteen days of the date of sale. A
6 debtor who knowingly or intentionally sells the farm
7 products in violation of this paragraph is guilty of
8 an aggravated misdemeanor.

9 e. A buyer of farm products buying from a person
10 engaged in farming operations shall issue a check for

11 payment jointly to the debtor and those secured
12 parties from whom the buyer has received prior written
13 notice of a security interest. A buyer who issues a
14 check jointly payable as specified in this subsection
15 takes the farm products free of a security interest
16 created by that person's seller. A buyer who does not
17 issue a check jointly payable as specified in this
18 subsection does not take farm products free of a
19 security interest created by that person's seller. A
20 buyer shall not withhold all or part of the payment to
21 satisfy a prior debt. However, the buyer may withhold
22 the costs incurred by the purchaser to market or
23 transport the farm products if such costs are part of
24 the agreement to purchase the farm products."

Harbor of Mills offered the following amendment H-3719, to amendment H-3669, filed by him from the floor and moved its adoption:

H-3719

1 Amend House amendment H-3669 to House File 554 as
2 follows:
3 1. Page 2, line 5, by inserting after the word
4 "sale" the following: "or delivery, whichever is
5 later".

Amendment H-3719 was adopted.

Pellett of Cass offered the following amendment H-3722, to amendment H-3669, filed from the floor by him and Handorf of Marshall and moved its adoption:

H-3722

1 Amend amendment H-3669 to House File 554 as
2 follows:
3 1. Page 2, by inserting after line 24 the
4 following:
5 "_____. Page 3, by inserting after line 6 the
6 following:
7 "Sec._____. Section 554.9404, subsection 1, Code
8 1985, is amended to read as follows:
9 1. If a financing statement covering consumer
10 goods is filed on or after January 1, 1975, then
11 within one month or within ten days following written
12 demand by the debtor after there is no outstanding
13 secured obligation and no commitment to make advances,
14 incur obligations or otherwise give value, the secured

15 party must file with each filing officer with whom the
 16 financing statement was filed, a termination statement
 17 to the effect that the secured party no longer claims
 18 a security interest under the financing statement,
 19 which shall be identified by file number. If a
 20 financing statement covering farm products is filed,
 21 then within sixty days, or within ten days following
 22 written demand by the debtor, after there is no
 23 outstanding secured objection and no commitment to
 24 make advances, incur obligations, or otherwise give
 25 value, the secured party shall file with each filing
 26 officer with whom the financing statement was filed, a
 27 termination statement to the effect that the secured
 28 party no longer claims a security interest under the
 29 financing statement which shall be identified by file
 30 number. In other cases whenever there is no
 31 outstanding secured obligation and no commitment to
 32 make advances, incur obligations or otherwise give
 33 value, the secured party must on written demand by the
 34 debtor send the debtor, for each filing officer with
 35 whom the financing statement was filed, a termination
 36 statement to the effect that the secured party no
 37 longer claims a security interest under the financing
 38 statement, which shall be identified by file number.
 39 A termination statement signed by a person other than
 40 the secured party of record must be accompanied by a
 41 separate written statement of assignment signed by the
 42 secured party of record complying with section
 43 554.9405, subsection 2, including payment of the
 44 required fee. If the affected secured party fails to
 45 file such a termination statement as required by this
 46 subsection, or to send such a termination statement
 47 within ten days after proper demand therefor the
 48 affected secured party shall be liable to the debtor
 49 for one hundred dollars, and in addition for any loss
 50 caused to the debtor by such failure." "

Page 2

1 2. Renumber as necessary.

Amendment H—3722 was adopted.

On motion by Tabor of Jackson, amendment H—3669, as amend-
 ed, was adopted placing the following amendments out of order:

H—3672 filed by Fogarty of Palo Alto on April 4, 1985.

**H—3686, to amendment H—3672, filed by Pellett of Cass and
 Handorf of Marshall on April 8, 1985.**

Cochran of Webster asked and received unanimous consent to withdraw amendment H—3666 filed by him on April 4, 1985.

Hummel of Benton asked and received unanimous consent to withdraw amendment H—3547 (temporarily deferred) filed by him on March 29, 1985.

The following amendment H—3725, filed by Pellett of Cass from the floor, was adopted by unanimous consent:

H—3725

- 1 Amend House File 554 as follows:
- 2 1. Title page, by striking lines 1 through 4 and
- 3 inserting the following: "An Act relating to security
- 4 interests in farm products and providing penalties."

Fogarty of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 554)

The ayes were, 88:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Jay	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schneklath	Sherzan	Shoning
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 5:

Hummel	Maulsby	Shoultz	Teaford
Welden			

Absent or not voting, 7:

Carl	Connolly	Hermann	Jochum
Oxley	Running	Swartz	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (House File 554)

Norland of Worth asked and received unanimous consent to immediately message House File 554 to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 547, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 547, by committee on judiciary, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

Read first time and referred to committee on **labor and industrial relations**.

CONFERENCE COMMITTEE REPORT FILED

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill was received and filed in the office of the Chief Clerk on April 10, 1985.

JOSEPH O'HERN
Chief Clerk of the House

Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

PROOF OF PUBLICATION
(Senate File 490)

Published copy of Senate File 490 and verified proof of publication of said bill in the Mitchell County Press and Osage News, a weekly newspaper published at Osage, Mitchell County, Iowa, on March 6, 1985; in the Forest City Summit, a weekly newspaper published at Forest City, Winnebago County, Iowa, on March 7, 1985; and in the Lake Mills Graphic, a weekly newspaper published at Lake Mills, Winnebago County, Iowa, on March 6, 1985, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 9, 1985. Had I been present, I would have voted "nay" on House File 629.

BLACK of Jasper

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-four students from Charles City, accompanied by Chuck Redenius. By Clark of Cerro Gordo.

Twenty-one students from Davis County Community High School, Bloomfield, accompanied by Don Combs and Dorothy Gentry. By Jay of Appanoose.

Five Junior and Senior students from Manson High School, Manson, accompanied by Gene Nelson. By Maulsby of Calhoun.

Thirty-seven Junior and Senior students from Fox Valley High School, Milton, accompanied by Mrs. Bachman and Mrs. Kellner. By Sullivan of Van Buren.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Resolution (Formerly Study Bill 396), a concurrent resolution to request and urge the Congress of the United States to take certain actions to assist farmers.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 1985.

COMMITTEE ON EDUCATION

Senate File 398, a bill for an act relating to school reorganization.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3717**, April 9, 1985.

Senate File 526, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3718**, April 9, 1985.

COMMITTEE ON HUMAN RESOURCES

Senate File 18, a bill for an act relating to the deposit of cremation ashes on private or public property.

Fiscal Note is not required.

Committee Action Failed to Pass April 9, 1985.

Senate File 306, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

Fiscal Note is not required.

Recommended Do Pass April 9, 1985.

Senate File 374, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty.

Fiscal Note is not required.

Recommended Do Pass April 9, 1985.

Senate File 438, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

Fiscal Note is not required.

Recommended Do Pass April 9, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 289, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

Fiscal Note is not required.

Recommended Do Pass April 9, 1985.

Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3728, April 9, 1985.

Senate File 315, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3727, April 9, 1985.

Senate File 490, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

Fiscal Note is not required.

Recommended Do Pass April 9, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 63, a bill for an act relating to the approval of attorney fees by the department of job service.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 1985.

Senate File 385, a bill for an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties.

Fiscal Note is required.

Recommended **Do Pass** April 9, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

Senate File 511, a bill for an act to extend the time for the completion of the flood plain mapping plan.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 1985.

COMMITTEE ON STATE GOVERNMENT

Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 1985.

Senate File 433, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3723**, April 9, 1985.

Senate File 525, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

Fiscal Note is not required.

Recommended **Do Pass** April 9, 1985.

COMMITTEE ON TRANSPORTATION

Senate File 313, a bill for an act allowing certain truck tractors to be registered as special trucks.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H—3726, April 9, 1985.

Senate File 337, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H—3724, April 9, 1985.

RESOLUTION FILED

HCR 29, by committee on agriculture, a concurrent resolution to request and urge the Congress of the United States to take certain actions to assist farmers.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—3717	S.F.	398	Committee on Education
H—3718	S.F.	526	Committee on Education
H—3723	S.F.	433	Committee on State Government
H—3724	S.F.	387	Committee on Transportation
H—3726	S.F.	313	Committee on Transportation
H—3727	S.F.	315	Committee on Judiciary and Law Enforcement
H—3728	S.F.	295	Committee on Judiciary and Law Enforcement
H—3729	H.F.	719	Kremer of Buchanan
H—3730	S.F.	450	Paulin of Plymouth
H—3731	S.F.	383	Halvorson of Clayton Harbor of Mills McIntee of Black Hawk

H-3732	S.F.	383	Halvorson of Clayton Harbor of Mills McIntee of Black Hawk
H-3733	S.F.	383	Halvorson of Clayton Harbor of Mills McIntee of Black Hawk
H-3734	S.F.	27	Blanshan of Greene Swearingen of Keokuk
H-3735	S.F.	213	Jay of Appanoose McIntee of Black Hawk
H-3736	H.F.	683	Rosenberg of Story
H-3737	H.F.	547	Hummel of Benton
H-3738	H.F.	547	Hummel of Benton
H-3739	H.F.	547	Hummel of Benton
H-3740	H.F.	547	Hummel of Benton

On motion by Norland of Worth, the House adjourned at 11:53 a.m., until 9:00 a.m., Thursday, April 11, 1985.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day — Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 11, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Richard Kuhn, pastor of the Sacred Heart Catholic Church, Oelwein.

The Journal of Wednesday, April 10, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Merlin Broers, M.D., Schleswig.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carl of Poweshiek on request of Sullivan of Van Buren.

PETITIONS FILED

The following petitions were received and placed on file:

By Hanson of Delaware, from fourteen residents of District 48 favoring House File 272, an act relating to the regulation of telecommunication services and providing a penalty.

By Rensink of Sioux, from one hundred nineteen constituents favoring legislation to increase appropriations to the Iowa State Transit Assistance Fund to insure continuation of public transit services to Iowans.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 421, a bill for an act to require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors.

Also: That the Senate has on April 10, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts and health maintenance organization health care services plans.

Also: That the Senate has on April 10, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 37, providing for a suspension of Joint Rule 13 to consider Senate File 395 and the conference committee report filed to the bill.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 421, by committee on state government, a bill for an act to require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors.

Read first time and referred to committee on **state government**.

RESOLUTION FILED

SCR 37, by committee on rules and administration, a concurrent resolution to suspend the Joint Rules to allow the consideration of a specific Conference Committee Report.

Laid over under **Rule 25**.

RULE 25 SUSPENDED

ADOPTION OF SENATE CONCURRENT RESOLUTION 37

Norland of Worth asked for unanimous consent to suspend Rule 25 for the immediate consideration of Senate Concurrent Resolution 37 as follows:

- 1 CONCURRENT RESOLUTION 37
- 2 By Committee on Rules and Administration
- 3 A Concurrent Resolution to suspend the Joint Rules to
- 4 allow the consideration of a specific Conference
- 5 Committee Report.

6 *Be It Resolved by the Senate, the House of*
 7 *Representatives* concurring, That the joint rules of
 8 the house and senate are suspended to allow the
 9 consideration of the report of the conference
 10 committee appointed on Senate File 395 which was filed
 11 on April 10, 1985.

Objection was raised.

Norland of Worth moved that Rule 25 be suspended for the immediate consideration of Senate Concurrent Resolution 37.

A non-record roll call was requested.

The ayes were 53, nays 37.

The motion prevailed, Rule 25 was suspended and Senate Concurrent Resolution 37 was taken up for consideration.

Fey of Scott moved the adoption of Senate Concurrent Resolution 37.

Roll call was requested by Stromer of Hancock and Connors of Polk.

On the question "Shall Senate Concurrent Resolution 37 be adopted?"

The ayes were, 55:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Gruhn	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lonergan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peterson	Poncy	Renaud
Rosenberg	Running	Schnekloth	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Zimmerman	Mr. Speaker	

The nays were, 39:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia

Halvorson, R. A.	Handorf	Hanson	Harbor
Hester	Hummel	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	Oxley	Paulin
Peick	Pellett	Platt	Renken
Rensink	Royer	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 6:

Branstad	Carl	Groth	Halvorson, R. N.
Hermann	Woods		

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE (Senate Concurrent Resolution 37)

Norland of Worth asked for unanimous consent to immediately message Senate Concurrent Resolution 37 to the Senate.

Objection was raised.

Norland of Worth moved that Senate Concurrent Resolution 37 be immediately messaged to the Senate.

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

On the question "Shall Senate Concurrent Resolution 37 be immediately messaged?"

The ayes were, 56:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. N.	Hammond
Hanson	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Lonergan
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peterson
Poney	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Zimmerman	Mr. Speaker

The nays were, 38:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Harbor	Hester
Hummel	Kremer	Lageschulte	Maulsby
McKean	Metcalf	Miller	Mullins
Oxley	Paulin	Peick	Pellett
Platt	Renken	Rensink	Royer
Schneklath	Shoning	Siegrist	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 6:

Branstad	Carl	Groth	Hermann
McIntee	Woods		

The motion prevailed.

On motion by Norland of Worth, the House was recessed at 9:35 a.m., until 11:00 a.m.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 11:21 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Connors of Polk in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 1985, adopted the conference committee report and passed Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax.

K. MARIE THAYER, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-eight members present, twenty-two absent.

CONSIDERATION OF BILLS

Regular Calendar

House File 619, a bill for an act relating to the expenditure of moneys from the loan reserve account of the Iowa college aid commission and providing an effective date for the Act, was taken up for consideration.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 619)

The ayes were, 81:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Daggett	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Rosenberg	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Varn	Zimmerman
Mr. Speaker (Connors)			

The nays were, 16:

Carpenter	Corey	De Groot	Grandia
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McKean	Metcalf	Poncy	Renaud
Renken	Rensink	Royer	Running
Stromer	Swearingen	Van Maanen	Woods

Absent or not voting, 3:

Carl	Hermann	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 477, a bill for an act relating to the operation of fire vehicles and providing an effective date, with report of committee recommending amendment and passage was taken up for consideration.

Renaud of Polk offered the following amendment H—3307 filed by the committee on transportation and moved its adoption:

H—3307

- 1 Amend House File 477 as follows:
- 2 1. Page 1, by striking lines 31 through 35.
- 3 2. Title page, lines 1 and 2, by striking the
- 4 words "and providing an effective date".

The committee amendment H—3307 was adopted.

SENATE FILE 307 SUBSTITUTED FOR HOUSE FILE 477

Renaud of Polk asked and received unanimous consent to substitute Senate File 307 for House File 477.

Senate File 307, a bill for an act relating to the operation of fire vehicles, was taken up for consideration.

Renaud of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question—"Shall the bill pass?" (S.F. 307)

The ayes were, 96:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer

Branstad	Buhr	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonerган
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 4:

Carl	Doderer	Hermann	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 477 WITHDRAWN

Renaud of Polk asked and received unanimous consent to withdraw House File 477 from further consideration by the House.

House File 585, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate, was taken up for consideration.

SENATE FILE 375 SUBSTITUTED FOR HOUSE FILE 585

Kremer of Buchanan asked and received unanimous consent to substitute Senate File 375 for House File 585.

Senate File 375, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate, was taken up for consideration.

Kremer of Buchanan moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 375)

The ayes were, 96:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 4:

Carl	Groninga	Hermann	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 585 WITHDRAWN

Kremer of Buchanan asked and received unanimous consent to withdraw House File 585 from further consideration by the House.

House File 617, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy, was taken up for consideration.

SENATE FILE 392 SUBSTITUTED FOR HOUSE FILE 617

Platt of Muscatine asked and received unanimous consent to substitute Senate File 392 for House File 617.

Senate File 392, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy, was taken up for consideration.

Platt of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 392)

The ayes were, 97:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, none.

Absent or not voting, 3:

Carl

Fogarty

Hermann

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

HOUSE FILE 617 WITHDRAWN

Platt of Muscatine asked and received unanimous consent to withdraw House File 617 from further consideration by the House.

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that the following House Files be deferred and retain their place on the calendar: House Files 467, 706 and 589.

The House resumed consideration of **House File 753**, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date, deferred April 4, 1985, and amendment H-3634 (found on pages 1375 through 1377), as amended.

Sherzan of Polk asked and received unanimous consent to temporarily defer action on amendment H-3645, to amendment H-3634.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendments H-3671 and H-3673, to amendment H-3634.

Doderer of Johnson asked and received unanimous consent to take up for immediate consideration amendment H-3751, to amendment H-3634.

Doderer of Johnson offered the following amendment H-3751, to amendment H-3634, filed from the floor by Doderer, Carpenter, Norland, Hanson, Lloyd-Jones, Connors, Buhr, Zimmerman, Groninga, Ollie, Osterberg, Johnson, Gruhn, Arnould, Baxter, Sherzan, Blanshan, Hammond, Halvorson of Webster, Teaford, Carter, McKean, Mullins, Clark, Brammer, Hughes, Peterson, Shultz, Fey and O'Kane:

H—3751

1 Amend amendment, H—3634 to House File 753 as
2 follows:

3 1. By striking page 1, line 4 through page 2,
4 line 45 and inserting the following:

5 "Section 1. REVIEW OF FACTOR SCORES AND FACTOR
6 DETERMINED SCORES.

7 1. Any state employee may request review of the
8 factor scores or the factor determined score that
9 employee's job title received under the study com-
10 missioned under 1983 Iowa Acts, chapter 170, section
11 2, or under a study required of a state agency to
12 implement the requirements of section 79.18. Requests
13 for review by more than one employee within a job
14 title shall be considered together, and a request for
15 review by one or more employees within a job title
16 shall be considered as a request on behalf of all
17 employees in that job title.

18 2. The Iowa merit employment department may
19 request review of factor scores or the factor
20 determined scores on any job titles under the state
21 merit system. The requests for review shall be
22 available to merit employees prior to the notice
23 required in subsection 4. The request shall include
24 the reasons for review of the factor scores and the
25 Iowa merit employment department's recommended changes
26 in the factor scores.

27 3. State agencies with employees exempt or par-
28 tially exempt from the state merit system may request
29 review of factor scores or factor-determined scores
30 received for job titles under a study required of a
31 state agency to implement the requirements of section
32 79.18. The requests for review shall be available to
33 their nonmerit employees prior to the notice required
34 in subsection 4. The request shall include the
35 reasons for the review of the factor scores and the
36 state agency's recommended changes in the factor
37 scores.

38 4. Employees shall be notified of their right to
39 request review of their factor scores and factor
40 determined scores with one or more biweekly pay checks
41 or monthly pay checks if employees are paid monthly.
42 The Iowa merit employment department shall make
43 "request for review" forms available to all
44 departments and agencies and shall provide complete
45 access to information regarding the study and the
46 methods for determining factor scores in the system.
47 Employees shall have at least four weeks from the time
48 the first notice of the right to request review is
49 distributed in which to file a request for review.

50 5. Requests for review shall be filed with the

Page 2

1 public employment relations board. A request for
2 review shall be heard by a hearing board established
3 for that purpose. One member of the board shall be
4 appointed by the public employment relations board;
5 one member shall be appointed by the Iowa merit
6 employment department to represent the employing
7 agency; and one member shall be appointed by an
8 employee organization if the petitioner is subject to
9 a collective bargaining agreement or by the employees
10 of the job class under procedures established by the
11 public employment relations board if the petitioner is
12 not subject to a collective bargaining agreement. The
13 public employment relations board shall adopt rules
14 establishing procedures for the conduct of the
15 hearings and specifying the responsibilities of the
16 hearing officers. The rules shall also provide for
17 the scheduling of hearings and the notification of
18 participants. The decision of a hearing board on a
19 request for review is final. The proceedings and
20 decision of an appeal board under this section do not
21 constitute a contested case proceeding or a final
22 agency action under the Iowa Administrative Procedures
23 Act and the proceedings and decision of an appeal
24 board are exempt from review or other proceedings
25 under the Iowa administrative procedure act.

26 6. This section does not apply to state employees
27 who were given the opportunity to have their job
28 titles reviewed as a part of a study completed for an
29 agency with positions which are exempt or partially
30 exempt from the state merit system.

31 7. The review process under this section shall be
32 completed by March 1, 1986.

33 Sec. 2. 1984 Iowa Acts, chapter 1314, section 3,
34 unnumbered paragraph 1 and subsection 1, are amended
35 to read as follows:

36 For noncontractual employees under the state merit
37 system, the following implementation schedule applies
38 for the initial phase of comparable worth adjustments,
39 except that a job classification shall not be placed
40 at a pay grade lower than its assignment on January 1,
41 1985, until after completion of the review process
42 under section 1 of this Act:

43 1. In implementing the first phase of comparable
44 worth adjustments, employees in job titles whose
45 current pay grade is below the comparable worth pay
46 grade shall be adjusted upward to their comparable
47 worth pay grade. However, no job titles except
48 nursing service director, director of nursing, and
49 director of public health nursing shall be raised
50 above pay grade thirty-two under the initial

Page 3

1 implementation process. This implementation shall
2 only be done after completion of the review process.

3 Sec. 3. 1984 Iowa Acts, chapter 1314, section 8,
4 is amended to read as follows:

5 AGENCY COMPARABLE WORTH REPORTS. Agencies with
6 positions which are exempt or partially exempt from
7 the state merit system shall report to the governor
8 and the legislative council by December 15, 1984, on
9 the degree to which the salary plans covering
10 positions substantially equivalent to those in the
11 state merit system comply with the provisions of 1983
12 Iowa Acts, chapter 170. The reports shall include a
13 plan for implementation in fiscal year 1986 of
14 comparable worth salary adjustments, if necessary, and
15 the amount of appropriations necessary to implement
16 those adjustments. However, plans developed pursuant
17 to this section may be implemented in the fiscal year
18 1985 if funds are available from funds appropriated in
19 1984 Iowa Acts, chapter 1314, section 7, and if funds
20 are not available, beginning with the first pay period
21 after July 1, 1985. Implementation of this section
22 shall be consistent with other sections of this Act
23 and section 79.18. Notwithstanding sections 602.1204,
24 602.1208, 602.1209, and 602.1401 of the Iowa Code, the
25 provisions of this section of this Act shall be
26 applicable to the judicial department.

27 Sec. 4. INTERIM STUDY OF PERSONNEL MANAGEMENT
28 STRUCTURES AND POLICIES. The legislative council
29 shall establish an interim study committee to conduct
30 a comprehensive review of personnel management
31 structures and policies excluding personnel systems
32 under the state board of regents. The membership
33 shall consist of eleven members, three legislators
34 from each house appointed by the legislative council,
35 one person appointed by the governor, and four persons
36 with expertise in personnel matters appointed by the
37 legislative council.

38 Legislative members of the committee are entitled
39 to per diem and expenses as provided for interim study
40 committee members in section 2.44. Public members who
41 are not public employees are entitled to a per diem of
42 forty dollars for attending committee meetings.
43 Public members and public employee members are en-
44 titled to reimbursement for travel and other necessary
45 expenses actually incurred in the performance of their
46 duties on the committee. Payment for authorized per
47 diem and expenses shall be made as provided in section
48 2.12.

49 The committee shall make recommendations to the
50 governor, the legislative council, and the general

Page 4

1 assembly by January 1, 1986.

2 Sec. 5. INTERIM STUDY ON FEMALE DOMINATED JOBS.

3 The legislative council shall establish an interim
4 study committee to conduct a complete review of all
5 female-dominated jobs to determine whether
6 discrimination remains in compensation for work of
7 comparable worth between jobs held predominantly by
8 women and jobs held predominantly by men. The
9 membership shall consist of seven members, three
10 legislators from each house appointed by the
11 legislative council and one person appointed by the
12 governor.

13 Legislative members of the committee are entitled
14 to per diem and expenses as provided for interim study
15 committee members in section 2.44. A public member
16 who is not a public employee is entitled to a per diem
17 of forty dollars for attending committee meetings. A
18 public member or public employee member is entitled to
19 reimbursement for travel and other necessary expenses
20 actually incurred in the performance of their duties
21 on the committee. Payment for authorized per diem and
22 expenses shall be made as provided in section 2.12.

23 The committee shall make recommendations to the
24 governor, the legislative council, and the general
25 assembly by January 1, 1986.

26 Sec. 6. Section 20.3, Code 1985, is amended by
27 adding the following new subsection:

28 NEW SUBSECTION. 13. "Comparable worth" means the
29 value of work as measured by the composite score of
30 the skill, effort, responsibility, and working
31 conditions normally required in the performance of
32 work for the employer as defined in section 79.18.
33 Job classifications used for determining comparable
34 worth shall include all job classifications of the
35 public employer.

36 Sec. 7. Section 79.18, Code 1985, is amended by
37 adding the following new unnumbered paragraph:

38 NEW UNNUMBERED PARAGRAPH. The Iowa merit
39 employment department for state merit system employees
40 and the employing agency for exempt or partially
41 exempt employees in their respective agencies shall
42 adopt rules, as provided in chapter 17A, to provide
43 for an ongoing review of the implementation of the
44 comparable worth compensation policy. The rules shall
45 include a mechanism for reviewing the assignment of
46 factor scores to new job classifications.

47 Sec. 8. LIBERAL INTERPRETATION. The provisions of
48 this Act and all proceedings under this Act shall be
49 liberally construed with a view to promoting its
50 objectives and assisting the parties in obtaining

Page 5

- 1 justice.
- 2 Sec. 9. This Act, being deemed of immediate
- 3 importance, takes effect from and after its
- 4 publication in the Iowa City Press-Citizen, a
- 5 newspaper published in Iowa City, Iowa, and in The
- 6 Jefferson Bee, a newspaper published in Jefferson,
- 7 Iowa."

The House stood at ease at 2:19 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—3751, to amendment H—3634, to House File 753 at 3:22 p.m., Connors of Polk in the chair.

Bennett of Ida rose on a point of order that amendment H—3751 was not germane.

The Speaker ruled the point well taken and amendment H—3751 not germane.

Norland of Worth asked for unanimous consent to suspend the rules to consider amendment H—3751.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider amendment H—3751.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall the rules be suspended to consider amendment H—3751?"

The ayes were, 59:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum

Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

The nays were, 35:

Bennett	Carpenter	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hester
Hummel	Kremer	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Paulin	Pellett	Platt	Renken
Rensink	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 6:

Branstad	Carl	Hermann	Mullins
Royer	Shultz		

The motion prevailed and the rules were suspended to consider amendment H—3751.

Speaker Avenson in the chair at 4:28 p.m.

Doderer of Johnson moved the adoption of amendment H—3751, to amendment H—3634.

Roll call was requested by Maulsby of Calhoun and Doderer of Johnson.

On the question "Shall amendment H—3751, to amendment H—3634, be adopted?"

The ayes were, 65:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Doderer

Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McKean	Metcalf	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 31:

Bennett	Branstad	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Harbor	Hummel	Kremer
Maulsby	Miller	Muhlbauer	Paulin
Pellet	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 4:

Carl	Hermann	Jay	McIntee
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Amendment H—3751 was adopted, placing the following amendments, to amendment H—3634, out of order:

H—3645 filed by Connors, et al., on April 4, 1985.

H—3649 filed by Carpenter of Polk and Hanson of Delaware on April 4, 1985.

H—3650 filed by Hanson of Delaware and Hammond of Story on April 4, 1985.

H—3670 filed by Doderer of Johnson and Buhr of Polk on April 4, 1985.

H—3671 filed by Doderer of Johnson on April 4, 1985.

H—3673 filed by Doderer, et al., on April 4, 1985.

H—3674 filed by Doderer of Johnson and Carpenter of Polk on April 4, 1985.

H—3675 filed by Doderer of Johnson and Swartz of Marshall on April 4, 1985.

H—3676 filed by Doderer, et al., on April 4, 1985.

H—3693 filed by Doderer, et al., on April 9, 1985.

H-3715 filed by Carl of Poweshiek on April 9, 1985.

H-3757 filed by Welden of Hardin from the floor.

Also out of order was the motion to reconsider amendment H-3647, to amendment H-3634, filed by Renken of Grundy on April 8, 1985.

On motion by Sherzan of Polk amendment H-3634, as amended, was adopted placing the following amendments out of order:

H-3636 filed by Doderer, et al., on April 3, 1985.

H-3641, to amendment H-3636, filed by Swartz of Marshall and Hanson of Delaware on April 4, 1985.

H-3644, to amendment H-3636, filed by Connors, et al., on April 4, 1985.

H-3648, to amendment H-3636, filed by Carpenter of Polk and Lloyd-Jones of Johnson on April 4, 1985.

H-3652, to amendment H-3636, filed by Hanson of Delaware and Hammond of Story on April 4, 1985.

H-3653, to amendment H-3636, filed by Carter, et al., on April 4, 1985.

H-3657, to amendment H-3636, filed by Hanson of Delaware and Hammond of Story on April 4, 1985.

H-3682, to amendment H-3636, filed by Carl of Poweshiek on April 8, 1985.

H-3694, to amendment H-3636, filed by Doderer, et al., on April 9, 1985.

H-3582 filed by Swartz of Marshall on April 2, 1985.

H-3611 filed by Hanson, et al., on April 2, 1985.

H-3643 filed by Connors, et al., on April 4, 1985.

Doderer of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 753)

The ayes were, 67:

- | | | | |
|----------|---------|----------|-----------|
| Arnould | Baxter | Beatty | Black |
| Blanshan | Brammer | Buhr | Carpenter |
| Carter | Chapman | Clark | Cochran |
| Connolly | Connors | Cooper | Doderer |
| Fey | Fogarty | Groninga | Groth |

Gruhn	Halvorson, R. N.	Hammond	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 29:

Bennett	Branstad	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Harbor	Hummel	Kremer
Maulsby	Miller	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 4:

Carl	Hermann	Jay	McIntee
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message House Files 619 and 753 to the Senate.

House File 467, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers, with report of committee recommending passage was taken up for consideration.

SENATE FILE 422 SUBSTITUTED FOR HOUSE FILE 467

Lonergan of Boone asked and received unanimous consent to substitute Senate File 422 for House File 467.

Senate File 422, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers, was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 422 be deferred and that the bill be placed on the unfinished business calendar.

House File 706, a bill for an act relating to veterans' preference in public employment, was taken up for consideration.

SENATE FILE 266 SUBSTITUTED FOR HOUSE FILE 706

Connors of Polk asked and received unanimous consent to substitute Senate File 266 for House File 706.

Senate File 266, a bill for an act relating to veteran preference in public employment and providing an effective date, was taken up for consideration.

Connors of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 266)

The ayes were, 96:

Arnould.	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer

Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Carl	Hermann	Jay	McIntee
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 706 WITHDRAWN

Connors of Polk asked and received unanimous consent to withdraw House File 706 from further consideration by the House.

HOUSE FILE 467 WITHDRAWN

Lonergan of Boone asked and received unanimous consent to withdraw House File 467 from further consideration by the House, placing out of order amendments H-3382 filed by Hanson of Delaware on March 20, 1985 and H-3449 filed by Halvorson of Clayton on March 26, 1985.

House File 589, a bill for an act relating to fees collected by county officers, was taken up for consideration.

Cooper of Lucas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 589)

The ayes were, 82:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	Diemer	Doderer
Fey	Groninga	Groth	Gruhn

Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lonergan	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 13:

Branstad	De Groot	Fogarty	Grandia
Maulsby	McKean	Mullins	Pellett
Skow	Stueland	Van Camp	Van Maanen
Weiden			

Absent or not voting, 5:

Carl	Hermann	Jay	Lloyd-Jones
McIntee			

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

IMMEDIATE MESSAGE (House File 589)

Norland of Worth asked and received unanimous consent to immediately message House File 589 to the Senate.

SENATE MESSAGE CONSIDERED

Senate File 461, by committee on human resources, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations.

Read first time and referred to committee on **small business and commerce**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lloyd-Jones of Johnson, for a portion of the afternoon, on request of O'Kane of Woodbury.

ADOPTION OF THE CONFERENCE COMMITTEE REPORT (Senate File 395)

Chapman of Linn called up for consideration the report of the conference committee on Senate File 395 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 395

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, respectfully make the following report:

1. That the House recede from its amendment.

2. That Senate File 395 as amended, passed and reprinted by the Senate be amended as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 98.6, subsection 2, Code 1985, is amended to read as follows:

2. Notwithstanding subsection 1, there is imposed ~~beginning July 1, 1981~~ and shall be collected and paid to the department a tax on all cigarettes used or otherwise disposed of in this state for any purpose at the rate of nine mills on each cigarette for the period beginning July 1, 1981 and ending September 30, 1985 and at the rate of thirteen mills on each cigarette beginning October 1, 1985.

Sec. 2. Section 98.43, subsections 1 and 2, Code 1985, are amended to read as follows:

1. A tax is hereby imposed upon all tobacco products in this state and upon any person engaged in business as a distributor thereof, at the rate of ~~ten~~ fifteen percent of the wholesale sales price of ~~such the~~ tobacco products, except little cigars as defined in section 98.42. Little cigars shall be subject to the same rate of tax imposed upon cigarettes in section 98.6, payable at the time and in the manner provided in section 98.6; and stamps shall be affixed as provided in division I of this chapter. The tax on tobacco products, excluding little cigars, shall be imposed at the time the distributor does any of the following:

a. Brings, or causes to be brought, into this state from without the state tobacco products for sale;

b. Makes, manufactures, or fabricates tobacco products in this state for sale in this state; ~~or.~~

c. Ships or transports tobacco products to retailers in this state, to be sold by those retailers.

2. A tax is hereby imposed upon the use or storage by consumers of tobacco products in this state, and upon ~~such the~~ consumers, at the rate of ~~ten~~ fifteen percent of the cost of ~~such the~~ tobacco products.

The tax imposed by this subsection shall not apply if the tax imposed by subsection 1 on ~~such the~~ tobacco products has been paid.

This tax shall not apply to the use or storage of tobacco products in quantities of:

a. Less than 25 cigars;

b. Less than 10 oz. snuff or snuff powder;

c. Less than 1 lb. smoking or chewing tobacco or other tobacco products not specifically mentioned herein, in the possession of any one consumer."

2. Page 7, by inserting after line 22 the following:

"Sec. _____. Section 123.21, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 12. Providing for the issuance of combination licenses and permits with fees consistent with individual license and permit fees as may be necessary for the efficient administration of this chapter."

3. Page 8, by striking lines 5 through 7 and inserting the following: "imported therein, except beer and wine, and except as otherwise".

4. Page 8, line 8, by inserting after the word "chapter" the following: "The department may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit for resale in state liquor stores."

5. Page 8, by inserting after line 8 the following:

"Sec. 16. Section 123.23, Code 1985, is amended to read as follows:

123.23 STATE LIQUOR STORES.

The department shall establish and maintain in any city which the director deems advisable, a state liquor store or stores for storage and sale of alcoholic liquor and wine in accordance with this chapter. The department may, from time to time, as determined by the director, fix the prices of the different classes, varieties, or brands of alcoholic liquor and wine to be sold. Prior to a decision to establish, relocate or discontinue a state liquor store, the director shall appoint a designee to conduct a public hearing on the decision within the city affected."

6. Page 8, line 23, by inserting after the word "from" the words "the department or".

7. Page 8, line 30, by inserting after the word "from" the words "the department or".

8. Page 9, line 6, by inserting after the word "from" the words "the department or".

9. Page 9, line 14, by striking the words "the department" and inserting the words "the department or".

10. Page 10, line 3, by striking the figure "123.76" and inserting the following: "123.176".

11. Page 24, by inserting after line 26 the following:

"Sec. 42. Section 123.53, subsections 3 and 7, Code 1985, are amended to read as follows:

3. The treasurer of state shall semiannually distribute a sum of money equal to at least ten percent of the gross sales made by the state liquor stores but not less than six million four hundred thousand dollars to the cities of the state. Such amount shall be distributed to the cities of the state in proportion to the population that each incorporated city bears to the total population of all incorporated cities of the state as computed by the latest federal census. A city may have one special federal census taken each decade, and the population figure thus obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified by the secretary of state. Such apportionment shall be made semiannually as of July 1 and January 1 of each year. Warrants for the same shall be issued by the state comptroller upon certification of the treasurer of state and mailed to the city clerk of each incorporated city of the state and shall be made payable to such incorporated city and shall be subject to expenditure under the direction of the city council or other governing bodies of such incorporated city for any lawful municipal purpose. It shall be a lawful municipal purpose for cities to allocate a portion of the above funds for the purpose of financing the activities of a city commission or committee on alcoholism, such commission or committee to be appointed by the mayor or by the council or both. The commission or committee may use any funds so allocated for the treatment, rehabilitation, and education of alcoholics in Iowa.

7. The treasurer of state shall credit to the military service tax fund described in chapter 426A, a sum of money equal to at least five percent of the gross amount of sales made by the state liquor stores in the cities of the state but not less than six million four hundred thousand dollars. Any amount thus credited shall be allocated to the various taxing districts of the state as reimbursement for losses of revenue due to exemption or remission of property taxes which would be imposed upon property upon which soldiers' exemptions or soldiers' tax credits are provided under such terms as the general assembly may provide.

Sec. 43. Section 123.53, Code 1985, is amended by adding the following new subsection:

"NEW SUBSECTION. 8. The treasurer of state shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of sales made by the state liquor stores in the cities of the state from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually, and any amounts so transferred shall be used by the department of substance abuse for substance abuse treatment and prevention programs in an amount determined by the general assembly and any amounts received in excess of the amounts appropriated to the department of substance abuse shall be considered part of the general fund balance. This section is repealed June 30, 1987."

12. Page 25, line 14, by inserting after the word "manufacturer" the words ", or in a retail establishment operated by the manufacturer which is no closer than five miles from an existing native winery".

13. Page 25, line 16, by inserting after the word "permit." the following: "Sales of native wines by the manufacturer of the native wines are exempt from the wine gallonage tax imposed under section 123.183."

14. Page 25, by inserting after line 24 the following:

"3. A manufacturer of native wines may ship wine in closed containers to individual purchasers inside and outside this state. The manufacturer shall label the package containing the wine with the words "deliver to adults only".

4. Notwithstanding section 123.179, subsection 1, a class "A" wine permit for a native wine manufacturer shall be issued and renewed annually upon payment of a fee of twenty-five dollars which shall be in lieu of any other license fee required by this chapter. The class "A" permit shall only allow the native wine manufacturer to sell, keep, or offer for sale and deliver the manufacturer's native wines as provided under this section."

15. Page 33, line 18, by inserting after the word "only" the following: "to the department or".

16. Page 34, by inserting after line 1 the following:

"3. A person holding a class "B" wine permit may purchase wine for resale only from the department or from a person holding a class "A" wine permit."

17. Page 34, line 11, by inserting after the word "state" the following: "for resale by the department or".

18. Page 36, line 3, by striking the figure "123.185" and inserting the following: "123.183".

19. Page 36, line 3, by striking the words "the department" and inserting the following: "a manufacturer of native wines".

20. Page 36, by striking lines 11 and 12 and inserting the following:

"Sec. 67. NEW SECTION. 123.182 LABELS — POINT OF ORIGIN — CONCLUSIVE EVIDENCE.

All imported bulk wines to be bottled and distributed in the state shall have the point of origin stated on the label. The print size for the point of origin shall be at least half the print size of the brand name on the label."

21. Page 36, by striking lines 21 and 22 and inserting the following: "from each class "A" wine permittee on all wine".

22. Page 36, line 24, by striking the words "one dollar" and inserting the following: "one dollar and fifty cents".

23. Page 36, line 33, by inserting after the word "state." the following: "The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section."

24. Page 36, by striking lines 27 and 28 and inserting the following: "manufactured in this state, or on wine sold by one class "A" ".

25. Page 37, line 12, by striking the figure "123.185" and inserting the following: "123.183".

26. Page 38, by striking lines 18 through 34 and inserting the following:

"Sec. _____. Chapter 422, division II, Code 1985, is amended by adding the following new section:

NEW SECTION. 422.11A

The taxes imposed under this division, less credits allowed under sections 422.10, 422.11 and 422.12, shall be reduced by a new jobs tax credit. An industry which has entered into an agreement under chapter 280B and which has increased its base employment level by at least ten percent within the time set in the agreement or, in the case of an industry without a base employment level, adds new jobs within the time set in the agreement is entitled to this new jobs tax credit for the tax year selected by the industry. In determining if the industry has increased its base employment level by ten percent or added new jobs, only those new jobs directly resulting from the project covered by the agreement and those directly related to those new jobs shall be counted. The amount of this credit is equal to the product of six percent of

the taxable wages upon which an employer is required to contribute to the state unemployment compensation fund, as defined in section 96.19, subsection 20, times the number of new jobs existing in the tax year that directly result from the project covered by the agreement or new jobs that directly result from those new jobs. The tax year chosen by the industry shall either begin or end during the period beginning with the date of the agreement and ending with the date by which the project is to be completed under the agreement. An individual may claim the new jobs tax credit allowed a partnership, subchapter S corporation, or estate or trust electing to have the income taxed directly to the individual. The amount claimed by the individual shall be based upon the pro rata share of the individual's earnings of a partnership, subchapter S corporation, or estate or trust. Any credit in excess of the tax liability for the tax year may be credited to the tax liability for the following ten tax years or until depleted, whichever is the earlier. For purposes of this section, "agreement", "industry", "new job" and "project" mean the same as defined in section 280B.2 and "base employment level" means the number of full-time jobs an industry employs at the plant site which is covered by an agreement under chapter 280B on the date of that agreement.

Sec. _____. Section 422.33, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The taxes imposed under this division shall be reduced by a new jobs tax credit. An industry which has entered into an agreement under chapter 280B and which has increased its base employment level by at least ten percent within the time set in the agreement or, in the case of an industry without a base employment level, adds new jobs within the time set in the agreement is entitled to this new jobs tax credit for the tax year selected by the industry. In determining if the industry has increased its base employment level by ten percent or added new jobs, only those new jobs directly resulting from the project covered by the agreement and those directly related to those new jobs shall be counted. The amount of this credit is equal to the product of six percent of the taxable wages upon which an employer is required to contribute to the state unemployment compensation fund, as defined in section 96.19, subsection 20, times the number of new jobs existing in the tax year that directly result from the project covered by the agreement or new jobs that directly result from those new jobs. The tax year chosen by the industry shall either begin or end during the period beginning with the date of the agreement and ending with the date by which the project is to be completed under the agreement. Any credit in excess of the tax liability for the tax year may be credited to the tax liability for the following ten tax years or until depleted in less than the ten years. For purposes of this section, "agreement", "industry", "new job" and "project" mean the same as defined in section 280B.2 and "base employment level" means the number of full-time jobs an industry employs at the plant site which is covered by an agreement under chapter 280B on the date of that agreement.

Sec. _____. Section 422.42, subsections 3 and 12, Code 1985, are amended to read as follows:

3. "Retail sale" or "sale at retail" means the sale to a consumer or to any person for any purpose, other than for processing, or for resale of tangible personal property or taxable services, or for resale of tangible personal property in connection with taxable services, and includes the sale of gas, electricity, water, and communication service to retail consumers or users, but does not include agricultural breeding livestock

and domesticated fowl, or commercial fertilizer, or agricultural limestone, or materials, but not tools or equipment, herbicide, pesticide, insecticide, food and medication and agricultural drain tile and installation thereof which are to be used in disease control, weed control, insect control, or health promotion of plants or livestock produced as part of agricultural production for market, or and does not include electricity, or steam or any taxable service when purchased and used in the processing of tangible personal property intended to be sold ultimately at retail. Tangible personal property is sold for processing within the meaning of this subsection only when it is intended that such the property shall will, by means of fabrication, compounding, manufacturing, or germination become an integral part of other tangible personal property intended to be sold ultimately at retail, or shall will be consumed as fuel in creating heat, power, or steam for processing including grain drying, for providing heat or cooling for livestock buildings or for generating electric current, or consumed in self-propelled implements of husbandry engaged in agricultural production, or such the property is a chemical, solvent, sorbent, or reagent, which is directly used and is consumed, dissipated, or depleted, in processing personal property which is intended to be sold ultimately at retail, and which may not become a component or integral part of the finished product. The distribution to the public of free newspapers or shoppers guides shall be deemed is a retail sale for purposes of the processing exemption.

Notwithstanding the foregoing provisions of this subsection, the sale of newsprint and ink delivered after April 1, 1970 to any person, firm or corporation to be incorporated in or used in the printing of any newspaper, free newspaper or shoppers guide for publication in this state shall be considered as a sale at retail and such person, firm or corporation shall be deemed to be the consumer of such newsprint and ink and subject to the payment of sales tax.

12. "Casual sales" means:

a. Sales or the rendering, furnishing or performing of a nonrecurring nature of tangible personal property or services by the owner, if the seller, at the time of the sale, is not engaged for profit in the business of selling tangible personal property or services taxed under section 422.43.

b. The sale of all or substantially all of the tangible personal property or services held or used by a retailer in the course of the retailer's trade or business for which the retailer is required to hold a sales tax permit when the retailer sells or otherwise transfers the trade or business to another person who shall engage in a similar trade or business.

Sec. _____. Section 422.43, subsections 2 and 11, Code 1985, are amended to read as follows:

2. There is imposed a tax of four percent upon the gross receipts derived from the operation of all forms of amusement devices and games of skill, games of chance, raffles and bingo games as defined in chapter 99B, operated or conducted within the state of Iowa, the tax to be collected from the operator in the same manner as is provided for the collection of taxes upon the gross receipts of tickets or admission as provided in this section. The tax shall also be imposed upon the gross receipts derived from the sale of lottery tickets or shares pursuant to chapter 99E. The tax on the lottery tickets or shares shall be included in the sales price and distributed to the general fund as provided in section 99E.10.

11. The following enumerated services are subject to the tax imposed on gross taxable services: Alteration and garment repair; armored car; automobile repair; battery, tire and allied; investment counseling, excluding investment services of trust departments; bank service charges; barber and beauty; boat repair; car wash and wax; carpentry; roof, shingle, and glass repair; dance schools and dance studios; dry cleaning, pressing, dyeing, and laundering; electrical and electronic repair and installation; rental of tangible personal property; excavating and grading; farm implement repair of all kinds; flying service, except agricultural aerial application services and aerial commercial and charter transportation services; furniture, rug, upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; house and building moving; household appliance, television, and radio repair; jewelry and watch repair; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oilers and lubricators; office and business machine repair; painting, papering, and interior decorating; parking facilities; pipe fitting and plumbing; wood preparation; licensed executive search agencies; private employment agencies, excluding services for placing a person in employment where the principal place of employment of that person is to be located outside of the state; sewing and stitching; shoe repair and shoeshine; storage warehousing of raw agricultural products; telephone answering service; test laboratories, except tests on humans; termite, bug, roach, and pest eradicators; tin and sheet metal repair; turkish baths, massage, and reducing salons; weighing; welding; well drilling; wrapping, packing, and packaging of merchandise other than processed meat, fish, fowl and vegetables; wrecking service; wrecker and towing; cable television; campgrounds; carpet and upholstery cleaning; gun and camera repair; janitorial and building maintenance or cleaning; lawn care, landscaping and tree trimming and removal; lobbying service; pet grooming; reflexology; security and detective services; tanning beds or salons; and water conditioning and softening. For purposes of this subsection, gross taxable services from rental includes rents, royalties, and copyright and license fees. For purposes of this subsection, "lobbying service" means the rendering, furnishing or performing, for a fee, salary or other compensation, activities which are intended or used for the purpose of encouraging the passage, defeat, or modification of legislation or for influencing the decision of the members of a legislative committee or subcommittee or the representing, for a fee, salary or other compensation, on a regular basis an organization which has as one of its purposes the encouragement of the passage, defeat or modification of legislation or the influencing of the decision of the members of a legislative committee or a subcommittee. "Lobbying service" does not include the activities of a federal, state, or local government official or employee acting within the course of the official's or employee's duties or a representative of the news media engaged only in the reporting and dissemination of news and editorials.

Sec. _____. Section 422.45, subsections 2, 12 and 20, Code 1985, are amended to read as follows:

2. The gross receipts from the sales, furnishing or service of transportation service except the rental of recreational vehicles, recreational boats, or motor vehicles subject to registration which are registered for a gross weight of thirteen tons or less.

12. Gross receipts from the sale of all foods for human consumption which are eligible for purchase with food coupons issued by the United States department of agriculture pursuant to regulations in effect on July 1, 1974, regardless of whether the retailer from which the foods are purchased is participating in the food stamp pro-

gram. However, as used in this subsection, "foods" does not include meals prepared for immediate consumption on or off the premises of the retailer, and does not include foods sold through vending machines candy, candy-coated items, and other candy products; beverages, excluding tea and coffee, and all mixes and ingredients used to produce such beverages, which do not contain a primary dairy product or dairy ingredient base or which contain less than fifteen percent natural fruit or vegetable juice; foods prepared on or off the premises of the retailer which are consumed on the premises of the retailer; foods sold by caterers and hot or cold foods prepared for immediate consumption off the premises of the retailer. "Foods prepared for immediate consumption" include any food product upon which an act of preparation, including but not limited to, cooking, mixing, sandwich making, blending, heating or pouring, has been performed by the retailer so the food product may be immediately consumed by the purchaser.

20. The gross receipts from sales or services rendered, furnished or performed by a county or city. This exemption does not apply to the tax specifically imposed under section 422.43 on the gross-receipts from the sales, furnishing or service of gas, electricity, water, heat and communication service to the public by a municipal corporation in its proprietary capacity and does not apply to fees paid to cities and counties for the privilege of participating in any athletic sports.

Sec. 203. Section 422.45, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. The gross receipts from the sale or rental, on or after July 1, 1987, of farm machinery and equipment, including replacement parts which are depreciable for state and federal income tax purposes, if the following conditions are met:

a. The farm machinery and equipment shall be directly and primarily used in production of agricultural products.

b. The farm machinery and equipment shall constitute self-propelled implements or implements customarily drawn or attached to self-propelled implements or the farm machinery or equipment is a grain dryer.

Vehicles subject to registration, as defined in section 423.1, or replacement parts for such vehicles, shall not be eligible for this exemption.

NEW SUBSECTION. The gross receipts from the sale or rental, on or after July 1, 1987 or on or after July 1, 1985, in the case of an industry which has entered into an agreement under chapter 280B prior to the sale or lease, of industrial machinery, equipment and computers, including replacement parts which are depreciable for state and federal income tax purposes, if the following conditions are met:

a. The industrial machinery, equipment and computers shall be directly and primarily used in the manner described in section 428.20 in processing tangible personal property or in research and development of new products or processes of manufacturing, refining, purifying, combining of different materials or packing of meats to be used for the purpose of adding value to products, or in processing or storage of data or information by an insurance company, financial institution or commercial enterprise. As used in this paragraph:

(1) "Insurance company" means an insurer organized under chapters 508, 515, 518, 519, 520 or authorized to do business in Iowa as an insurer and having fifty or more persons employed in this state excluding licensed insurance agents.

(2) "Financial institutions" means as defined in section 527.2, subsection 4.

(3) "Commercial enterprise" includes businesses and manufacturers conducted for profit and includes centers for data processing services to insurance companies, financial institutions, businesses and manufacturers but excludes professions and occupations and nonprofit organizations.

b. The industrial machinery, equipment and computers must be real property within the scope of section 427A.1, subsection 1, paragraphs "e" or "j", and must be subject to taxation as real property.

However, the provisions of chapters 404 and 427B which result in the exemption from taxation of property for property tax purposes do not preclude the property from receiving this exemption if the property otherwise qualifies.

The gross receipts from the sale or rental of hand tools are not exempt. The gross receipts from the sale or rental of pollution control equipment qualifying under paragraph "a" shall be exempt.

The gross receipts from the sale or rental of industrial machinery, equipment, and computers, including pollution control equipment, within the scope of section 427A.1, subsection 1, paragraphs "h" and "i", shall not be exempt.

Sec. _____. Section 422.45, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. The gross receipts from the rendering, furnishing or performing of the following service: design and installation of new industrial machinery or equipment, including electrical and electronic installation.

NEW SUBSECTION. The gross receipts from the sale of wood chips or sawdust used in the production of agricultural livestock or fowl.

NEW SUBSECTION. The gross receipts from the rendering, furnishing or performing of additional services taxed by this Act pursuant to a written services contract in effect on April 1, 1985. This exemption is repealed June 30, 1986.

Sec. _____. Chapter 422, division IV, Code 1985, is amended by adding the following new sections:

NEW SECTION. 422.47A

1. Sales, services, and use taxes paid on the purchase or rental of industrial machinery, equipment and computers, including replacement parts which are depreciable for state and federal income tax purposes, shall be refunded to the purchaser or renter provided all of the following conditions are met:

a. The purchase or rental was made during the period beginning July 1, 1985 and ending June 30, 1987.

b. The tax was paid to the retailer or timely paid to the department by the user if section 423.14, is applicable.

c. The claim is filed on forms provided by the department and is filed during the three months following the fiscal year in which the purchase or rental was made.

d. The industrial machinery and equipment and computers shall be directly and primarily used in the manner described in section 428.20 in processing tangible personal property or in research and development of new products or processes of manufacturing, refining, purifying, combining of different materials or packing of meats to be used for the purpose of adding value to products, or in processing or storage of data or information by an insurance company, financial institution or commercial enterprise. As used in this paragraph:

(1) "Insurance company" means an insurer organized under chapters 508, 515, 518, 519, 520 or authorized to do business in Iowa as an insurer and having fifty or more persons employed in this state excluding licensed insurance agents.

(2) "Financial institutions" means as defined in section 527.2, subsection 4.

(3) "Commercial enterprise" includes businesses and manufacturers conducted for profit and includes centers for data processing services to insurance companies, financial institutions, businesses and manufacturers but excludes professions and occupations and nonprofit organizations.

e. The industrial machinery, equipment or any computer must be real property within the scope of section 427A.1, subsection one, paragraph "e" or "j", and must be subject to taxation as real property.

However, the provisions of chapters 404 and 427B which result in the exemption from taxation of property for property tax purposes shall not preclude the property from receiving this refund if the property otherwise qualifies.

Any tax paid on hand tools shall not be eligible for a refund. Any tax paid on pollution control equipment qualifying under paragraphs "a" through "d" of this subsection shall be eligible for a refund. Any tax paid on industrial machinery, equipment or computers, including pollution control equipment, within the scope of section 427A.1, subsection 1, paragraphs "h" and "i", shall not be eligible for refund.

2. A claim for refund timely filed under subsection 1 shall be paid by the department within ninety days after receipt of the claim. A claimant who makes an erroneous application for refund shall be liable for payment of any refund paid plus interest at the rate in effect under section 421.7. In addition, a claimant who willfully makes a false application for refund is guilty of a simple misdemeanor and is liable for a penalty equal to fifty percent of the refund claimed. Refunds, penalties, and interest due under this section may be enforced and collected in the same manner as the tax imposed by this division.

NEW SECTION. 422.47B

1. Sales, services, and use taxes paid on the purchase or rental of farm machinery and equipment, including replacement parts which are depreciable for state and

federal income tax purposes, shall be refunded to the purchaser or renter provided all of the following conditions are met:

a. The purchase or rental was made during the period beginning July 1, 1985 and ending June 30, 1987.

b. The tax was paid to the retailer or timely paid to the department by the user if section 423.14, is applicable.

c. The claim is filed on forms provided by the department and is filed during the three months following the fiscal year in which the purchase or rental was made.

d. The farm machinery and equipment shall be directly and primarily used in production of agricultural products.

e. The farm machinery and equipment shall constitute self-propelled implements or implements customarily drawn or attached to self-propelled implements or the farm machinery or equipment is a grain dryer.

Vehicles subject to registration, as defined in section 423.1, or replacement parts for such vehicles, shall not be eligible for the refund for farm machinery and equipment.

2. A claim for refund timely filed under subsection 1 shall be paid by the department within ninety days after receipt of the claim. A claimant who makes an erroneous application for refund shall be liable for payment of any refund paid plus interest at the rate in effect under section 421.7. In addition, a claimant who willfully makes a false application for refund is guilty of a simple misdemeanor and is liable for a penalty equal to fifty percent of the refund claimed. Refunds, penalties, and interest due under this section may be enforced and collected in the same manner as the tax imposed by this division.

Sec. _____. Section 422.69, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Of the taxes, interests and penalties collected under division IV, which are credited to the general fund, an amount equal to the amount estimated by the department, adjusted as the department deems necessary, shall be set aside into a separate "machinery and equipment refund account" to be used to pay the refunds entitled to under sections 422.47A and 422.47B. The moneys in this separate account shall not be considered part of the state general fund for purposes of the Iowa economic emergency fund under section 8.55. This subsection is repealed April 1, 1988."

27. Page 39, line 10, by striking the words "or an additional real property tax".

28. Page 39, line 30, by striking the words "or additional real property tax".

29. Page 39, line 31, by striking the word "sixty" and inserting the following: "thirty".

30. Page 40, line 5, by striking the words "or additional real property tax".

31. Page 40, line 6, by striking the word "sixty" and inserting the following: "thirty".

32. Page 40, line 10, by inserting after the figure "5." the following: "a."

33. Page 40, line 10, by striking the word "sixty" and inserting the following: "thirty".

34. Page 40, by striking lines 19 through 21 and inserting the following: "election. In the case of a local vehicle".

35. Page 40, by inserting after line 25 the following:

"b. The question of the imposition of a local sales and services tax shall be submitted to the qualified electors of the incorporated and unincorporated areas of the county upon receipt by the county commissioner of elections of the motion or motions, requesting such submission, adopted by the governing body or bodies of the city or cities located within the county or of the county, for the unincorporated areas of the county, representing at least one half of the population of the county. Upon adoption of such motion, the governing body of the city or county, for the unincorporated areas, shall submit the motion to the county commissioner of elections and in the case of the governing body of the city shall notify the board of supervisors of the adoption of the motion. The county commissioner of elections shall keep a file on all the motions received and, upon reaching the population requirements, shall publish notice of the ballot proposition concerning the imposition of the local sales and services tax. A motion ceases to be valid at the time of the holding of the regular election for the election of members of the governing body which adopted the motion. The county commissioner of elections shall eliminate from the file any motion that ceases to be valid. The manner provided under this paragraph for the submission of the question of imposition of a local sales and services tax is an alternative to the manner provided in paragraph "a."

36. Page 41, line 7, by striking the word "six" and inserting the following: "four".

37. Page 41, by striking lines 12 through 15 and inserting the following: "shall not be more than one percent as set by the governing body. The state".

38. Page 42, line 21, by inserting after the words "services tax," the following: "and".

39. Page 42, lines 21 and 22, by striking the words "and an additional real property tax".

40. Page 42, line 23, by striking the word "six" and inserting the following: "four".

41. Page 42, line 24, by inserting after the word "tax," the following: "and".

42. Page 42, by striking lines 25 and 26 and inserting the following: "vehicle".

43. Page 42, lines 28 and 29, by striking the words "or additional real property tax".

44. Page 42, lines 30 and 31, by striking the words "be one percent" and inserting the following: "not be more than one percent as set by the governing body".

45. By striking page 44, line 30 through page 46, line 30 and inserting the following:

"NEW SECTION. 422B.5 LOCAL EARNINGS TAX.

1. A city or county may impose an annual earnings tax at the rate on the ballot proposition on the adjusted gross income from wages, salaries, commissions, and other compensation specified in paragraph "a" received or earned by resident and nonresident individuals, except individuals who are state or county employees:

a. Adjusted gross income from wages, salaries, commissions, and other compensation of resident and nonresident individuals, except individuals who are state or county employees, derived from work performed or services rendered within the city or unincorporated area of the county imposing the tax.

2. For purposes of the local earnings tax "resident individual" means an individual taxpayer whose principal place of residence at the end of the taxpayer's tax year is located in the city or unincorporated area of the county where the tax is imposed, "nonresident individual" means an individual who is not a resident individual and "adjusted gross income from wages, salaries, commissions, and other compensation" means the gross income from such compensation less those deductions allowable for state and federal tax purposes which are attributable to the earning of such compensation. The department of revenue shall adopt rules for determining the adjusted gross income of such compensation. If the compensation received for work performed or services rendered is for work performed or services rendered both within and without the area where the tax is imposed, the amount of compensation of an individual derived from work performed or services rendered that is subject to the local earnings tax shall be reasonably apportioned to the city or unincorporated area of the county, as applicable, by means of rules adopted by the department of revenue. The department shall also provide rules for allocation of other types of income on which the earnings tax is imposed.

3. Returns for the local earnings tax shall be in the form as the director of revenue may prescribe, and shall be filed with the department on or before the last day of the fourth month after the expiration of the tax year. All local earnings tax returns shall cover a calendar year. Each taxpayer required to file a return shall show on the return the city of residence on the last day of the tax year, if applicable, and shall show the county of residence on the last day of the tax year.

4. a. Every withholding agent and every employer as defined in chapter 422 and further defined in the Internal Revenue Code of 1954 as defined in chapter 422, with respect to income tax collected at source, making payment of wages to either a resident employee or employees, or a nonresident employee or employees, working in the city or unincorporated area of the county, shall deduct and withhold from the wages an amount which will approximate the employees' annual tax liability on a calendar year basis, calculated on tables provided by the department of revenue.

b. A withholding agent required to deduct and withhold tax under paragraph "a" shall deposit for each calendar quarterly period, on or before the last day of the month

following the close of the quarterly period, on forms prescribed by the director, the tax required to be withheld under paragraph "a".

5. Every resident and nonresident of the city or county imposing a local earnings tax shall make and sign a return if the individual has income of five hundred dollars or more which is subject to the earnings tax.

NEW SECTION. 422B.6 ADMINISTRATION.

A local earnings tax or change in the rate shall be imposed January 1 following the favorable election for tax years beginning on or after January 1 and repeal of the tax shall be as of December 31 following the favorable election for tax years beginning after December 31.

The director of revenue shall administer the provisions of a local earnings tax as nearly as possible in conjunction with the administration of state income tax laws. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting local earnings tax.

An ordinance imposing a local earnings tax shall adopt by reference the applicable provisions of the appropriate sections of chapter 422, division II. All powers and requirements of the director in administering the state income tax law apply to the administration of a local earnings tax, including but not limited to, the provisions of sections 422.4, 422.16, 422.20, 422.21, 422.22 to 422.31, 422.68, and 422.72 to 422.75. Local officials shall confer with the director of revenue and obtain the director's assistance in drafting the ordinance imposing a local earnings tax. A certified copy of the ordinance shall be filed with the director as soon as possible after passage.

The director, in consultation with local officials, shall collect and account for a local earnings tax and any interest and penalties. The director shall credit local earnings tax receipts and any interest and penalties collected from returns filed on or before November 1 of the calendar year following the tax year for which the local earnings tax is imposed to a "local earnings tax fund" established in the office of the treasurer of state. All local earnings tax receipts and any interest and penalties received or refunded from returns filed after November 1 of the calendar year following the tax year for which the local earnings tax is imposed shall be deposited in or withdrawn from the state general fund and shall be considered part of the cost of administering the local earnings tax.

NEW SECTION. 422B.7 PAYMENT TO LOCAL GOVERNMENT -- USE OF RECEIPTS.

1. On or before January 15, the director of revenue shall make an accounting of the local earnings tax receipts and any interest and penalties collected from returns filed on or before November 1 of the preceding year and shall certify to the treasurer of state this amount collected. The treasurer of state shall remit within fifteen days of the certification by the director of revenue to each city and county which has imposed a local earnings tax the amount in the local earnings tax fund collected as a result of its tax.

2. Local earnings tax moneys received by a city or county may be expended for any lawful purpose of the city or county which imposed the tax."

46. Page 46, line 33, by striking the figure "1."

47. Page 46, line 33, by inserting after the word "of" the following: "not more than".

48. Page 47, line 3, by inserting after the word "state." the following: "However, notwithstanding that the gross receipts from the sale or rental of the tangible personal property described in section 203 of this Act are taxable during the period beginning July 1, 1985 and ending June 30, 1987, a local sales and services tax shall not be imposed on the sale or rental of such property."

49. By striking page 47, line 18 through page 49, line 6.

50. Page 49, line 13, by striking the word "fifty-five" and inserting the following: "forty".

51. Page 50, by striking lines 14 through 32 and inserting the following:

"1. The treasurer of state shall credit the local sales and services tax receipts and interest and penalties from a county to the county's account in the local sales and services tax fund.

2. The treasurer of state, pursuant to rules of the director of revenue, shall remit at least quarterly to the board of supervisors, if the tax was imposed in the unincorporated areas, and each city where the tax was imposed its share of the county's account in the local sales and services tax fund as computed under subsections 3 and 4.

3. Seventy-five percent of each county's account shall be remitted on the basis of the county's population residing in the unincorporated area where the tax was imposed and those incorporated areas where the tax was imposed as follows:

a. To the board of supervisors a pro rata share based upon the percentage of the above population of the county residing in the unincorporated area of the county where the tax was imposed according to the most recent certified federal census.

b. To each city in the county where the tax was imposed a pro rata share based upon the percentage of the city's population residing in the county to the above population of the county according to the most recent certified federal census.

4. Twenty-five percent of each county's account shall be remitted based on the sum of property tax dollars levied by the board of supervisors if the tax was imposed in the unincorporated areas and each city in the county where the tax was imposed during the three-year period beginning July 1, 1982 and ending June 30, 1985 as follows:

a. To the board of supervisors a pro rata share based upon the percentage of the total property tax dollars levied by the board of supervisors during the above three-year period.

b. To each city council where the tax was imposed a pro rata share based upon the percentage of property tax dollars levied by the city during the above three-year

period of the above total property tax dollars levied by the board of supervisors and each city where the tax was imposed during the above three-year period."

52. Page 50, line 33, by striking the figure "2." and inserting the following: "5."

53. Page 51, by inserting after line 17 the following:

"Sec. _____. Section 423.1, subsection 1, unnumbered paragraph 2, Code 1985, is amended by striking the paragraph.

Sec. _____. Section 427.1, subsection 32, unnumbered paragraphs 1 and 2, Code 1985, are amended to read as follows:

Pollution-control property as defined in this subsection shall be exempt from taxation for the periods and to the extent provided in this subsection, upon compliance with the provisions of this subsection.

This exemption shall apply to new installations of pollution-control property for a period of ten years beginning on January 1 after the construction or installation of the property is completed. This exemption shall apply for a period of ten years beginning on January 1, 1975, to existing pollution-control property if its construction or installation was completed after September 23, 1970. This exemption shall apply with respect to each of the ten annual assessments within the ten-year exemption period and the property taxes payable on the basis of each of such ten annual assessments. This exemption for existing pollution-control property shall begin with respect to the assessment as of January 1, 1975, and the taxes payable on the basis of this assessment during the fiscal year beginning July 1, 1976."

Sec. _____. Section 427A.1, subsection 1, paragraph j, subparagraph (1), Code 1985, is amended to read as follows:

(1) COMPUTERS. As used in this paragraph, "computer" means stored program processing equipment and all devices fastened to the computer by means of signal cables or communication media that serve the function of signal cables, but does not include point of sales equipment."

54. Page 51, by striking lines 18 through 28 and inserting the following:

"Sec. _____. Section 427A.9, unnumbered paragraphs 2 and 3, Code 1985, are amended to read as follows:

The amount of the additional personal property tax credit shall be a fixed amount for each tax year. The amount of the additional personal property tax credit shall be increased for the extended tax year beginning January 1, 1974, and ending June 30, 1975, and shall be increased for each tax year immediately following a tax year in which the growth of state general fund revenues, adjusted for changes in rate or basis, exceeds five and one-half percent, except that the amount of the additional personal property tax credit for taxes payable in each year of the fiscal period beginning July 1, 1977 and ending June 30, 1979 shall not exceed the amount of the additional personal

property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1976 and ending June 30, 1977, and the amount of the additional personal property tax credit for taxes payable in the fiscal year beginning July 1, 1980 and ending June 30, 1981 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1979 and ending June 30, 1980, and the amount of the additional personal property tax credit for taxes payable in the fiscal year beginning July 1, 1986 and ending June 30, 1987 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1985 and ending June 30, 1986. An increase in the additional personal property tax credit, once granted, shall continue for each succeeding tax year. For the purposes of this chapter the state comptroller may estimate the state percent of growth if necessary to avoid delay in the collection of taxes. After nine such increases have been made, all All taxes on personal property shall be repealed as provided in the following section. The director of revenue and the state comptroller, jointly, shall determine the amount of the credit for each such tax year. Such amount shall be the maximum amount, rounded to the nearest ten dollars, which will permit complete funding of the replacement obligation under this division, including the replacement obligation for the tax credit granted pursuant to sections 427A.1 to 427A.5, out of the appropriation provided in this chapter.

Notwithstanding the provisions of this section which require an increase in general fund revenues in excess of five and one-half percent, adjusted for changes in rate or basis, to increase the personal property tax credit, the amount of the personal property tax credit, to be allowed for taxes payable in the fiscal year beginning July 1, 1982 and ending June 30, 1983 and in the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall be increased as provided in this section."

55. Page 51, line 35, by striking the word ", and" and inserting the following: ". For assessment years beginning on or after January 1, 1986".

56. Page 52, line 1, by striking the word "thereafter" and inserting the following: "thereafter".

57. Page 53, line 11, by striking the words "sixty-two million eight hundred thousand" and inserting the following: "fifty-nine million".

58. By striking page 53, line 15 through page 54, line 8 and inserting the following:

"Sec. _____. Section 427B.10, unnumbered paragraph 1, Code 1985, is amended to read as follows:

For property defined in section 427A.1, subsection 1, paragraphs "e" and "j" acquired or initially leased after December 31, 1981 and on or before January 1, 1985, the taxpayer's valuation shall be limited to thirty percent of the net acquisition cost of the property. For purposes of this section, "net acquisition cost" means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.

Sec. _____. Chapter 427B, Code 1985, is amended by adding as a new division the following new section:

NEW SECTION. PROPERTY SUBJECT TO SPECIAL VALUATION.

For property defined in section 427A.1, subsection 1, paragraphs "e" and "j" acquired or initially leased after January 1, 1985 the taxpayer's valuation shall be limited to thirty percent of the net acquisition cost of the property. For purposes of this section, "net acquisition cost" means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.

For purposes of this section:

1. Property assessed by the department of revenue pursuant to sections 428.24 to 428.29, or chapters 433, 434 and 436 to 438 shall not receive the benefits of this section.
2. Property acquired on or before January 1, 1985 which was owned or used on or before January 1, 1985 by a related person shall not receive the benefits of this section.
3. Property acquired after January 1, 1985 which was owned and used by a related person shall not receive any additional benefits under this section.
4. Property which was owned or used on or before January 1, 1985 and subsequently acquired by an exchange of like property shall not receive the benefits of this section.
5. Property which was acquired after January 1, 1985 and subsequently exchanged for like property shall not receive any additional benefits under this section.
6. Property acquired on or before January 1, 1985 which is subsequently leased to a taxpayer or related person who previously owned the property shall not receive the benefits of this section.
7. Property acquired after January 1, 1985 which is subsequently leased to a taxpayer or related person who previously owned the property shall not receive any additional benefits under this section.

For purposes of this section, "related person" means a person who owns or controls the taxpayer's business and another business entity from which property is acquired or leased or to which property is sold or leased. Business entities are owned or controlled by the same person if the same person directly or indirectly owns or controls fifty percent or more of the assets or any class of stock or who directly or indirectly has an interest of fifty percent or more in the ownership or profits.

Property assessed pursuant to this section shall not be eligible to receive a partial exemption under sections 427B.1 to 427B.6.

Sec. _____. Section 442.7, subsection 1, paragraph a, Code 1985, is amended by adding the following unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, for computing the state percent of growth to be used for the school year beginning July 1, 1987, the revenues received as a result of the increase in taxes in this Act or as a result of the inclusion of additional items subject to tax in this Act shall not be considered revenues received for the state general fund for purposes of determining the percentages under subparagraph (1) or (2)."

59. Page 54, by striking lines 16 through 29.

60. Page 54, by inserting after line 29 the following:

"Sec. _____. Section 455C.4, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. A dealer, other than a state liquor store, or a distributor may refuse to accept and to pay the refund value of an empty wine container which is marked to indicate that it was sold by a state liquor store. A state liquor store may refuse to accept and to pay the refund value of an empty wine container which is not marked to indicate that it was sold by a state liquor store.

Sec. _____. Section 455C.5, subsection 1, Code 1985, is amended to read as follows:

1. Each beverage container sold or offered for sale in this state by a dealer shall clearly indicate by embossing or by a stamp, label or other method securely affixed to the container, the refund value of the container. The department shall specify, by rule, the minimum size of the refund value indication on the beverage containers. Each beverage container containing wine which is sold or offered for sale in a state liquor store shall also be marked by embossing or by stamp, label, or other method securely affixed to the container to indicate that it was sold in a state liquor store."

61. By striking page 54, line 30 through page 55, line 10 and inserting the following:

"Sec. _____. Section 99E.10, subsection 1, unnumbered paragraph 1, 1985 Acts, House File 225, section 110, if division I of House File 225 becomes law is amended to read as follows:

1. Upon receipt of any revenue, the commissioner shall deposit the moneys in the lottery fund created pursuant to section 99E.20. As nearly as is practicable, forty-five fifty percent of the projected annual revenue, after deduction of the amount of the sales tax, computed on a year-round average basis for each type of lottery game accruing from the sale of tickets or shares is appropriated for payment of prizes to the holders of winning tickets. After the payment of prizes, all of the following shall be deducted from lottery revenue prior to disbursement:

Sec. _____. Section 99E.10, subsection 1, 1985 Acts, House File 225, section 110, if division I of House File 225 becomes law is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. An amount equal to four percent of the gross sales price of each ticket or share sold shall be deducted as the sales tax on the sale of that ticket or share, remitted to the treasurer of state and deposited into the state general fund.

Sec. _____. Section 422.45, subsection 22, 1985 Acts, House File 225, section 122, if division I of House File 225 becomes law is amended by striking the subsection.

Sec. _____. **NEW SECTION. 99A.10 MANUFACTURE OF ELECTRONIC GAMBLING DEVICES PERMITTED.**

A person may manufacture electronic or computerized gambling devices. This chapter does not prohibit such manufacturing activities.

Sec. _____. Section 725.9, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This chapter does not prohibit the manufacture of electronic or computerized gambling devices.

Sec. _____.

1. All persons required to be licensed under section 98.13 as distributors having in their possession prior to delivery for resale as of the close of business on September 30, 1985 cigarettes or little cigars upon which the tax under section 98.6 or 98.43 has been paid, unused cigarette tax stamps which have been paid for under section 98.8, or unused metered imprints which have been paid for under section 98.12 shall be subject to an inventory tax on such items as provided in this section.

2. Persons subject to the inventory tax imposed under this section shall take an inventory as of the close of business on September 30, 1985 of those items subject to the inventory tax for the purpose of determining the tax due. These persons shall report the tax on forms provided by the department of revenue and remit the tax due with the forms by October 31, 1985. The department of revenue shall adopt rules as are necessary to carry out this section.

3. The rate of the inventory tax on each item subject to the tax as specified in subsection 1 is equal to the difference between the amount paid on each item under section 98.6, 98.8, 98.12, or 98.43 prior to October 1, 1985 and the amount that is to be paid on each similar item under section 98.6, 98.8, 98.12, or 98.43 on or after October 1, 1985 except that in computing the rate of the inventory tax any discount allowed or allowable under section 98.8 shall not be considered.

Sec. _____. Notwithstanding any provision of section 98.8 or of other provisions of chapter 98, during the period beginning October 1, 1985 and ending November 15, 1985, a holder of a state distributor's permit issued under chapter 98 may at the permitholder's option purchase cigarette tax stamps on credit for a period of forty-five days following such purchase. At the end of the forty-five day period the permitholder shall remit the amount due. As a condition for this credit-purchase, the purchase must be made from the department of revenue office in Des Moines, and the permitholder shall provide, at the time of such purchase, a bond to the department of revenue to insure the payment of the face value of the tax stamps at the end of the forty-five day period. A permitholder is entitled to make only one credit purchase under this section."

62. Title page, by striking lines 1 through 14 and inserting the following:

"An Act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose

certain local option taxes, exempting and providing refunds until the exemption begins of the sale or lease of certain farm machinery and equipment, including certain replacement parts, and certain industrial machinery, equipment and computers, including certain replacement parts, from the state sales, services and use tax, providing for setting aside of revenues to pay such refunds and not including certain increases in revenues in computing the state percent of growth for purposes of chapter 442, amending the state sales, services and use tax to impose the tax on the rendering or furnishing of additional services, and on sales of certain tangible personal property, to alter certain definitions, and to provide exemptions and limit others, increasing the tax on tobacco products and on cigarettes and little cigars, imposing an inventory tax on cigarettes and little cigars, unused tax stamps and metered imprints and granting a one-time credit purchase on cigarette tax stamps, providing for the phase out and repeal of all property taxes on personal property, and providing penalties, appropriations and effective dates, making permanent the exemption from property taxation of certain pollution control property, providing for the special valuation of certain machinery, equipment and computers acquired after a certain date and limiting the applicability of the present special valuation to that property acquired before a certain date, amending the lottery law to provide for fifty percent of the projected annual revenue from the sales of lottery tickets or shares be used for payment of prizes, and imposing the state sales, services and use tax on the sales of lottery tickets and shares, eliminating the prohibition on the manufacture of electronic and computerized gambling devices, providing a new jobs tax credit for computing the individual and corporate tax liabilities of certain businesses that create new jobs within the state, providing that for purposes of property taxation the term "computer" does not include point of sales equipment and providing penalties and appropriations."

63. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

DONALD D. AVENSON, Chair
 KAY CHAPMAN
 JAMES D. O'KANE
 DELWYN STROMER
 HUGO SCHNEKLOTH

ON THE PART OF THE SENATE:

WILLIAM D. PALMER, Chair
 LOWELL JUNKINS
 JOE J. WELSH
 CALVIN O. HULTMAN
 RICHARD F. DRAKE

A non-record roll call was requested.

The ayes were 54, nays 34.

The motion prevailed and the report was adopted.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 395)

The ayes were, 62:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hatch	Haverland	Hughes
Jay	Koenigs	Lageschulte	Loneragan
Maulsby	McIntee	Metcalf	Norland
O'Kane	Ollie	Parker	Pellett
Peterson	Platt	Renaud	Rensink
Royer	Schneklath	Sherzan	Shoultz
Siegrist	Skow	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 36:

Clark	Corey	Daggett	De Groot
Doderer	Grandia	Hammond	Hanson
Harbor	Hester	Holveck	Hummel
Jochum	Johnson	Knapp	Kremer
Lloyd-Jones	McKean	Miller	Muhlbauer
Mullins	Osterberg	Oxley	Paulin
Pavich	Peick	Poncy	Renken
Rosenberg	Running	Shoning	Spear
Sturgeon	Torrence	Van Maanen	Welden

Absent or not voting, 2:

Carl	Hermann
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

EXPLANATION OF VOTE

I was necessarily absent from the House Chamber on April 10, 1985. Had I been present, I would have voted "aye" on House File 554.

CONNOLLY of Dubuque

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on April 10, 1985 and is on file in the office of the Chief Clerk:

April 10, 1985

Mr. Joseph O'Hern
Chief Clerk of the House
House of Representatives
Statehouse
L O C A L

Dear Mr. O'Hern:

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

These include 9 claims of a general nature. This supplements our filing of January 2, 1985.

Index is attached showing number of claim, name and address of claimant, amount of claim, and action taken.

Very truly yours
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

Joseph O'Hern
Chief Clerk of the House

OFFICE OF STATE COMPTRÖLLER
STATE APPEAL BOARD

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
2777-71-25	Eldora Community Hospital 2413 Edgington Avenue Eldora, Iowa 50627 (Outdated Billing)	\$3,058.80	DENIED
G85-0002	R & M Truck Line, Inc. Box 422 Oskaloosa, Iowa 52577 (License Fee Refund)	\$242.36	DENIED

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
G85-0030	M.H.I. Patients Account Fund 1200 East Washington Mt. Pleasant, Iowa (Outdated Invoice)	\$758.18	DENIED
G85-0048	Garry Lee Klicker RR 1 Bloomfield, Iowa 52627 (License Fee Refund)	\$35.00	DENIED
G85-0121	Helen Heffernan 306 S. Cherry Mt. Pleasant, Iowa 52641 (Insurance Reimbursement)	\$173.28	DENIED
G85-0122	Mt. Pleasant Mental Health 1200 E. Washington Mt. Pleasant, Iowa 52641 (Insurance Reimbursement)	\$92.88	DENIED
G85-0125	Warren R. Moore 418 Bluff Street Sioux City, Iowa 51103 (License Fee Refund)	\$Undetermined	DENIED
G85-0169	Robert R. Rush 320 - 29th Street Des Moines, Iowa (Services to the State)	\$16,000.00	DENIED
G85-0172	Andrew R. Apel 816 Lafayette Street Waterloo, Iowa 50703 (Attorney's Fees)	\$Undetermined	DENIED

PRESENTATION OF VISITORS

Koenigs of Mitchell presented to the House the Honorable Michael Kennedy, former member of the House representing Chickasaw County.

The Speaker announced the following visitors were present in the House chamber:

Twenty-nine eighth through twelfth grade students from Woden-Crystal Lake Junior-Senior High School, Crystal Lake, accompanied by Mr. Granger and Mr. Dotson. By Branstad of Winnebago.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 397 Ways and Means

Relating to townships providing fire protection and ambulance ser-

vice, establishing emergency warning systems and levying taxes for those purposes.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 35, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3748**, April 10, 1985.

Senate File 538, a bill for an act relating to an agricultural supply dealer's lien.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 539, a bill for an act relating to motor vehicle fuel.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3747**, April 10, 1985.

COMMITTEE ON EDUCATION

Senate File 91 RECONSIDERED, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H—3761**, April 11, 1985.

House Resolution, a resolution directing the Legislative Council to establish an interim study committee composed of the full House and Senate Education Committees for the purpose of studying proposals to revise the school financing formula.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate Concurrent Resolution 26, a concurrent resolution to direct the Department of Public Instruction to conduct a study of nonapproved nonpublic schools and home study.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3742 and Laid Over Under Rule 25**, April 10, 1985.

Senate Concurrent Resolution 34, a concurrent resolution to exempt Senate File 492 from Joint Rule 20.

Fiscal Note is not required.

Committee Action **Failed to Pass** April 10, 1985.

Senate Concurrent Resolution 34 RECONSIDERED, a concurrent resolution to exempt Senate File 492 from Joint Rule 20.

Fiscal Note is not required.

Recommended **Do Pass and Laid Over Under Rule 25**, April 11, 1985.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Senate File 303, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 1985.

Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3756**, April 11, 1985.

COMMITTEE ON HUMAN RESOURCES

Senate File 424, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-3755**, April 10, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 218, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3746**, April 10, 1985.

Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3752**, April 10, 1985.

Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3745**, April 10, 1985.

Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 423, a bill for an act relating to claims in estates for which there is insurance coverage.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 455, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Fiscal Note is not required.

Recommended Do Pass April 10, 1985.

Senate File 467, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceeding.

Fiscal Note is not required.

Recommended Do Pass April 10, 1985.

Senate File 497, a bill for an act prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums.

Fiscal Note is not required.

Recommended Do Pass April 10, 1985.

Senate File 514, a bill for an act relating to garnished accounts of supervised financial organizations.

Fiscal Note is not required.

Recommended Do Pass April 10, 1985.

Senate File 515, a bill for an act relating to the election to become a senior judge.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3749, April 10, 1985.

Senate File 521, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

Fiscal Note is not required.

Recommended Do Pass April 10, 1985.

Senate File 530, a bill for an act relating to the parole of persons convicted for the offenses of sexual and lascivious acts with a child.

Fiscal Note is not required.

Recommended Do Pass April 10, 1985.

Senate Concurrent Resolution 27, a concurrent resolution relating to the judiciary.

Fiscal Note is not required.

Recommended Do Pass and Laid Over Under Rule 25, April 10, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 435, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 1985.

Senate File 547, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3754**, April 11, 1985.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 103, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 194, a bill for an act striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 268, a bill for an act relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Pursuant to Rule 31.7, Senate File 268 was referred to the committee on appropriations.

Senate File 296, a bill for an act relating to the deposit and investment of public funds.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3763**, April 10, 1985.

Senate File 359, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 393, a bill for an act relating to the fee for transferring real estate by the county auditor.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3750**, April 10, 1985.

Senate File 452, a bill for an act authorizing conversion of certain real property to a mobile home.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 172, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 1985.

Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' or other self-insured workers' compensation plan formed under section 87.4.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3741**, April 10, 1985.

COMMITTEE ON STATE GOVERNMENT

Senate File 445, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 1985.

Senate File 456, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 1985.

Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 1985.

Senate File 540, a bill for an act relating to the financing of political campaigns and the reporting of that financing.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 1985.

AMENDMENTS FILED

H-3741	S.F.	503	Committee on Small Business and Commerce
H-3742	S.C.R.	26	Committee on Education
H-3743	S.F.	450	Van Camp of Scott
H-3744	H.F.	683	O'Kane of Woodbury
H-3745	S.F.	376	Committee on Judiciary and Law Enforcement
H-3746	S.F.	309	Committee on Judiciary and Law Enforcement
H-3747	S.F.	539	Committee on Agriculture
H-3748	S.F.	35	Committee on Agriculture
H-3749	S.F.	515	Committee on Judiciary and Law Enforcement
H-3750	S.F.	406	Committee on Local Government
H-3752	S.F.	329	Committee on Judiciary and Law Enforcement
H-3753	S.F.	422	Halvorson of Clayton
H-3754	S.F.	547	Committee on Labor and Industrial Relations

H-3755	S.F.	424	Committee on Human Resources
H-3756	S.F.	463	Committee on Energy and Environmental Protection
H-3758	H.F.	507	Holveck of Polk
H-3759	S.F.	303	De Groot of Lyon
H-3760	S.F.	374	Peick of Linn
H-3761	S.F.	91	Committee on Education
H-3762	H.F.	698	Halvorson of Clayton
H-3763	S.F.	296	Committee on Local Government
H-3764	H.F.	547	Hammond of Story Loneragan of Boone

On motion by Norland of Worth, the House adjourned at 5:52 p.m., until 9:00 a.m., Friday, April 12, 1985.

JOURNAL OF THE HOUSE

Eighty-ninth Calendar Day — Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 12, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Michael Phillips, pastor of the St. Paul's Catholic Church, Burlington.

The Journal of Thursday, April 11, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago on request of Fogarty of Palo Alto; Carl of Poweshiek on request of Sullivan of Van Buren.

INTRODUCTION OF BILL

House File 758, by committee on appropriations, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services and providing penalties.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability of chronic mental illness.

Also: That the Senate has on April 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 549, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in certain types

of venture capital funds and the earnings on the proceeds prior to investment to be used as prizes.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 721, a bill for an act relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode, was taken up for consideration.

Siegrist of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 721)

The ayes were, 83:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 12:

Handorf	Harbor	Hummel	Lonergan
Metcalf	Pellett	Peterson	Platt
Royer	Stueland	Torrence	Van Camp

Absent or not voting, 5:

Branstad	Carl	Chapman	Hermann
Jochum			

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

House File 720, a bill for an act relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts and to provide for the appointment of an advisory committee, was taken up for consideration.

Siegrist of Pottawattamie offered the following amendment H—3497 filed by him and moved its adoption:

H—3497

- 1 Amend House File 720 as follows:
- 2 1. Page 1, line 31, by striking the figure "1990"
- 3 and inserting the figure "1988".

Amendment H—3497 was adopted.

Miller of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 720)

The ayes were, 75:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	De Groot	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Holveck
Jay	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Poncy	Renaud

Rensink	Rosenberg	Running	Sherzan
Shoning	Shoultz	Siegrist	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 21:

Daggett	Diemer	Grandia	Handorf
Hester	Hughes	Hummel	Maulsby
Metcalf	Pellett	Peterson	Platt
Renken	Royer	Schnekloth	Skow
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 4:

Branstad	Carl	Hermann	Jochum
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law, with report of committee recommending passage was taken up for consideration.

De Groot of Lyon asked and received unanimous consent to withdraw amendment H—3569 filed by him on April 1, 1985.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 9)

The ayes were, 85:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee

Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Siegrist	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 11:

Black	Doderer	Hammond	Hummel
Lonergan	McKean	Osterberg	Shultz
Skow	Sullivan	Teaford	

Absent or not voting, 4:

Branstad	Carl	Hermann	Jochum
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 200, a bill for an act relating to the office of the appellate defender, with report of committee recommending passage was taken up for consideration.

Haverland of Polk in the chair at 9:50 a.m.

Running of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 200)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Hester

Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Haverland)	

The nays were, none.

Absent or not voting, 5:

Branstad	Carl	Hermann	Jochum
Swartz			

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

SENATE FILE 290 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 290 be deferred and that the bill retain its place on the calendar.

Senate File 85, a bill for an act relating to the application for and issuance of search warrants, with report of committee recommending passage was taken up for consideration.

McIntee of Black Hawk offered the following amendment H-3576 filed by him and Doderer of Johnson:

H-3576

- 1 Amend Senate File 85 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 22.7, Code 1985, is amended by
- 6 adding the following new subsection as subsection 6

- 7 and renumbering the subsequent subsections:
8 NEW SUBSECTION. 6. Affidavits of search warrants,
9 sworn statements made for the purpose of obtaining a
10 warrant and inventories of seized property until such
11 time as a criminal complaint is filed against the
12 defendant or an indictment against the defendant is
13 returned or a trial information is filed."
14 2. Title page, line 1, by striking the words "for
15 and issuance" and inserting the words ", issuance and
16 confidentiality."
17 3. By renumbering as necessary.

Rosenberg of Story rose on a point of order that amendment H-3576 was not germane.

The Speaker ruled the point well taken and amendment H-3576 not germane.

McIntee of Black Hawk offered the following amendment H-3601 filed by him and moved its adoption:

H-3601

- 1 Amend Senate File 85 as passed by the Senate as
2 follows:
3 1. Page 1, by striking lines 23 through 27 and
4 inserting the following: "determination that, given
5 the totality of the circumstances and information set
6 forth in the application, including the factors
7 relating to the veracity or basis of knowledge of the
8 person or persons supplying hearsay information, there
9 is a substantial basis for believing that probable
10 cause exists for issuance of the warrant. The".

A non-record roll call was requested.

The ayes were 40, nays 52.

Amendment H-3601 lost.

Doderer of Johnson asked for unanimous consent to consider amendment H-3576.

Objection was raised.

Doderer of Johnson moved that the rules be suspended to consider amendment H-3576.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 45, nays 50.

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque on request of Connolly of Dubuque.

Connors of Polk in the chair at 10:19 a.m.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 85)

The ayes were, 66:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Doderer	Fey	Fogarty	Groninga
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hatch	Holveck	Hughes	Jay
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Loneragan	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, 29:

Bennett	Daggett	De Groot	Diemer
Grandia	Groth	Halvorson, R. A.	Hanson

Harbor
Maulsby
Miller
Rensink
Stromer
Welden

Hester
McIntee
Paulin
Royer
Stueland

Hummel
McKean
Pellett
Schnekloth
Swearingen

Lageschulte
Metcalf
Renken
Shoning
Van Maanen

Absent or not voting, 5:

Branstad
Jochum

Carl

Haverland

Hermann

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

SENATE MESSAGES CONSIDERED

Senate File 473, by committee on state government, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness and providing an effective date and an appropriation.

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

Senate File 549, by Small, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in certain types of venture capital funds and the earnings on the proceeds prior to investment to be used as prizes.

Read first time and referred to committee on **economic development**.

IMMEDIATE MESSAGES

(House Files 720 and 721)

Norland of Worth asked and received unanimous consent to immediately message House Files 720 and 721 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for an immediate committee on state government meeting.

The House stood at ease at 10:30 a.m., until the fall of the gavel.

The House resumed session at 10:50 a.m., Speaker Avenson in the chair.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 250, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system, with report of committee recommending amendment and passage was taken up for consideration.

The following amendment H—3770, filed by Carter of Henry from the floor, was adopted by unanimous consent:

H—3770

- 1 Amend Senate File 250 as follows:
- 2 1. Page 1, line 1, by inserting after the word
- 3 "SECTION." the following: "303A.1".

Carter of Henry offered the following amendment H—3543 filed by the committee on state government:

H—3543

- 1 Amend Senate File 250 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 2, by inserting after line 3 the
- 4 following: "No more than a simple majority of the
- 5 commission shall be of the same gender."

Chapman of Linn in the chair at 10:54 a.m.

Spear of Lee offered the following amendment H—3571, to the committee amendment H—3543, filed by him and moved its adoption:

H—3571

- 1 Amend the amendment, H—3543, to Senate File 250, as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 4 and 5 and
- 5 inserting the following: "following: "Not more than
- 6 three of the members appointed by the governor shall
- 7 be of the same gender.""

Amendment H—3571 was adopted.

On motion by Carter of Henry, the committee amendment H—3543, as amended, was adopted.

Norland of Worth asked and received unanimous consent that Senate File 250 be deferred and that the bill be placed on the unfinished business calendar.

Senate File 342, a bill for an act relating to bees by making certain acts unlawful, and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—3551 filed by the committee on agriculture on March 29, 1985.

Osterberg of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 342)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Buhr
Carpenter	Carter	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen

Varn
Madam Speaker
(Chapman)

Welden

Woods

Zimmerman

The nays were, none.

Absent or not voting, 7:

Brammer
Jochum

Branstad
Parker

Carl
Royce

Hermann

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Koenigs of Mitchell, for the remainder of the day, on request of Lageschulte of Bremer.

Senate File 271, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Tabor of Jackson offered the following amendment H-3348 filed by the committee on education:

H-3348

- 1 Amend Senate File 271 as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "of" the words "eighty-five percent of the".
- 5 2. Page 1, by striking line 8 and inserting the
- 6 following: "course.
- 7 Refunds shall be paid to the appropriate agency
- 8 within thirty days following the student's
- 9 termination.
- 10 If the student terminates later than three weeks
- 11 after the course of instruction has commenced, the
- 12 person offering the course of instruction cannot admit
- 13 a student to replace the student for which a refund
- 14 was received for the remaining portion of the school
- 15 term or course.
- 16 A violation of this section is a simple
- 17 misdemeanor."

Varn of Johnson offered the following amendment H—3501, to the committee amendment H—3348, filed by Varn, et al., and moved its adoption:

H—3501

- 1 Amend amendment H—3348 to Senate File 271 as passed
- 2 by the Senate, as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "course." the following: "However, if the financial
- 5 obligations of a student are for three or fewer months
- 6 duration, this section does not apply."

Amendment H—3501 was adopted.

On motion by Tabor of Jackson, the committee amendment, H—3348, as amended, was adopted.

Speaker Avenson in the chair at 11:30 a.m.

Groninga of Cerro Gordo offered the following amendment H—3365 filed by Varn, et al.:

H—3365

- 1 Amend Senate File 271 as follows:
- 2 1. Page 1, line 3, by striking the words "level,
- 3 for profit," and inserting the following: "level".

Norland of Worth asked and received unanimous consent that Senate File 271 be deferred and that the bill be placed on the unfinished business calendar.

(Amendment H—3365 pending.)

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for an immediate meeting of the committee on economic development.

The House stood at ease at 11:31 a.m., until the fall of the gavel.

The House resumed session at 11:59 a.m., Connors of Polk in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Platt of Muscatine on request of Van Camp of Scott; Stueland of Clinton on request of Maulsby of Calhoun, both for the remainder of the day.

Senate File 183, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise, with report of committee recommending passage was taken up for consideration.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 183)

The ayes were, 78:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Buhr
Carpenter	Carter	Clark	Cochran
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Lageschulte	Loneragan	Maulsby
McIntee	McKean	Metcalf	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Siegrist	Skow	Spear
Sturgeon	Swartz	Swearingen	Tabor
Torrence	Van Camp	Van Maanen	Varn
Woods	Mr. Speaker (Connors)		

The nays were, none.

Absent or not voting, 22:

Brammer	Branstad	Carl	Chapman
Connolly	Grandia	Hatch	Hermann

Jochum	Koenigs	Kremer	Lloyd-Jones
Miller	Pellett	Platt	Shoultz
Stromer	Stueland	Sullivan	Teaford
Welden	Zimmerman		

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

Senate File 414, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district, with report of committee recommending passage was taken up for consideration.

Siegrist of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 414)

The ayes were, 79:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Carter	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Lageschulte	Lonergan
Maulsby	McKean	Metcalf	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Poney	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Maanen
Varn	Woods	Mr. Speaker	
		(Connors)	

The nays were, 1:

O'Kane

Absent or not voting, 20:

Branstad	Carl	Chapman	Handorf
Harbor	Hatch	Hermann	Jochum
Koenigs	Kremer	Lloyd-Jones	McIntee
Miller	Pellett	Platt	Stromer
Stueland	Teaford	Welden	Zimmerman

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

Senate File 391, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards, with report of committee recommending passage was taken up for consideration.

Lageschulte of Bremer moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 391)

The ayes were, 81:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carter	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Johnson	Knapp	Lageschulte
Lonerган	Maulsby	McIntee	McKean
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Sturgeon	Sturgen
Sullivan	Swartz	Swearingen	Tabor
Van Camp	Van Maanen	Varn	Woods
Mr. Speaker (Connors)			

The nays were, 2:

Carpenter	Running
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Absent or not voting, 17:

Branstad	Carl	Chapman	Hatch
Hermann	Jochum	Koenigs	Kremer
Lloyd-Jones	Miller	Pellett	Platt
Stueland	Teaford	Torrence	Welden
Zimmerman			

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

Senate File 213, a bill for an act relating to the imposition of mandatory minimum sentences, with report of committee recommending passage was taken up for consideration.

Jay of Appanoose offered the following amendment H—3735 filed by him and McIntee of Black Hawk:

H—3735

1 Amend Senate File 213 as passed by the Senate as
 2 follows:
 3 1. Page 1, by inserting after line 10, the
 4 following:
 5 "Sec. 2. Section 903A.2, unnumbered paragraph 1,
 6 Code 1985, is amended, to read as follows:
 7 Each An inmate of an institution under the Iowa
 8 department of corrections, is eligible for a reduction
 9 of sentence of one day for each day of good conduct of
 10 the inmate while committed to one of the department's
 11 institutions. In addition to the sentence reduction
 12 of one day for each day of good conduct, each an
 13 inmate is eligible for an additional reduction of
 14 sentence of up to five days a month if the inmate
 15 participates satisfactorily in employment in the
 16 institution, in Iowa state industries, in an inmate
 17 employment program established by the director, or in
 18 an inmate educational program approved by the
 19 director. Good conduct time earned and not forfeited
 20 does not apply to reduce a mandatory minimum sentence
 21 imposed by the court pursuant to section 204.406,
 22 204.413, 902.7, or 902.8. Reduction of sentence
 23 pursuant to this section may be subject to forfeiture
 24 pursuant to section 903A.3. Computation of good
 25 conduct time is subject to the following conditions":
 26 2. Title page, line 1, by striking the words "the
 27 imposition of".

Carter of Henry rose on a point of order that amendment H—3735 was not germane.

The Speaker ruled the point well taken and amendment H—3735 not germane.

Jay of Appanoose moved that the rules be suspended to consider amendment H—3735.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 49, nays 36.

The motion, having failed to receive a constitutional majority, lost.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 213)

The ayes were, 71:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Carter	Connolly
Cooper	Corey	Daggett	Diemer
Doderer	Fey	Fogarty	Groning
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Johnson	Knapp
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
Metcalf	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Woods	Mr. Speaker	
		(Connors)	

The nays were, 16:

Clark	Cochran	De Groot	Grandia
Hummel	Kremer	McIntee	McKean
Muhlbauer	Paulin	Renken	Rensink
Torrence	Van Camp	Van Maanen	Varn

Absent or not voting, 13:

Branstad	Carl	Chapman	Hermann
Jochum	Koenigs	Miller	Mullins
Pellet	Platt	Stueland	Welden
Zimmerman			

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

Senate File 168, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits, with report of committee recommending passage was taken up for consideration.

Renaud of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 168)

The ayes were, 84:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Knapp	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Peterson	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Siegrist	Skow	Spear	Stromer
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 2:

Hanson	Johnson
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Absent or not voting, 14:

Brammer	Branstad	Carl	Hermann
Jochum	Koenigs	Miller	Parker
Pellett	Platt	Shoultz	Stueland
Sturgeon	Swartz		

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

Hughes of Union in the chair at 12:35 a.m.

Senate File 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty, with report of committee recommending passage was taken up for consideration.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3581 filed by her on April 2, 1985.

Connors of Polk in the chair at 12:42 p.m.

Lloyd-Jones of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 70)

The ayes were, 81:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Harbor	Hatch	Hester
Holveck	Hughes	Johnson	Knapp
Kremer	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich

Peick	Peterson	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, 8:

Grandia	Hanson	Hummel	Jay
Lonerган	Maulsby	Stromer	Van Maanen

Absent or not voting, 11:

Branstad	Carl	Connolly	Haverland
Hermann	Jochum	Koenigs	Miller
Pellett	Platt	Stueland	

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

SENATE FILE 27 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 27 be deferred and that the bill retain its place on the calendar.

Senate File 291, a bill for an act relating to the authority of the department of water, air and waste management over used oil, was taken up for consideration.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 291)

The ayes were, 84:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Carter	Chapman

Clark	Cochran	Cooper	Corey
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Connors)

The nays were, 5:

Daggett	Grandia	Hester	Kremer
Van Maanen			

Absent or not voting, 11:

Branstad	Carl	Connolly	Haverland
Hermann	Jochum	Koenigs	Miller
Pellet	Platt	Stueland	

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

RULES SUSPENDED

Norland of Worth asked and received unanimous consent that Senate File 326 be substituted for House File 291 and that Senate File 326 be placed on the unfinished business calendar.

Speaker Avenson in the chair at 1:03 p.m.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent that Senate File 224 be substituted for House File 749 and that Senate File 224 be placed on the unfinished business calendar.

Norland of Worth asked and received unanimous consent that House Files 747 and 757 be placed on the unfinished business calendar.

Norland of Worth asked and received unanimous consent to withdraw House File 749 from further consideration by the House, placing out of order amendment H-3712 filed by Hammond of Story on April 9, 1985.

Norland of Worth asked and received unanimous consent to withdraw House File 291 from further consideration by the House, placing out of order the following amendments:

H-3215 filed by the committee on local government on March 1, 1985.

H-3296 filed by Mullins of Kossuth on March 11, 1985.

H-3318 filed by Hammond of Story on March 12, 1985.

REREFERRED TO COMMITTEE ON APPROPRIATIONS
(House File 252)

Norland of Worth asked and received unanimous consent to rerefer House File 252 to the committee on appropriations.

The House stood at ease at 1:05 p.m., until the fall of the gavel.

The House resumed session at 1:12 p.m., Speaker Avenson in the chair.

MOTIONS TO RECONSIDER
(Senate File 9)

I move to reconsider the vote by which Senate File 9 passed the House on April 12, 1985.

HARBOR of Mills

(Senate File 70)

I move to reconsider the vote by which Senate File 70 passed the House on April 12, 1985.

BENNETT of Ida

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 12, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 29, an act relating to qualification of nonprofit corporations as guardians.

Senate File 261, an act relating to the residence of township officers.

Senate File 531, an act relating to guardianships and conservatorships.

EXPLANATION OF VOTE

I was temporarily absent from the House chamber on April 11, 1985. Had I been present, I would have voted "nay" on House File 753.

McINTEE of Black Hawk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifteen eighth grade students from Sacred Heart School, Boone, accompanied by Marilyn O'Brien. By Lonergan of Boone.

Thirty sixth through eleventh grade students from Laing Middle School, Algona, accompanied by Walter Reemtsma. By Mullins of Kossuth.

SUBCOMMITTEE ASSIGNMENTS

House File 665

Natural Resources and Outdoor Recreation: Haverland, Chair; Baxter and Grandia.

House File 668

Natural Resources and Outdoor Recreation: Black, Chair; Diemer and Sullivan.

House File 723

Natural Resources and Outdoor Recreation: Haverland, Chair; Black and Diemer.

Senate File 110

State Government: Blanshan, Chair; Beatty and Hanson.

Senate File 159

Natural Resources and Outdoor Recreation: Varn, Chair; Cooper and Grandia.

Senate File 186

Natural Resources and Outdoor Recreation: Woods, Chair; Pellett and Varn.

Senate File 249

Labor and Industrial Relations: Haverland, Chair; Fey and Hummel.

Senate File 274

Education: Carter, Chair; Connolly and Swearingen.

Senate File 303

Energy and Environmental Protection: Hatch, Chair; Lonergan and Torrence.

Senate File 442

Education: Varn, Chair; Maulsby and Running.

Senate File 463

Energy and Environmental Protection: Shoultz, Chair; Hughes, Johnson, Mullins and Torrence.

Senate File 475

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

Senate File 479

Energy and Environmental Protection: Peterson, Chair; Johnson and Mullins.

Senate File 499

Transportation: Renaud, Chair; Jay, Platt, Van Camp and Woods.

Senate File 503

Small Business and Commerce: Swartz, Chair; Groninga, Halvorson of Clayton, Metcalf and Parker.

Senate File 516

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Senate File 523

Judiciary and Law Enforcement: Jay, Chair; McIntee and Woods.

Senate File 538

Agriculture: Koenigs, Chair; Hughes and Van Maanen.

Senate File 539

Agriculture: Muhlbauer, Chair; Branstad and Skow.

Senate File 547

Labor and Industrial Relations: Sherzan, Chair; Corey and Running.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 342**

Natural Resources and Outdoor Recreation: Gruhn, Chair; Fogarty and McKean.

Study Bill 343

Natural Resources and Outdoor Recreation: Paulin, Chair; Cooper and Grandia.

Study Bill 351

Natural Resources and Outdoor Recreation: Cooper, Chair; Knapp and Rensink.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON ECONOMIC DEVELOPMENT

Senate File 549, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in certain types of venture capital funds and the earnings on the proceeds prior to investment to be used as prizes.

Fiscal Note is not required.

Recommended Do Pass April 12, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Senate File 449, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3771, April 11, 1985.

Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3776, April 12, 1985.

Senate File 475, a bill for an act relating to corporate takeovers and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3769, April 11, 1985.

COMMITTEE ON STATE GOVERNMENT

Senate File 110, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties.

Fiscal Note is not required.

Recommended Do Pass April 12, 1985.

RESOLUTION FILED

HCR 30, by Varn, a concurrent resolution relating to the board of regents ten-year building program.

Referred to committee on **appropriations**.

AMENDMENTS FILED

H-3765	H.F.	747	Carpenter of Polk Jochum of Dubuque Welden of Hardin Lloyd-Jones of Johnson
H-3766	S.F.	9	Harbor of Mills
H-3767	S.F.	433	Hammond of Story
H-3768	S.F.	540	McIntee of Black Hawk
H-3769	S.F.	475	Committee on Small Business and Commerce
H-3771	S.F.	449	Committee on Small Business and Commerce
H-3772	S.F.	224	Hammond of Story Varn of Johnson Carpenter of Polk
H-3773	S.F.	383	Ollie of Clinton
H-3774	H.F.	747	Zimmerman of Dallas
H-3775	S.F.	290	Shoultz of Black Hawk Platt of Muscatine Haverland of Polk Chapman of Linn Hughes of Union Hatch of Polk Branstad of Winnebago Baxter of Des Moines McKean of Jones Halvorson of Clayton Harbor of Mills Hammond of Story Diemer of Black Hawk Shoning of Woodbury Cooper of Lucas Brammer of Linn Grandia of Marion
			McIntee of Black Hawk Parker of Jasper Groninga of Cerro Gordo Teaford of Black Hawk Sturgeon of Woodbury Carpenter of Polk Lloyd-Jones of Johnson Mullins of Kossuth O'Kane of Woodbury Kremer of Buchanan Handorf of Marshall Paulin of Plymouth Beatty of Warren Johnson of Winneshiek Jochum of Dubuque Zimmerman of Dallas

Fogarty of Palo Alto
Stueland of Clinton
Clark of Cerro Gordo
Rensink of Sioux

Royer of Page
Miller of Cherokee
Halvorson of Webster
Doderer of Johnson
Corey of Louisa
Committee on Small
Business and Commerce

H-3776 S.F. 461

On motion by Norland of Worth, the House adjourned at 1:15 p.m., until 10:00 a.m., Monday, April 15, 1985.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day — Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 15, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Richard Luberti, pastor of the St. Alphonsus Catholic Church, Davenport.

The Journal of Friday, April 12, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Kenneth Hunzinker, Spencer.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines, until her arrival, on request of Haverland of Polk; McIntee of Black Hawk, until his arrival, on request of Stromer of Hancock; Cochran of Webster, until his arrival, on request of Connolly of Dubuque; Tabor of Jackson on request of Norland of Worth and Jay of Appanoose, until his arrival, on request of Rosenberg of Story.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 13, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years.

Also: That the Senate has on April 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 104, a bill for an act providing for the payment of property taxes in installments by certain taxpayers.

Also: That the Senate has on April 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 242, a bill for an act authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

K. MARIE THAYER, Secretary

SENATE FILES 290 AND 413 DEFERRED

Norland of Worth asked and received unanimous consent that Senate Files 290 and 413 be deferred and that the bills retain their place on the calendar.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 480, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication, with report of committee recommending amendment and passage was taken up for consideration.

Ollie of Clinton offered the following amendment H-3640 filed by the committee on education and moved its adoption:

H-3640

- 1 Amend Senate File 480 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 279.19A, subsections 1 and 2,
- 6 Code 1985, are amended to read as follows:
- 7 1. School districts employing individuals to coach
- 8 interscholastic athletic activities sports shall issue
- 9 a separate extracurricular contract for each of these
- 10 activities sports. An extracurricular contract
- 11 offered under this section shall be separate from the
- 12 contract issued under section 279.13. Wages for
- 13 employees who coach these activities sports shall be
- 14 paid pursuant to established or negotiated
- 15 supplemental pay schedules. An extracurricular
- 16 contract shall be in writing, and shall state the
- 17 number of contract days for that sport, the annual
- 18 compensation to be paid, and any other matters as may
- 19 be mutually agreed upon. The contract shall be for a
- 20 single school year.
- 21 2. An extracurricular contract shall be continued
- 22 automatically in force and effect for equivalent

23 periods, except as modified or terminated by mutual
 24 agreement of the board of directors and the employee,
 25 or terminated in accordance with this section. An
 26 extracurricular contract shall initially be offered by
 27 the employing board to an individual on the same date
 28 that contracts are offered to teachers under section
 29 279.13. An extracurricular contract may be terminated
 30 at the end of a school year pursuant to sections
 31 279.15 through 279.19. If the school district offers
 32 an extracurricular contract for an activity a sport
 33 for the subsequent school year to an employee who is
 34 currently performing under an extracurricular contract
 35 for that activity sport, and the employee does not
 36 wish to accept the extracurricular contract for the
 37 subsequent year, the employee may resign from the
 38 extracurricular contract within twenty-one days after
 39 it has been received.

40 Sec. _____. Section 279.19A, subsection 4, paragraph
 41 c, Code 1985, is amended to read as follows:

42 c. The position has not been filled by June 1 of
 43 the year in which the vacancy occurred for the
 44 interscholastic athletic activity sport."

45 2. Title page, line 1, by striking the words "for
 46 requiring" and inserting the following: "and
 47 requirements for".

48 3. By numbering and renumbering sections as
 49 necessary.

The committee amendment H-3640 was adopted.

Ollie of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 480)

The ayes were, 93:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holyeck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer

Lageschulte	Lloyd-Jones	Lonergan	Maulsby
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Baxter	Cochran	Hermann	Jay
McIntee	McKean	Tabor	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 121, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending passage was taken up for consideration.

Kremer of Buchanan moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 121)

The ayes were, 93:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby

Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Baxter	Cochran	Hermann	Jay
McIntee	McKean	Tabor	

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

Senate File 154, a bill for an act relating to the duties of the secretary for the state board of engineering examiners, with report of committee recommending passage was taken up for consideration.

Renken of Grundy moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 154)

The ayes were, 92:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McKean

Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stadeland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Baxter	Cochran	Hermann	Hester
Jay	McIntee	Oxley	Tabor

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

Senate File 230, a bill for an act relating to qualifications of sureties, with report of committee recommending passage was taken up for consideration.

Running of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 230)

The ayes were, 91:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley

Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Baxtér	Cochran	Doderer	Hermann
Hester	Jay	McIntee	Tabor
Welden			

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

Senate File 525, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice, with report of committee recommending passage was taken up for consideration.

Pavich of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 525)

The ayes were, 91:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Hummel	Jochum	Johnson	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett

Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 2:

Grandia Knapp

Absent or not voting, 7:

Baxter	Cochran	Hermann	Hester
Jay	McIntee	Tabor	

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

Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions, with report of committee recommending amendment and passage was taken up for consideration.

Clark of Cerro Gordo offered the following amendment H—3680 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3680

- 1 Amend Senate File 244 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 6, by striking lines 6 through 13.

The committee amendment H—3680 was adopted.

Norland of Worth asked and received unanimous consent that Senate File 244 be deferred and that the bill be placed on the unfinished business calendar.

Senate File 317, a bill for an act relating to qualifying for office, with report of committee recommending passage was taken up for consideration.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3683 filed by him on April 8, 1985.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 317)

The ayes were, 94:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Clark	Hermann	Jay
McIntee	Tabor		

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

Senate File 328, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take a licensure exam in Iowa, with report of committee recommending amendment and passage was taken up for consideration.

Blanshan of Greene offered the following amendment H—3678 filed by the committee on state government. Division was requested as follows:

H—3678

- 1 Amend Senate File 328 as passed by the Senate as
- 2 follows:

H—3678A

- 3 1. Page 1, line 16, by striking the word
- 4 "successfully".

H—3678B

- 5 2. Page 1, line 18, by inserting after the word
- 6 "and" the following: "shall require the applicant to
- 7 pass an examination to establish the".

On motion by Blanshan of Greene, the committee amendment H—3678A, was adopted.

Blanshan of Greene moved the adoption of amendment H—3678B.

A non-record roll call was requested.

The ayes were 39, nays 32.

The committee amendment H—3678B was adopted.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 328)

The ayes were, 88:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Diemer
Doderer	Fogarty	Groninga	Groth
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 6:

De Groot	Grandia	Gruhn	Handorf
Rensink	Van Maanen		

Absent or not voting, 6:

Baxter	Fey	Hermann	Jay
McIntee	Tabor		

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

Senate File 377, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies, with report of committee recommending amendment and passage was taken up for consideration.

Kremer of Buchanan offered the following amendment H—3679 filed by the committee on judiciary and law enforcement:

H—3679

- 1 Amend Senate File 377 as amended, passed and
- 2 reprinted Senate as follows:
- 3 1. Page 1, by striking lines 16 and 17 and

- 4 inserting the following: "or trust company referred
- 5 to in section 633.63, subsection 2, is".
- 6 2. Page 1, by striking lines 19 and 20 and
- 7 inserting the following: "jurisdiction is invoked by
- 8 the trustee or beneficiary, or if otherwise provided
- 9 by the governing".
- 10 3. Page 1, by striking line 26 and inserting the
- 11 following: "thereafter invoked by the trustee or
- 12 beneficiary."

Kremer of Buchanan offered the following amendment H-3702, to the committee amendment H-3679, filed by him and moved its adoption:

H-3702

- 1 Amend the committee amendment H-3679 to Senate File
- 2 377 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by inserting after line 12 the
- 5 following:
- 6 "_____, Page 1, by striking lines 27 through 30 and
- 7 inserting the following:
- 8 "Sec. 2. Section 682.60, Code 1985, is amended to
- 9 read as follows:
- 10 682.60 POWERS AND DUTIES OF TRUSTEES NOT SUBJECT
- 11 TO COURT ADMINISTRATION.
- 12 Trustees of ~~express~~ trusts not being administered
- 13 in the probate court, shall have all the powers and
- 14 shall be subject to all the duties and liabilities as
- 15 provided in the probate code, except the duty of
- 16 reporting to or obtaining approval of the court."

Amendment H-3702 was adopted.

On motion by Kremer of Buchanan, the committee amendment H-3679, as amended, was adopted.

Kremer of Buchanan moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 377)

The ayes were, 94:

- | | | | |
|----------|-----------|----------|---------|
| Arnould | Beatty | Bennett | Black |
| Blanshan | Brammer | Branstad | Buhr |
| Carl | Carpenter | Carter | Chapman |

Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Hermann	Jay	McIntee
Stromer	Tabor		

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

Senate File 466, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed, with report of committee recommending passage was taken up for consideration.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 466)

The ayes were, 93:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot

Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Welden	Woods	Zimmerman
Mr. Speaker			

* The nays were, none.

Absent or not voting, 7:

Baxter	Hermann	Jay	McIntee
Stromer	Tabor	Varn	

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

Senate File 407, a bill for an act relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date, with report of committee recommending passage was taken up for consideration.

Hanson of Delaware offered the following amendment H—3658 filed by him:

H—3658

- 1 Amend Senate File 407 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 20, by inserting after the word
- 4 "commission." the words "After July 1, 1987, the
- 5 completion of the sixty contact hours of commission
- 6 approved real estate education shall be required for
- 7 the renewal of a real estate broker's license."

Rosenberg of Story in the chair at 11:07 a.m.

Hanson of Delaware moved the adoption of amendment H—3658.

A non-record roll call was requested.

The ayes were 30, nays 47.

Amendment H—3658 lost.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 407)

The ayes were, 88:

Arnould	Avenson	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Poney
Renaud	Renken	Royer	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Welden	Woods	Zimmerman	Mr. Speaker (Rosenberg)

The nays were, 7:

De Groot	McKean	Pellett	Platt
Rensink	Schneklath	Varn	

Absent or not voting, 5:

Baxter	Hermann	Jay	McIntee
Tabor			

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

Senate File 63, a bill for an act relating to the approval of attorney fees by the department of job service, with report of committee recommending passage was taken up for consideration.

Running of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S. F. 63)

The ayes were, 83:

Arnould	Avenson	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rensink	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker (Rosenberg)	

The nays were, 11:

Carpenter	De Groot	Grandia	Halvorson, R. A.
Halvorson, R. N.	Harbor	Maulsby	Pellett
Renken	Van Maanen	Welden	

Absent or not voting, 6:

Baxter	Gruhn	Hermann	Jay
McIntee	Tabor		

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

SENATE FILE 289 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 289 be deferred and that the bill retain its place on the calendar.

Hanson of Delaware in the chair at 11:27 a.m.

Senate File 306, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons, with report of committee recommending passage was taken up for consideration.

Mullins of Kossuth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 306)

The ayes were, 93:

Arnould	Avenson	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Zimmerman
Mr. Speaker (Hanson)			

The nays were, 1:

Grandia

Absent or not voting, 6:

Baxter
Tabor

Hermann
Woods

Jay

McIntee

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

Senate File 315, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed, with report of committee recommending amendment and passage was taken up for consideration.

Rosenberg of Story offered the following amendment H—3727 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3727

1 Amend Senate file 315 as passed by the Senate as
2 follows:
3 1. By striking everything after the enacting
4 clause and inserting:
5 "Section 1. Rule of criminal procedure 5, section
6 3, Iowa court rules, second edition, is amended by
7 striking the section and inserting the following:
8 3. MINUTES OF EVIDENCE. The prosecuting attorney
9 shall file with the information the minutes of
10 evidence of the witnesses which shall consist of a
11 written notice stating the names, places of residence,
12 and occupations of the witnesses whose evidence is
13 expected to be introduced at trial and setting forth a
14 full and fair statement of each witness' expected
15 testimony.
16 Sec. 2. This Act takes effect July 2 following its
17 enactment."

The committee amendment H—3727 was adopted.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 315)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McKean	Metcalf
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Hanson)	

The nays were, none.

Absent or not voting, 5:

Hermann	Jay	McIntee	Miller
Tabor			

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

Senate File 387, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person, with report of committee recommending amendment and passage was taken up for consideration.

Woods of Polk offered the following amendment H-3724 filed by the committee on transportation and moved its adoption:

H-3724

1 Amend Senate File 387 as passed by the Senate as
2 follows:

3 1. Page 1, by inserting after line 22 the
4 following:

5 "Sec. _____. Section 321.40, Code 1985, is amended
6 by adding the following new unnumbered paragraph
7 immediately following unnumbered paragraph 1:
8 NEW UNNUMBERED PARAGRAPH. On or before the
9 fifteenth day of the month of expiration of a
10 vehicle's registration the county treasurer shall send
11 a statement by mail of fees due to the appropriate
12 owner of record. The statement shall be mailed to the
13 most current address of record, showing information
14 sufficient to identify the vehicle and a listing of
15 the various fees as appropriate. Failure to receive a
16 statement shall have no effect upon the accrual of
17 penalty at the appropriate date. This paragraph
18 applies to counties with a population of one hundred
19 thousand or more. This paragraph applies to any
20 county with a population of less than one hundred
21 thousand at the discretion of the county treasurer."

22 2. Page 2, by inserting after line 7 the
23 following:

24 "Sec. _____. Section 321.126, unnumbered paragraph
25 1, Code 1985, is amended to read as follows:

26 Refunds of ~~current unexpired~~ vehicle registration
27 fees paid for the registration of motor vehicles shall
28 be allowed in accordance with this section, except
29 that no refund shall be allowed and paid if the unused
30 portion of the fee is less than five dollars.

31 Subsections 1 and 2 ~~shall do~~ not apply to motor
32 vehicles registered by the county treasurer. The
33 refunds shall be made as follows:

34 Sec. _____. Section 321.126, Code 1985, is amended
35 by adding the following new subsection:

36 NEW SUBSECTION. If a vehicle is sold or junked
37 within thirty days after a replacement vehicle has
38 been purchased and the title and registration for the
39 replacement vehicle issued, the owner in whose name
40 the vehicle was registered may within thirty days
41 after the date of sale or junking make claim to the
42 department for a refund of the sold or junked
43 vehicle's registration fee subject to the following
44 limitations:

45 a. The refund shall be computed on the basis of
46 the number of unexpired months remaining in the
47 registration year at the time the vehicle was sold or
48 junked and shall be rounded to the nearest whole
49 dollar. Section 321.127, subsection 1, does not
50 apply.

Page 2

1 b. The refund shall not exceed the amount of the
2 registration fee for the replacement vehicle and shall
3 only be allowed if the replacement vehicle was
4 registered within the time specified for registration.
5 under section 321.46, subsection 1.

6 c. The refund shall only be allowed if the owner
7 provides the credit copy of the registration receipt
8 for the vehicle sold or junked and a photocopy of the
9 registration receipt for the replacement vehicle.

10 d. This subsection does not apply to vehicles
11 registered under chapter 326.

12 Sec. _____. Section 321.127, Code 1985, is amended
13 to read as follows:

14 321.127 AMOUNT PAYMENT OF REFUND.

15 1. The refund of the registration fee for motor
16 vehicles shall be computed on the basis of ~~one-fourth~~
17 of the annual registration fee multiplied by the
18 number of remaining quarters of unexpired months
19 remaining in the registration year from date of filing
20 of the claim for refund with the county treasurer,
21 computed to the nearest quarter dollar.

22 2. The department, unless reasonable grounds exist
23 for delay, shall make refund on or before the
24 fifteenth last day of the quarter month following the
25 quarter month in which the claim is filed with the
26 department.

27 3. For trailers or semitrailers issued a multiyear
28 registration plate a refund shall be paid equal to the
29 annual fee for twelve months times the remaining
30 number of complete registration years.

31 4. Refunds for motor vehicles registered for
32 prorated under chapter 326 shall be paid on the basis
33 of unexpired complete calendar months remaining in the
34 registration year from the date the claim is filed
35 with the department."

36 3. Title page, line 7, by striking the words
37 "vehicle and" and inserting the word "vehicle,".

38 4. Title page, line 9, by inserting after the
39 word "person" the words ", requiring certain counties
40 to send a statement relating to due registration fees
41 to owners of motor vehicles and allowing a refund of
42 unexpired registration fees for certain vehicles".

43 5. Renumber sections as necessary.

A non-record roll call was requested.

The ayes were 45, nays 14.

The committee amendment H-3724 was adopted.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 387)

The ayes were, 94:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker (Hanson)		

The nays were, 3:

Halvorson, R. A.	Renken	Welden
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Absent or not voting, 3:

Hermann	McIntee	Taber
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Speaker Avenson in the chair at 11:45 a.m.

Senate File 398, a bill for an act relating to school reorganization, with report of committee recommending amendment and passage was taken up for consideration.

Haverland of Polk offered the following amendment H-3717 filed by the committee on education:

H-3717

1 Amend Senate File 398 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 1 through 12.

4 2. Page 1, by inserting before line 13 the
5 following:

6 "Sec. _____. Section 275.14, Code 1985, is amended
7 by adding the following new unnumbered paragraph:

8 **NEW UNNUMBERED PARAGRAPH.** Objection forms shall be
9 prescribed by the department of public instruction and
10 may be obtained from the area education agency
11 administrator. Objection forms that request that
12 property be removed from a proposed district shall
13 include the correct legal description of the property
14 to be removed.

15 Sec. _____. Section 275.15, Code 1985, is amended to
16 read as follows:

17 275.15 HEARING - DECISION - PUBLICATION OF ORDER
18 - APPEAL.

19 At the hearing, which shall be held within ten days
20 of the final date set for filing objections,
21 interested parties, both petitioners and objectors,
22 may present evidence and arguments, and the area
23 education agency board shall review the matter on its
24 merits and within five ten days after the conclusion
25 of any hearing, shall rule on the objections and shall
26 enter an order fixing such the boundaries for the
27 proposed school corporation as will in its judgment be
28 for the best interests of all parties concerned,
29 having due regard for the welfare of adjoining
30 districts or dismiss the petition.

31 **PARAGRAPH DIVIDED.** The area education agency
32 board, when entering the order fixing the boundaries,
33 shall consider all requests timely filed for boundary
34 line changes of property owners who reside on property
35 adjacent to the proposed boundary lines.

36 If the petition is not dismissed and the board
37 determines that additional information is required in
38 order to fix boundary lines of the proposed school
39 corporation, the board may continue the hearing for no
40 more than thirty days. The date of the continued
41 hearing shall be announced at the original meeting.
42 Additional objections in the form required in section
43 275.14 may be considered if filed with the
44 administrator within five days after the date of the
45 original board hearing. If the hearing is continued,
46 the area education agency administrator may conduct

47 one or more meetings with the boards of directors of
48 the affected districts. Notice of any such meeting
49 must be given at least forty-eight hours in advance by
50 the area education agency administrator in the manner

Page 2

1 provided in section 21.4. The area education agency
2 board may request that the administrator make
3 alternative recommendations regarding the boundary
4 lines of the proposed school corporation. The area
5 education agency board shall make a decision on the
6 boundary lines within ten days following the
7 conclusion of the continued hearing.
8 PARAGRAPH DIVIDED. The agency administrator shall
9 at once publish this order the decision in the same
10 newspaper in which the original notice was published.
11 Within twenty days after the publication thereof, the
12 decision rendered by the area education agency board
13 may be appealed to the district court in the county
14 involved by any school district affected. For
15 purposes of appeal, only those school districts who
16 filed reorganization petitions are school districts
17 affected. An appeal from a decision of an area
18 education agency board or joint area education agency
19 boards under section 275.4, 275.16, or this section is
20 subject to appeal procedures under this chapter and is
21 not subject to appeal under chapter 290.
22 Sec. _____ Section 275.16, unnumbered paragraph 1,
23 Code 1985, is amended to read as follows:
24 If the territory described in the petition for the
25 proposed corporation lies in more than one area
26 education agency, the agency administrator with whom
27 the petition is filed shall fix the time and place for
28 a hearing and call a joint meeting of the members of
29 all the agency boards in which any territory of the
30 proposed school corporation lies, to act as a single
31 board for the hearing of the objections, and a
32 majority of members of each of the agency boards of
33 the different agencies in which any part of the
34 proposed corporation lies, constitutes a quorum. The
35 president of the board of directors of the area
36 education agency in which the petition has been filed,
37 or a member of the board designated by the president,
38 shall preside at the joint meeting. The joint boards
39 acting as a single board shall determine whether the
40 petition conforms to plans or, if the petition
41 requests a change in plans, whether a change should be
42 made, and may change the plans of any or all the area
43 education agency boards affected by the petition; and
44 it. The joint board shall determine and fix

45 boundaries for the proposed corporation as provided in
46 section 275.15 or dismiss the petition. The joint
47 board may continue the hearing as provided in section
48 275.15.
49 **PARAGRAPH DIVIDED.** Votes of each member of an area
50 education agency board in attendance shall be weighted

Page 3

1 so that the total number of votes eligible to be cast
2 by members of each board in attendance shall be equal.
3 However, if the joint boards cast a tie vote and are
4 unable to agree to an order a decision fixing the
5 boundaries for the proposed school district
6 corporation or to an order a decision to dismiss the
7 petition, the time during which actions must be taken
8 under section 275.15 shall be extended from five days
9 to fifteen days after the conclusion of the hearing
10 under section 275.15, and the joint board shall
11 reconvene not less than ten and not more than fifteen
12 days after the conclusion of the hearing. At the
13 hearing the joint board shall reconsider its action
14 and if a tie vote is again cast it is an order a
15 decision granting the petition and changing the plans
16 of any and all of the agency boards affected by the
17 petition and fixing the boundaries for the proposed
18 school corporation. The agency administrator shall at
19 once publish the decision in the same newspaper in
20 which the original notice was published.

21 Sec. _____. Section 275.18, Code 1985, is amended to
22 read as follows:

23 275.18 SPECIAL ELECTION CALLED - TIME.

24 When the boundaries of the territory to be included
25 in a proposed school corporation and the number and
26 method of the election of the school directors of the
27 proposed school corporation have been determined as
28 provided in this chapter, the area education agency
29 administrator with whom the petition is filed shall
30 give written notice of the proposed date of the
31 election to the county commissioner of elections of
32 the county in the proposed school corporation which
33 has the greatest taxable base. The proposed date
34 shall be as soon as possible pursuant to sections
35 39.2, subsections 1 and 2, and 47.6, subsections 1 and
36 2, but not later than November 30 of the calendar year
37 prior to the calendar year in which the reorganization
38 will take effect.

39 **PARAGRAPH DIVIDED.** The county commissioner of
40 elections shall give notice of the election by one
41 publication in the same newspaper in which previous
42 notices have been published regarding the proposed

43 school reorganization, and in addition, if more than
 44 one county is involved, by one publication in a legal
 45 newspaper in each county other than that of the first
 46 publication. The publication shall be not less than
 47 four nor more than twenty days prior to the election.
 48 If the decision published pursuant to section 275.15
 49 or 275.16 includes a description of the proposed
 50 school corporation and a description of the director

Page 4

1 districts, if any, the notice for election and the
 2 ballot do not need to include these descriptions.
 3 Notice for an election shall not be published until
 4 the expiration of time for appeal, which shall be the
 5 same as that provided in section 275.15 or 275.16,
 6 whichever is applicable; and if there is an appeal,
 7 not until the appeal has been disposed of."
 8 3. Page 2, by striking lines 6 and 7.
 9 4. Page 2, lines 17 and 18, by striking the words
 10 "subject to approval by the state comptroller".

Stromer of Hancock asked and received unanimous consent that Senate File 398 be deferred and that the bill retain its place on the calendar.

(The committee amendment H—3717 pending.)

SENATE FILE 438 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 438 be deferred and that the bill retain its place on the calendar.

Senate File 490, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken, with report of committee recommending passage was taken up for consideration.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 490)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groning	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Pony	Renaud	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Hanson	Renken
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Absent or not voting, 6:

Connolly	Groth	Hermann	McIntee
Tabor	Welden		

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

Senate File 511, a bill for an act to extend the time for the completion of the flood plain mapping plan, with report of committee recommending passage was taken up for consideration.

Cooper of Lucas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 511)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Grandia	Handorf	Van Maanen
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Absent or not voting, 6:

Connolly	Hermann	McIntee	Oxley
Tabor	Torrence		

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

SENATE FILE 103 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 103 be deferred and that the bill retain its place on the calendar.

SENATE MESSAGES CONSIDERED

Senate File 13, by Taylor, a bill for an act to allow certain non-profit corporations owning property in this state an extension of

time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years.

Read first time and referred to committee on **ways and means**.

• **Senate File 104**, by Priebe, a bill for an act providing for the payment of property taxes in installments by certain taxpayers.

Read first time and referred to committee on **ways and means**.

Senate File 242, by Schwengels and Taylor, a bill for an act authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

Read first time and referred to committee on **ways and means**.

On motion by Norland of Worth, the House was recessed at 12:04 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 759, by Norland and Stromer, a bill for an act relating to establishing nonpartisan mobile deputy registrars.

Read first time and referred to committee on **state government**.

CONSIDERATION OF BILLS

Regular Calendar

Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect, was taken up for consideration.

Spear of Lee moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Be It Resolved by the General Assembly of the State of Iowa:

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

Section 26 of Article III of the Constitution of the State of Iowa, as amended by the Amendment of 1966, is repealed and the following adopted in lieu thereof:

“An act of the general assembly passed at a regular session of a general assembly shall take effect on July 1 following its passage unless a different effective date is stated in an act of the general assembly. An act passed at a special session of a general assembly shall take effect ninety days after adjournment of the special session unless a different effective date is stated in an act of the general assembly. The general assembly may establish by law a procedure for giving notice of the contents of acts of immediate importance which become law.”

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Seventieth General Assembly, 1984 Session, thereafter duly published, and now adopted and agreed to by the Seventy-first General Assembly in this joint resolution, shall be submitted to the people of the state of Iowa at the general election in November of the year nineteen hundred eighty-six 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 joint resolution be adopted and agreed to?” (S.J.R. 3)

The ayes were, 84:

- | | | | |
|-----------|----------|------------------|-------------|
| Arnould | Baxter | Beatty | Blanshan |
| Brammer | Branstad | Buhr | Carl |
| Carpenter | Carter | Chapman | Clark |
| Cochran | Connolly | Connors | Cooper |
| Corey | Daggett | Diemer | Doderer |
| Fey | Fogarty | Grandia | Groninga |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Handorf | Hanson | Hatch | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Johnson | Knapp | Kremer | Lageschulte |

Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Rensink	Rosenberg	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 14:

Bennett	Black	De Groot	Halvorson, R. A.
Harbor	Hester	Hummel	Koenigs
Parker	Renaud	Renken	Royer
Skow	Varn		

Absent or not voting, 2:

Hermann Tabor

The joint resolution, having received a constitutional majority, was declared to have been adopted and agreed to by the House.

SENATE FILE 433 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 433 be deferred and that the bill retain its place on the calendar.

Senate File 526, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction, with report of committee recommending amendment and passage was taken up for consideration.

Johnson of Winneshiek offered the following amendment H-3718 filed by the committee on education and moved its adoption:

H-3718

- 1 Amend Senate File 526 as passed by the Senate as
- 2 follows:

- 3 1. Page 1, by striking line 6 and inserting the
 4 following: "in the professional education program,
 5 preparation that contributes to".
 6 2. Page 1, line 11, by striking the words "a
 7 course" and inserting the following: "a professional
 8 education program".
 9 3. Title page, line 1, by striking the words "a
 10 course" and inserting the following: "a professional
 11 education program".

Johnson of Winneshiek asked and received unanimous consent to correct the spelling error on line 7 of amendment H—3718.

On motion by Johnson of Winneshiek, the committee amendment H—3718, as amended, was adopted.

Johnson of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 526)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Hermann

Tabor

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 172, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor, with report of committee recommending passage was taken up for consideration.

Swartz of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 172)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Kremer
Lageschulte	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 3:

Chapman

Koenigs

Platt

Absent or not voting, 4:

Groninga Hermann Lloyd-Jones Tabor

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

Senate File 194, a bill for an act striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty, with report of committee recommending passage was taken up for consideration.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 194)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Téaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Carl	Groninga	Hermann	Pellett
Tabor			

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

Senate File 413, a bill for an act relating to farm-to-market road fund allocations, (previously deferred) with report of committee recommending passage was taken up for consideration.

Lageschulte of Bremer moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 413)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Fey	Harbor	Haverland	Hermann
O'Kane	Tabor	Welden	

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

The House resumed consideration of **Senate File 244**, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions, previously deferred and placed on the unfinished business calendar.

Clark of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 244)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Hermann

Hughes

Kremer

Tabor

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

Senate File 289, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fees, with report of committee recommending passage was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 289)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 1:

Doderer

Absent or not voting, 6:

Carl
Tabor

Groninga
Torrence

Harbor

Hermann

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

HOUSE FILE 506 WITHDRAWN

Clark of Cerro Gordo asked and received unanimous consent to withdraw House File 506 from further consideration by the House.

The House stood at ease at 2:39 p.m., until the fall of the gavel.

The House resumed session at 3:04 p.m., Speaker Avenson in the chair.

MOTION TO RECONSIDER WITHDRAWN (Senate File 9)

Harbor of Mills asked and received unanimous consent to withdraw the motion to reconsider Senate File 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law, filed by him on April 12, 1985, placing out of order amendment H—3766 filed by Harbor of Mills on April 12, 1985.

Unfinished Business Calendar

Norland of Worth asked and received unanimous consent to take up for consideration **House File 547**, a bill for an act relating to adoption and termination of parental rights and providing penalties, deferred on April 1, 1985, and amendment H—3563C (found on page 1226 of the House Journal) to amendment H—3469B (found on pages 1172 and 1173 of the House Journal).

Norland of Worth asked and received unanimous consent to defer action on amendment H—3563C (to amendment H—3469B) and amendment H—3469B.

Sullivan of Van Buren in the chair at 3:08 p.m.

The House resumed consideration of amendment H—3472D (found on page 1177 of the House Journal).

Mullins of Kossuth asked and received unanimous consent to withdraw amendment H-3472D.

The House resumed consideration of amendment H-3472E (found on page 1177 of the House Journal).

Mullins of Kossuth asked and received unanimous consent to withdraw amendment H-3472E, placing out of order amendment H-3528, to amendment H-3472E, filed by Carl of Poweshiek on March 28, 1985.

Schneklath of Scott offered the following amendment H-3460 filed by him and requested division as follows:

H-3460

- 1 Amend House File 547 as follows:

H-3460A

- 2 1. Page 12, by striking lines 15 through 32.

H-3460B

- 3 2. Page 22, by striking lines 21 through 24.

H-3460C

- 4 3. Page 23, line 31, by striking the word
- 5 "thirty" and inserting the following: "fourteen".

H-3460D

- 6 4. Page 23, line 32, by striking the word
- 7 "fourteen" and inserting the following: "seven".

H-3460E

- 8 5. Page 24, by striking lines 23 through 27 and
- 9 inserting the following: "to pay or receive the
- 10 expenses permitted under section 600.9."

Schneklath of Scott moved the adoption of amendment H-3460A.

Roll call was requested by Carl of Poweshiek and Jay of Appanoose.

On the question "Shall amendment H—3460A be adopted?"

The ayes were, 52:

Baxter	Bennett	Black	Blanshan
Branstad	Carter	Connolly	Connors
Daggett	De Groot	Grandia	Gruhn
Hammond	Handorf	Hanson	Harbor
Haverland	Hester	Hummel	Jay
Jochum	Knapp	Kremer	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Ollie	Oxley	Paulin	Pavich
Pellett	Peterson	Platt	Poncy
Renken	Rensink	Rosenberg	Royer
Schnekloth	Skow	Spear	Stueland
Swearingen	Torrence	Van Camp	Van Maanen

The nays were, 41:

Arnould	Beatty	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Cooper	Corey	Diemer
Fey	Fogarty	Groninga	Groth
Halvorson, R. A.	Halvorson, R. N.	Hatch	Holveck
Hughes	Johnson	Koenigs	Lloyd-Jones
Norland	O'Kane	Osterberg	Parker
Peick	Renaud	Running	Sherzan
Shoning	Shoultz	Siegrist	Sturgeon
Teaford	Varn	Woods	Zimmerman
Mr. Speaker (Sullivan)			

Absent or not voting, 7:

Avenson	Doderer	Hermann	Stromer
Swartz	Tabor	Welden	

Amendment H—3460A was adopted.

Hummel of Benton offered the following amendment H—3740 filed by him and moved its adoption:

H—3740

- 1 Amend House File 547 as follows:
- 2 1. Page 13, by striking lines 19 through 20 and
- 3 inserting the following: "requesting principal party
- 4 a fee comparable to that charged in surrounding
- 5 states for the location procedure. If contact is
- 6 made, the departmental".

Amendment H—3740 was adopted.

Mullins of Kossuth offered the following amendment H—3468 filed by Mullins, et al., and moved its adoption:

H—3468

- 1 Amend House File 547 as follows:
- 2 1. Page 14, by striking lines 2 through 4 and
- 3 inserting the following: "voluntarily to the
- 4 disclosure of information."
- 5 2. Page 14, by striking lines 11 through 18 and
- 6 inserting the following: "deceased, cannot be
- 7 notified, or has filed or files a timely unrevoked
- 8 affidavit of refusal to consent with the department,
- 9 the department shall notify the requesting principal
- 10 party of the inability to notify or of the refusal but
- 11 shall not disclose any information to the requesting
- 12 principal party, unless ordered to do so by the
- 13 court."
- 14 3. By striking page 14, line 19 through page 15,
- 15 line 29 and inserting the following:
- 16 "The clerk of the district court shall allow
- 17 inspection of adoption records in the clerk's
- 18 possession by an adult adoptee if the court determines
- 19 by clear and convincing evidence that inspection of
- 20 the information in the adoption records is in the best
- 21 interests of both the adult adoptee and the birth
- 22 parents, unless either birth parent filed an affidavit
- 23 contained in an adoption record requesting that the
- 24 identity of the birth parents not be disclosed."

Roll call was requested by Varn of Johnson and O'Kane of Woodbury.

On the question "Shall amendment H—3468 be adopted?"

The ayes were, 43:

Baxter	Bennett	Blanshan	Connolly
Connors	Daggett	De Groot	Doderer
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Haverland	Holveck
Hummel	Jochum	Knapp	Kremer
Lageschulte	Loneragan	McIntee	McKean
Metcalf	Miller	Mullins	Ollie
Oxley	Paulin	Pavich	Pellett
Peterson	Platt	Poncy	Renken
Rensink	Schneklath	Skow	Stueland
Swearingen	Torrence	Van Camp	

The nays were, 51:

Arnould	Avenson	Beatty	Black
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Cooper	Corey	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Handorf	Hatch	Hester
Hughes	Jay	Johnson	Koenigs
Lloyd-Jones	Maulsby	Muhlbauer	Norland
O'Kane	Osterberg	Peick	Renaud
Rosenberg	Running	Shoning	Shoultz
Siegrist	Spear	Sturgeon	Swartz
Teaford	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Sullivan)	

Absent or not voting, 6:

Hermann	Parker	Royer	Sherzan
Stromer	Tabor		

Amendment H—3468 lost.

Haverland of Polk offered the following amendment H—3476 filed him:

H—3476

- 1 Amend House File 547 as follows:
- 2 1. Page 14, by striking lines 2 through 4 and
- 3 inserting the following: "voluntarily to the
- 4 disclosure of information."
- 5 2. By striking page 14, line 11 through page 15,
- 6 line 29 and inserting the following: "deceased,
- 7 cannot be notified, or has filed or files a timely
- 8 unrevoked affidavit of refusal to consent with the
- 9 department, the department shall notify the requesting
- 10 principal party of the refusal but shall not disclose
- 11 any information to the requesting principal party,
- 12 unless ordered to do so by the court."

Haverland of Polk offered the following amendment H—3623, to amendment H—3476, filed by him and moved its adoption:

H—3623

- 1 Amend the amendment H—3476 to House File 547 as
- 2 follows:

3 1. Page 1, by striking lines 2 through 12 and
 4 inserting the following:
 5 "_____. Page 13, by inserting after line 32 the
 6 following:
 7 "_____. The effect of the filing of a timely
 8 unrevoked affidavit of refusal to consent to
 9 disclosure, including the right of the requesting
 10 party to petition the court for disclosure of the
 11 requested information and the right of the other
 12 principal party to object to the petition requesting
 13 disclosure, to appear before the court at an ex parte
 14 hearing, to be represented by legal counsel before the
 15 court, and to present to the court all relevant
 16 evidence concerning the requested disclosure of
 17 information."
 18 _____. By relettering as necessary."

Amendment H—3623 was adopted.

On motion by Haverland of Polk, amendment H—3476, as amended, was adopted.

Hummel of Benton offered the following amendment H—3739 filed by him and moved its adoption:

H—3739

1 Amend House File 547 as follows:
 2 1. Page 14, by striking line 17 through page 15,
 3 line 29, and inserting the following: "requesting
 4 principal party. Receipt, by the department of
 5 human services, of an unrevoked affidavit of refusal
 6 from the other principal party shall immediately
 7 terminate location procedures."

A non-record roll call was requested.

The ayes were 38, nays 46.

Amendment H—3739 lost.

Haverland of Polk offered the following amendment H—3478 filed by him and moved its adoption:

H—3478

1 Amend House File 547 as follows:
 2 1. Page 15, by striking lines 27 through 29 and

3 inserting the following: "convincing evidence that
4 nondisclosure of the requested information will cause
5 serious and irreparable harm to the requesting party."

Haverland of Polk offered the following amendment H—3624, to amendment H—3478, filed by him and moved its adoption:

H—3624

1 Amend the amendment, H—3478, to House File 547 as
2 follows:
3 1, Page 1, by striking lines 2 through 5 and
4 inserting the following:
5 "_____, Page 15, line 28 by inserting after the
6 word "parties," the following: "including an
7 affidavit of refusal to consent to disclosure
8 submitted by the objecting party,".

Amendment H—3624 was adopted.

On motion by Haverland of Polk, amendment H—3478, as amended, was adopted.

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the calendar.

REFERRED TO COMMITTEES

Norland of Worth asked and received unanimous consent to refer the following bills from the regular calendar to the committees listed:

HJR	1	State Government
HJR	4	Natural Resources and Outdoor Recreation
H.F.	20	Natural Resources and Outdoor Recreation
H.F.	30	Local Government
H.F.	63	State Government
H.F.	136	Labor and Industrial Relations
H.F.	187	Labor and Industrial Relations
H.F.	206	Local Government
H.F.	254	Education
H.F.	269	Natural Resources and Outdoor Recreation
H.F.	412	Small Business and Commerce
H.F.	424	Agriculture
H.F.	543	Agriculture
H.F.	579	Transportation

H.F. 586	Local Government
H.F. 683	Human Resources
H.F. 697	Energy and Environmental Protection
H.F. 715	Energy and Environmental Protection
H.F. 719	Small Business and Commerce
H.F. 725	Judiciary and Law Enforcement
H.F. 734	State Government
H.F. 738	Agriculture
H.F. 739	Judiciary and Law Enforcement

Speaker Avenson in the chair at 4:27 p.m.

SENATE FILE 398 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 398 be deferred and that the bill be placed on the unfinished business calendar.

Senate File 433, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date, with report of committee recommending amendment and passage was taken up for consideration.

Hanson of Delaware offered the following amendment H—3723 filed by the committee on state government:

H—3723

- 1 Amend Senate File 433 as follows:
- 2 1. Page 1, line 11, by striking the words
- 3 "program and has" and inserting the following:
- 4 "program,".
- 5 2. Page 1, line 13, by striking the word "care"
- 6 and inserting the following: "care and passed a
- 7 respiratory therapy certification examination approved
- 8 by the state department of health".
- 9 3. Page 1, line 16, by striking the words
- 10 "program and has" and inserting the following:
- 11 "program,".
- 12 4. Page 1, line 18, by striking the word "care"
- 13 and inserting the following: "care and passed a
- 14 respiratory therapy technicians' certification
- 15 examination approved by the state department of
- 16 health".
- 17 5. Page 4, by inserting after line 33 the
- 18 following:
- 19 "3. The designation of certification examinations
- 20 for respiratory care practitioners."

21 6. Page 5, by inserting after line 24 the
22 following:

23 "Sec. 11. NEW SECTION. 135F.11 CONTINUING
24 EDUCATION.

25 After July 1, 1988, a practitioner shall submit
26 evidence satisfactory to the department that during
27 the year of certification the practitioner has
28 completed continuing education courses as prescribed
29 by the department. In lieu of the continuing
30 education, a person may successfully complete the most
31 current version of the certification examination.

32 Sec. 12. NEW SECTION. 135F.12 SUSPENSION AND
33 REVOCAION OF CERTIFICATES.

34 The department may suspend, revoke or impose
35 probationary conditions upon a certificate issued
36 pursuant to rules adopted in accordance with section
37 135F.6.

38 Sec. 13. NEW SECTION. 135F.13 ADVISORY
39 COMMITTEE.

40 A respiratory care advisory committee is
41 established to provide advice to the department
42 regarding approval of continuing education programs
43 and drafting of rules pursuant to section 135F.6.

44 The members of the advisory committee shall include
45 two licensed physicians with recognized training and
46 experience in respiratory care, two respiratory care
47 practitioners, and one public member. Members shall
48 be appointed by the governor, subject to confirmation
49 by the senate, and shall serve three year terms
50 beginning and ending in accordance with section 69.19.

Page 2

1 Members shall also be compensated for their actual and
2 necessary expenses incurred in the performance of
3 their duties. All per diem and expense moneys paid to
4 the members shall be paid from funds appropriated to
5 the department.

6 Sec. 14. Notwithstanding the provisions of section
7 135F.13, of the initial appointees to the advisory
8 committee, two members shall be appointed for one year
9 terms, two members shall be appointed for two year
10 terms and one member shall be appointed for a three
11 year term. The initial appointees' successors shall
12 be appointed to terms of three years each except that
13 a person chosen to fill a vacancy shall be appointed
14 only for the unexpired term of the committee member
15 replaced."

Swartz of Marshall offered the following amendment H-3784,
to the committee amendment H-3723, filed by him from the floor
and moved its adoption:

H-3784

1 Amend the amendment H-3723 to Senate File 433, as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting before line 1 the
5 following:

6 "_____. Page 1, line 6, by inserting after the word
7 "technician." the following: "Neither term refers to
8 a person currently working in the field of respiratory
9 care who does not become certified under this
10 chapter." "

11 2. Page 1, by inserting after line 20 the
12 following:

13 "_____. Page 5, line 10, by inserting after the
14 word "practitioner." the following: "A person working
15 in the field of respiratory care on the effective date
16 of this Act shall be permitted to continue to do so
17 except that the person shall not be entitled to
18 designate or refer to themselves as a "respiratory
19 care practitioner" or use the letters R.C.P. after the
20 person's name." "

Amendment H-3784 was adopted.

Hanson of Delaware offered the following amendment H-3781,
to the committee amendment H-3723, filed by him and Black of
Jasper from the floor and moved its adoption:

H-3781

1 Amend the amendment H-3723 to Senate File 433, as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, line 8, by inserting after the word
5 "health." the following: "Two years of supervised
6 clinical experience in an acceptable location for the
7 practice of respiratory care, as described in section
8 135F.4, may be substituted for the completion of a
9 respiratory therapy training program."

10 2. Page 1, line 16, by inserting after the word
11 "health." the following: "Two years of supervised
12 clinical experience in an acceptable location for the
13 practice of respiratory care, as described in section
14 135F.4, may be substituted for the completion of a
15 respiratory therapy training program."

16 3. Page 1, by inserting after line 16 the
17 following:

18 "_____. Page 4, line 13, by striking the words "of
19 the committee".

20 4. By renumbering as necessary.

Amendment H—3781 was adopted.

Hammond of Story offered the following amendment H—3767, to the committee amendment H—3723, filed by her and moved its adoption:

H—3767

- 1 Amend amendment H—3723 to Senate File 433 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 1, by striking line 47, and inserting the
- 4 following: "practitioners, and one public member.
- 5 Not more than a simple majority of the advisory
- 6 committee shall be of one gender. Members shall".

Amendment H—3767 was adopted.

On motion by Hanson of Delaware, the committee amendment H—3723, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schnekloth of Scott, for the remainder of the day, on request of Rensink of Sioux.

The following amendment H—3791 filed by Hanson of Delaware from the floor was adopted by unanimous consent:

H—3791

- 1 Amend Senate File 433 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Title page, lines 2 and 3, by striking the
- 4 words "and an effective date".

Hanson of Delaware moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 433)

The ayes were, 91:

Arnould
Black

Baxter
Blanshan

Beatty
Brammer

Bennett
Buhr

Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonerger
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellet
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Sherzan	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 5:

Branstad	Maulsby	Shoning	Van Maanen
Welden			

Absent or not voting, 4:

Carl	Hermann	Schneklath	Tabor
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MOTION TO RECONSIDER WITHDRAWN (Senate File 70)

Bennett of Ida asked and received unanimous consent to withdraw the motion to reconsider Senate File 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty, filed by him on April 12, 1985.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 15, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property.

MARILYN K. MUELLER, Parliamentarian

MOTION TO RECONSIDER
(Senate File 244)

I move to reconsider the vote by which Senate File 244 passed the House on April 15, 1985.

STROMER of Hancock

EXPLANATION OF VOTE

I was temporarily absent from the House chamber on April 15, 1985. Had I been present, I would have voted "aye" on Senate File 433.

CARL of Poweshiek

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-eight eighth grade students from St. John School, Bancroft, accompanied by Madeline Summitt, Carol Welp and Gene Meister. By Branstad of Winnebago.

Students from Park Avenue Elementary School, Des Moines. By Hatch of Polk.

Forty senior students from St. Marys High School, Remsen, accompanied by Sister Delores Smith. By Paulin of Plymouth.

Sixty fourth grade students from Menlo Elementary School, Menlo, accompanied by Deborah Stalter, Sharon Sloss, Mrs. Powell and Mrs. Christensen. By Skow of Guthrie.

Eleven Y-Teens from Corning, accompanied by Linda Slearer and Cindy Peterson. By Daggett of Taylor.

RESOLUTIONS FILED

HCR 31, by Hummel, a concurrent resolution concerning school bus safety law.

Laid over under **Rule 25**.

HCR 32, by committee on education, a concurrent resolution calling for an interim study of school finance.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3777	S.F.	290	Peterson of Carroll
H-3778	S.F.	91	Teaford of Black Hawk
H-3779	S.F.	465	Hanson of Delaware
H-3780	H.F.	747	Welden of Hardin
			Jochum of Dubuque
H-3782	H.F.	547	Haverland of Polk
			Carl of Poweshiek
H-3783	H.F.	747	Running of Linn
H-3785	S.F.	27	Parker of Jasper
H-3786	S.F.	521	Woods of Polk
H-3787	S.F.	398	Stromer of Hancock
H-3788	S.F.	524	Teaford of Black Hawk
H-3789	S.F.	450	McIntee of Black Hawk
H-3790	H.F.	523	Senate Amendment
H-3792	S.F.	329	Halvorson of Clayton
			Jay of Appanoose
			Rosenberg of Story
			McIntee of Black Hawk
			Woods of Polk
H-3793	S.F.	449	Swartz of Marshall
H-3794	S.F.	329	Jay of Appanoose
H-3795	S.F.	401	Brammer of Linn
			Running of Linn
H-3796	S.F.	503	Swartz of Marshall
H-3797	S.F.	463	Paulin of Plymouth
H-3798	S.F.	103	O'Kane of Woodbury

On motion by Norland of Worth, the House adjourned at 4:41 p.m., until 9:00 a.m., Tuesday, April 16, 1985.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day—Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 16, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend David Troxler, pastor of the First Christian Church, Oskaloosa.

The Journal of Monday, April 15, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Keith Garber, Corydon.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque, until his arrival, on request of Varn of Johnson; Tabor of Jackson on request of Norland of Worth; Kremer of Buchanan on request of Diemer of Black Hawk; Carl of Poweshiek, until her arrival, on request of Rosenberg of Story; Blanshan of Greene, until his arrival, on request of Gruhn of Dickinson; Harbor of Mills, until his arrival, on request of Pavich of Pottawattamie; and Lonergan of Boone, until her arrival, on request of Connors of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Gruhn of Dickinson, from ninety-two constituents of District 12 favoring a continued search for MIA's and POW's.

By Jochum of Dubuque, from seven hundred sixty-seven constituents of District 36 favoring that the Iowa General Assembly substantially increase the appropriation to the Iowa State Transit Assistance Fund to insure continuation of public transit service to Iowans.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Regular Calendar

Senate File 103, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval (deferred April 15, 1985), with report of committee recommending passage was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—3798 filed by him and moved its adoption:

H—3798

- 1 Amend Senate File 103 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking line 6 and inserting the
- 4 following: "hospital or as a merged area hospital
- 5 under chapter 145A or sell or lease a county hospital
- 6 in conjunction with the establishment of a merged area
- 7 hospital, as provided in that chapter in accordance
- 8 with procedures set out in chapter 347."
- 9 2. Page 1, by inserting before line 7 the
- 10 following:
- 11 "Sec._____. Section 347.7, Code 1985, is amended by
- 12 adding the following new unnumbered paragraph:
- 13 NEW UNNUMBERED PARAGRAPH. In addition to levies
- 14 otherwise authorized by this section, the board of
- 15 supervisors may levy a tax at the rate, not to exceed
- 16 twenty-seven cents per thousand dollars of assessed
- 17 value, necessary to raise the amount budgeted by the
- 18 board of hospital trustees for support of ambulance
- 19 service as authorized in section 347.14, subsection
- 20 13.
- 21 Sec._____. Section 347.13, subsection 10, Code
- 22 1985, is amended to read as follows:

23 10. Fix at its regular February meeting in each
 24 year, the amount necessary for the improvement and
 25 maintenance of the hospital and for support of
 26 ambulance service during the ensuing fiscal year, and
 27 cause the president and the secretary to certify the
 28 amount to the county auditor before March 1 of each
 29 year, subject to any limitation in section 347.7."

30 3. Page 1, line 11, by inserting after the words
 31 "private hospital" the following: "or as a merged
 32 area hospital under chapter 145A or to sell or lease a
 33 county hospital in conjunction with the establishment
 34 of a merged area hospital".

35 4. Page 1, line 13, by inserting after the word
 36 "may" the following: ", but is not required to,".

37 5. By renumbering as necessary.

Amendment H—3798 was adopted.

Harbor of Mills offered the following amendment H—3297 filed by him and moved its adoption:

H—3297

1 Amend Senate File 103 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 1, line 22, by inserting after the word
 4 "county," the following: "Proceeds from the sale or
 5 lease of the county hospital or other assets of the
 6 board of trustees shall not be used for the prepayment
 7 of health care services for residents of the county
 8 with the purchaser or lessee of the county hospital or
 9 to underwrite the sale or lease of the county
 10 hospital."

Amendment H—3297 was adopted.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 103)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer

Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, 2:

Maulsby	Stromer
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Absent or not voting, 8:

Blanshan	Carl	Hermann	Jochum
Kremer	Lonergan	Tabor	Woods

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

Senate File 318, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections, with report of committee recommending passage was taken up for consideration.

Peterson of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 318)

The ayes were, 83:

Arnould	Baxter	Beatty	Bennett
Black	Branstad	Buhr	Carl
Carpenter	Carter	Clark	Cochran
Connolly	Connors	Cooper	Corey

Daggett	De Groot	Diemer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 8:

Chapman	Doderer	Grandia	Handorf
Maulsby	Pellett	Van Maanen	Welden

Absent or not voting, 9:

Blanshan	Brammer	Harbor	Hatch
Hermann	Jochum	Kremer	Loneragan
Tabor			

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

Senate File 355, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan, with report of committee recommending passage was taken up for consideration.

Platt of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 355)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman

Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Blanshan	Hermann	Jochum	Kremer
Lonergan	Muhlbauer	Tabor	

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

Senate File 218, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles, with report of committee recommending passage was taken up for consideration.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 218)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman

Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellet	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Mr. Speaker		

The nays were, 1:

Doderer

Absent or not voting, 9:

Blanshan	Gruhn	Hermann	Jochum
Kremer	Loneragan	Stueland	Tabor
Zimmerman			

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

SENATE FILE 376 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 376 be deferred and that the bill retain its place on the calendar.

Senate File 393, a bill for an act relating to the fee for transferring real estate by the county auditor, with report of committee recommending passage was taken up for consideration.

Sullivan of Van Buren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 393)

The ayes were, 83:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Jay	Johnson
Knapp	Koenigs	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Shoning	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 7:

Corey	Daggett	De Groot	Grandia
Hummel	Schnekloth	Van Maanen	

Absent or not voting, 10:

Blanshan	Harbor	Hermann	Jochum
Kremer	Lloyd-Jones	Lonergan	Sherzan
Shoultz	Tabor		

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

Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204 (temporarily deferred), with report of committee recommending amendment and passage was taken up for consideration.

Knapp of Dubuque offered the following amendment H—3745 filed by the committee on judiciary and law enforcement and moved its adoption:

H-3745

- 1 Amend Senate File 376 as passed by the Senate as
 2 follows:
 3 1. Page 2, by inserting after line 24, the
 4 following:
 5 "Sec. 6. Section 204.212, Code 1985, is amended by
 6 adding the following new subsection:
 7 **NEW SUBSECTION. 3.** Unless specifically excepted or
 8 listed in another schedule, any material, compound,
 9 mixture, or preparation containing any of the
 10 following narcotic drugs and their salts, as set forth
 11 below:
 12 a. Buprenorphine."

The committee amendment H-3745 was adopted.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 376)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Blanshan
Kremer
Tabor

Harbor
Lonergan

Hermann
Muhlbauer

Jochum
Sherzan

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

Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty, with report of committee recommending passage was taken up for consideration.

Brammer of Linn offered the following amendment H—3795 filed by him and Running of Linn and moved its adoption:

H—3795

- 1 Amend Senate File 401 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 1, by striking the figure "726.8"
- 4 and inserting the figure "710.8".
- 5 2. Page 1, line 17, by striking the figure
- 6 "726.9" and inserting the figure "710.9".
- 7 3. Page 1, line 21, by striking the figure
- 8 "726.8" and inserting the figure "710.8".
- 9 4. Page 1, by inserting after line 24, the
- 10 following:
- 11 "Sec. 3. NEW SECTION. 710.10. ENTICING AWAY A
- 12 CHILD.
- 13 1. A person commits a class "D" felony when,
- 14 without authority and with the intent to commit an
- 15 illegal act upon the child, the person entices away a
- 16 minor.
- 17 2. A person commits an aggravated misdemeanor
- 18 when, without authority and with the intent to commit
- 19 an illegal act upon the child, the person attempts to
- 20 entice away a child."
- 21 5. Title page, line 1, by striking the words "of
- 22 a runaway child" and inserting the words "or enticing
- 23 away of children".
- 24 6. Title page, line 2, by striking the words "a
- 25 penalty" and inserting the word "penalties".

Amendment H—3795 was adopted.

Running of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 401)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Blanshan	Harbor	Hermann	Jochum
Kremer	Loneragan	Tabor	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 423, a bill for an act relating to claims in estates for which there is insurance coverage, with report of committee recommending passage was taken up for consideration.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 423)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Koenigs	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Blanshan	Brammer	Harbor	Hermann
Jochum	Kremer	Lloyd-Jones	Lonerган
Ollie	Royer	Taber	

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

SENATE FILES DEFERRED

Norland of Worth asked and received unanimous consent that the following bills be deferred and that the bills retain their place on the calendar: Senate Files 424, 296, 290 and 329.

Senate File 445, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system, with report of committee recommending passage was taken up for consideration.

Pavich of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 445)

The ayes were, 68:

Arnould	Bennett	Black	Blanshan
Branstad	Carl	Carter	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Halvorson, R. A.	Handorf	Hatch	Haverland
Hummel	Jay	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schnekloth	Shoning
Shoultz	Siegrist	Skow	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Mr. Speaker

The nays were, 23:

Baxter	Beatty	Buhr	Carpenter
Chapman	Clark	Doderer	Gruhn
Halvórson, R. N.	Hammond	Hanson	Hester
Holveck	Hughes	Johnson	McKean
Metcalf	Mullins	Peterson	Running
Spear	Teaford	Zimmerman	

Absent or not voting, 9:

Brammer	Harbor	Hermann	Jochum
Kremer	Lonergan	McIntee	Sherzan
Tabor			

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

Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax,

correct references, and update provisions relating to court reorganization (temporarily deferred), with report of committee recommending amendment and passage was taken up for consideration.

Chapman of Linn offered the following amendment H-3752 filed by the committee on judiciary and law enforcement and moved its adoption:

H-3752

- 1 Amend Senate File 329 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 5, by inserting after line 28 the
 4 following:
 5 "Sec. _____. Section 113.18, subsection 5, Code
 6 1985, is amended to read as follows:
 7 5. Any other kind of fence which, in the opinion
 8 of the fence viewers, shall consider to be equivalent
 9 thereto to a lawful fence or which meets standards
 10 established by the department of transportation by
 11 rule as equivalent to a lawful fence.
 12 Sec. _____. Section 113.20, subsection 3, Code 1985,
 13 is amended to read as follows:
 14 3. Any other kind of a tight partition fence
 15 which, in the opinion of the fence viewers, is
 16 consider to be equivalent thereto to a tight partition
 17 fence or which meets standards established by the
 18 department of transportation by rule as equivalent to
 19 a tight partition fence."
 20 2. By striking page 12, line 25 through page 13,
 21 line 15.
 22 3. Page 14, line 19, by inserting after the word
 23 "resolution" the following: "or ordinance".
 24 4. By renumbering the sections to conform with
 25 this amendment.

The committee amendment H-3752 was adopted.

Jay of Appanoose offered the following amendment H-3794 filed by him and moved its adoption:

H-3794

- 1 Amend Senate File 329, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 9, by inserting after line 13 the
 4 following:

5 "Sec. _____. Section 217A.47, Code 1985, is amended

6 to read as follows:

7 217A.47 DEDUCTION TO PAY COURT COSTS OR DEPENDENTS
8 — DEPOSITS.

9 If wages allowances are paid pursuant to section
10 217A.46, the director may deduct an amount established
11 by the inmates' inmate's restitution plan of payment
12 or an amount sufficient to pay all or part of the
13 court costs taxed as a result of the inmate's
14 commitment. The amount deducted shall be forwarded to
15 the clerk of the district court or proper official.
16 The director may pay all or any part of remaining
17 wages allowances paid pursuant to section 217A.46
18 directly to a dependent of the inmate, or may deposit
19 the wage allowance to the account of the inmate, or
20 may deposit a portion and allow the inmate a portion
21 for the inmate's personal use."

22 2. Page 20, by striking lines 19 through 21 and
23 inserting the following: "dollars. Other fees
24 imposed for small claims shall be the same as those
25 required in regular actions in district court, four
26 Four dollars of the docket fee shall remain be".

27 3. By renumbering as necessary.

Amendment H—3794 was adopted.

Sturgeon of Woodbury in the chair at 10:56 a.m.

Halvorson of Clayton offered the following amendment H—3792
filed by Halvorson, et al., and moved its adoption:

H—3792

1 Amend Senate File 329 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 13, by inserting after line 22 the
4 following:

5 Sec. 34. Section 321.281, subsection 10, Code
6 1985, is amended to read as follows:

7 10. The court shall order a defendant convicted of
8 a violation of this section to make restitution, in an
9 amount not to exceed two thousand dollars, for damages
10 resulting directly from the violation. An amount paid
11 pursuant to this restitution order shall be credited
12 toward any adverse judgment in a subsequent civil pro-
13 ceeding arising from the same occurrence. However,
14 other than establishing a credit, a restitution
15 proceeding pursuant to this section shall not be given
16 evidentiary or preclusive effect in a subsequent civil
17 proceeding arising from the same occurrence."

18 2. By renumbering as necessary to conform to this
19 amendment.

Amendment H—3792 was adopted.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 329)

The ayes were, 91:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Sturgeon)	

The nays were, 1:

Carter

Absent or not voting, 8:

Bennett	Brammer	Harbor	Hermann
Kremer	Loneragan	Sherzan	Tabor

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brammer of Linn, until his return, on request of Norland of Worth.

SENATE FILES DEFERRED

Norland of Worth asked and received unanimous consent that Senate Files 24 and 455 be deferred and that the bills retain their place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **Senate File 250**, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system, deferred and placed on the unfinished business calendar on April 12, 1985, and temporarily deferred today.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 250)

The ayes were, 91:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shoning	Shultz	Siegrist
Skow	Spear	Stueland	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	
		(Sturgeon)	

The nays were, none.

Absent or not voting, 9:

Brammer	Corey	Harbor	Hermann
Kremer	Lonergan	Sherzan	Stromer
Tabor			

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

Regular Calendar

Senate File 456, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date, with report of committee recommending passage was taken up for consideration.

Renken of Grundy moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 456)

The ayes were, 92:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Teaford

Torrence
Welden

Van Camp
Woods

Van Maanen
Zimmerman

Varn
Mr. Speaker
(Sturgeon)

The nays were, none.

Absent or not voting, 8:

Brammer
Hermann

Carl
Kremer

Fey
Lonergan

Harbor
Tabor

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

Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies, with report of committee recommending passage was taken up for consideration.

Parker of Jasper offered the following amendment H—3785 filed by him and moved its adoption:

H—3785

- 1 Amend Senate File 27 as passed by the Senate as
- 2 follows:
- 3 1. Page 2, line 22, by inserting after the figure
- 4 "97B.4." the following: "A person who has signed a
- 5 contract with the department for investment management
- 6 purposes shall maintain an office in this state during
- 7 the duration of the contract."

Amendment H—3785 was adopted.

O'Kane of Woodbury offered the following amendment H—3367 filed by him and moved its adoption:

H—3367

- 1 Amend Senate File 27, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, line 13, by inserting after the word
- 4 "fund" the following: ", and the cost of managing the
- 5 fund per thousand dollars of assets".

Amendment H—3367 was adopted.

Blanshan of Greene asked and received unanimous consent to withdraw amendment H—3414 filed by him on March 22, 1985.

Blanshan of Greene offered the following amendment H—3734 filed by him and Swearingen of Keokuk and moved its adoption:

H—3734

1 Amend Senate File 27 as passed by the Senate as
 2 follows:
 3 1. Page 4, by inserting after line 16 the
 4 following:
 5 "Sec. _____. Section 633.123, subsection 1, Code
 6 1985, is amended to read as follows:
 7 1. Investments by fiduciaries. In acquiring,
 8 investing, reinvesting, exchanging, retaining, selling
 9 and managing property for the benefit of another, a
 10 fiduciary shall exercise the judgment and care under
 11 the circumstances then prevailing, which persons of
 12 prudence, discretion and intelligence exercise in the
 13 management of their own affairs, not for the purpose
 14 of speculation, but with regard to the permanent
 15 disposition of their funds, considering the probable
 16 income, as well as the probable safety, of their
 17 capital. Within the limitations of the foregoing
 18 standards, a fiduciary is authorized to acquire and
 19 retain every kind of property and every kind of
 20 investment, specifically including, but not by way of
 21 limitation, bonds, debentures, and other corporate
 22 obligations, and stocks and shares, preferred or
 23 common, which persons of prudence, discretion and
 24 intelligence acquire or retain for their own account."

Amendment H—3734 was adopted.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 27)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Hatch	Haverland

Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Sturgeon)			

The nays were, none.

Absent or not voting, 7:

Brammer	Harbor	Hermann	Kremer
Lonergan	Tabor	Welden	

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

SENATE FILE 450 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 450 be deferred and that the bill retain its place on the calendar.

Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date, with report of committee recommending amendment and passage was taken up for consideration.

Shoultz of Black Hawk offered the following amendment H-3756 filed by the committee on energy and environmental protection and moved its adoption:

H-3756

- 1 Amend Senate File 463 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1, Page 2, line 18, by striking the figure
- 4 "\$69216934" and inserting the figure "\$ 6921-6934".

- 5 2. Page 3, line 32, by inserting after the word
 6 "commission" the following: "pursuant to the
 7 rulemaking procedures of chapter 17A".
 8 3. Page 4, line 2, by inserting after the word
 9 "inject" the following: "hazardous or restricted".
 10 4. Page 4, line 20, by striking the figure
 11 "455D.468" and inserting the following: "455B.468".
 12 5. Page 4, line 34, by striking the figure
 13 "455.420" and inserting the following: "455B.420".
 14 6. Page 5, by striking line 6 through line 11 and
 15 inserting the following: "plan shall include, but is
 16 not limited to, all of the following:
 17 a. The capital needs and annual operating costs of
 18 the facility.
 19 b. The costs to private persons if the costs of
 20 establishing and operating the facility are paid by
 21 user fees and hazardous waste taxes.
 22 c. Provisions that anticipate and provide for
 23 compatibility with a possible future expansion to
 24 include other methods of disposal on the site.
 25 The plan shall be submitted to the governor and the
 26 general assembly by January 1, 1987."

The committee amendment H—3756 was adopted.

Paulin of Plymouth offered the following amendment H—3797 filed by him and requested division as follows:

H—3797

- 1 Amend Senate File 463 as amended, passed and
 2 reprinted by the Senate as follows:

H—3797A

- 3 1. Page 3, line 29 by striking the word
 4 "NONHAZARDOUS" and inserting the word "RESTRICTED".

H—3797B

- 5 2. Page 3, line 33 by inserting after the word
 6 "wastes" the following: ", based upon toxicity
 7 concentration levels,".

On motion by Paulin of Plymouth, amendment H—3797A was adopted.

Paulin of Plymouth moved the adoption of amendment H—3797B.

Amendment H—3797B lost.

Fey of Scott in the chair at 11:07 a.m.

Shoultz of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 463)

The ayes were, 77:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
De Groot	Diemer	Doderer	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Running
Schneklath	Sherzan	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Teaford	Torrence
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker (Fey)			

The nays were, 18:

Branstad	Cooper	Corey	Daggett
Grandia	Handorf	Hester	Maulsby
O'Kane	Paulin	Pellett	Renken
Royer	Shoning	Swartz	Swearingen
Van Maanen	Welden		

Absent or not voting, 5:

Brammer	Hermann	Kremer	Lonergan
Tabor			

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

Senate File 514, a bill for an act relating to garnished accounts of supervised financial organizations, with report of committee recommending passage was taken up for consideration.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 514)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Coehran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Hughes	Hummel	Jay
Jochum	Johnson	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Fey)			

The nays were, 2:

Holveck Knapp

Absent or not voting, 5:

Brammer	Hermann	Kremer	Lonergan
Tabor			

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

Senate File 303, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure, with report of committee recommending passage was taken up for consideration.

De Groot of Lyon asked and received unanimous consent to withdraw amendment H—3759 filed by him on April 11, 1985.

Hatch of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 303)

The ayes were, 92:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Fey)

The nays were, none.

Absent or not voting, 8:

Brammer	Groninga	Hermann	Kremer
Lonergan	Norland	Sherzan	Tabor

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

Senate File 467, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceeding, with report of committee recommending passage was taken up for consideration.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 467)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Fey)			

The nays were, 1:

Knapp

Absent or not voting, 6:

Brammer	Hermann	Kremer	Lonergan
Sherzan	Tabor		

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

Senate File 521, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 521 be deferred and placed on the unfinished business calendar.

SENATE FILES DEFERRED

Norland of Worth asked and received unanimous consent that Senate Files 524 and 538 be deferred and that the bills retain their place on the calendar.

Senate File 465, a bill for an act relating to agricultural limestone, with report of committee recommending passage was taken up for consideration.

Hanson of Delaware offered the following amendment H-3779 filed by him and moved its adoption:

H-3779

- 1 Amend Senate File 465 as follows:
- 2 1. Page 1, by striking lines 6 through 31.

Amendment H-3779 was adopted.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 465)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer

Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Fey)			

The nays were, none.

Absent or not voting, 7:

Handorf	Hermann	Kremer	Lonergan
O'Kane	Sullivan	Tabor	

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

Senate File 475, a bill for an act relating to corporate takeovers and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 475 be deferred and placed on the unfinished business calendar.

Senate File 359, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date, with report of committee recommending passage was taken up for consideration.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 359)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Fey)	

The nays were, none.

Absent or not voting, 5:

Harbor	Hermann	Kremer	Lonergan
Tabor			

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

Connors of Polk in the chair at 11:51 a.m.

Senate File 435, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service, with report of committee recommending passage was taken up for consideration.

Speaker Avenson in the chair at 11:53 a.m.

Fey of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 435)

The ayes were, 68:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
McIntee	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rosenberg	Running	Shoultz
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Teaford	Van Camp
Varn	Wood	Zimmerman	Mr. Speaker

The nays were, 26:

Bennett	Branstad	Carpenter	Corey
Daggett	De Groot	Grandia	Halvorson, R. A.
Hester	Hummel	Lageschulte	Maulsby
McKean	Metcalf	Pellett	Renken
Rensink	Royer	Schneklloth	Shoning
Siegrist	Stueland	Swearingen	Torrence
Van Maanen	Welden		

Absent or not voting, 6:

Harbor	Hermann	Kremer	Lonergan
Sherzan	Tabor		

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

On motion by Norland of Worth, the House was recessed at 11:58 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 224 and 398.

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 224, a bill for an act relating to discrimination on the basis of gender and marital status, deferred and placed on the unfinished business calendar on April 12, 1985, with report of committee recommending passage was taken up for consideration.

Hammond of Story offered the following amendment H-3772 filed by Hammond, et al.:

H-3772

1 Amend Senate File 224 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, by inserting after line 15, the
4 following:
5 "Sec. . Section 69.16, Code 1985, is amended
6 by adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. It is declared the
8 policy of the state of Iowa that by July 1, 1988
9 all appointive boards, commissions, and councils of
10 the state established by the Code if not otherwise
11 provided by law shall be composed of no more than
12 a simple majority of one gender. No person shall
13 be appointed or reappointed to any board, commission,
14 or council established by the Code if the effect of
15 that appointment or reappointment would cause the
16 number of members of the board, commission, or council
17 belonging to one gender to be greater than one-half
18 the membership of the board, commission, or council
19 plus one."

Chapman of Linn in the chair at 2:19 p.m.

Hammond of Story moved the adoption of amendment H-3772.

Roll call was requested by Hammond of Story and Mullins of Kossuth.

Rule 75 was invoked.

On the question "Shall amendment H—3772 be adopted?"

The ayes were, 29:

Arnould	Avenson	Baxter	Beatty
Buhr	Carl	Carpenter	Clark
Doderer	Halvorson, R. N.	Hammond	Hatch
Holveck	Johnson	Lloyd-Jones	McKean
Mullins	Norland	Osterberg	Peick
Peterson	Rosenberg	Sherzan	Shoning
Shoultz	Teaford	Varn	Zimmerman
Madam Speaker (Chapman)			

The nays were, 64:

Bennett	Black	Blanshan	Brammer
Branstad	Carter	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Handorf	Hanson	Harbor
Haverland	Hester	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Maulsby	McIntee	Metcalf	Miller
Muhlbauer	Ollie	Oxley	Parker
Paulin	Pavich	Pellet	Platt
Poncy	Renaud	Renken	Rensink
Royer	Running	Schnekloth	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swearingen	Torrence
Van Camp	Van Maanen	Welden	Woods

Absent or not voting, 7:

Hermann	Hughes	Kremer	Lonergan
O'Kane	Swartz	Tabor	

Amendment H—3772 lost.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 224)

The ayes were, 96:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer

Branstad	Buhr	Carl	Carpenter
Carter	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Madam Speaker (Chapman)

The nays were, none.

Absent or not voting, 4:

Hermann	Kremer	Loneragan	Tabor
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of **Senate File 398**, a bill for an act relating to school reorganization, and the committee amendment H-3717 (found on pages 1552 through 1555 of the House Journal) deferred on April 15, 1985.

Speaker Avenson in the chair at 2:29 p.m.

On motion by Haverland of Polk, the committee amendment H-3717 was adopted.

Stromer of Hancock offered the following amendment H-3787 filed by him and moved its adoption:

H-3787

- 1 Amend Senate File 398 as amended, passed and
- 2 reprinted by the Senate as follows:

3 1. Page 3, by striking line 3 through page 4,
 4 line 6 and inserting the following:
 5 "2. The collective bargaining agreement of the
 6 district with the largest basic enrollment, as
 7 defined in section 442.4, in the new district shall
 8 continue in full force and effect until a successor
 9 agreement is negotiated and the employees of the
 10 other districts involved in the formation of the
 11 new district shall automatically be accreted to the
 12 bargaining unit of that collective bargaining
 13 agreement without further action by the public
 14 employment relations board. If only one collective
 15 bargaining agreement is in effect among the districts
 16 which are party to the reorganization, then that
 17 agreement shall continue in full force and effect
 18 until a successor agreement is negotiated, and the
 19 employees of the other districts involved in the
 20 formation of the new district shall automatically
 21 be accreted to the bargaining unit of that collective
 22 bargaining agreement without further action by the
 23 public employment relations board. Upon approval
 24 by the voters of the reorganization plan, the public
 25 employment relations board shall nullify all collective
 26 bargaining agreements in effect as of the effective
 27 date of the reorganization. New bargaining units
 28 may be formed pursuant to section 20.14, Code 1985,
 29 and may be certified by the public employment
 30 relations board upon completion of the procedures
 31 of sections 20.13 through 20.15, Code 1985."

Roll call was requested by Haverland of Polk and Ollie of Clinton.

On the question "Shall amendment H—3787 be adopted?"

The ayes were, 38:

Bennett	Branstad	Clark	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	O'Kane	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 57:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Sturgeon	Sullivan	Swartz
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 5:

Hermann	Kremer	Lloyd-Jones	Lonergan
Tabor			

Amendment H—3787 lost.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 398)

The ayes were, 88:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Lageschulte
McIntee	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Schnekloth

Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Varn
Weiden	Woods	Zimmerman	Mr. Speaker

The nays were, 7:

Branstad	De Groot	Grandia	Maulsby
McKean	Renken	Van Maanen	

Absent or not voting, 5:

Hermann	Kremer	Lloyd-Jones	Lonergan
Tabor			

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

MOTION TO RECONSIDER WITHDRAWN (Senate File 244)

Stromer of Hancock asked and received unanimous consent to withdraw the motion to reconsider Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions, filed by him on April 15, 1985.

Regular Calendar

Senate File 538, a bill for an act relating to an agricultural supply dealer's lien, (previously deferred) with report of committee recommending passage was taken up for consideration.

Pavich of Pottawattamie in the chair at 2:59 p.m.

Koenigs of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 538)

The ayes were, 92:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Maulsby
McIntee	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Pavich)

The nays were, 2:

McKean	Oxley
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Absent or not voting, 6:

Doderer	Hermann	Kremer	Lloyd-Jones
Lonergan	Tabor		

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

Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' or other self-insured workers' compensation plan formed under section 87.4, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 503 be deferred and placed on the unfinished business calendar.

Senate File 296, a bill for an act relating to the deposit and investment of public funds, with report of committee recommending amendment and passage was taken up for consideration.

The House stood at ease at 3:09 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 296 at 4:52 p.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-nine members present, fifteen absent.

O'Kane of Woodbury offered the following amendment H—3763 filed by the committee on local government and moved its adoption:

H—3763

1 Amend Senate File 296 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 452.10, unnumbered paragraph
6 1, Code 1985, is amended to read as follows:
7 The treasurer of state and the treasurer of each
8 political subdivision shall at all times keep all
9 funds coming into their the treasurer's possession as
10 public money, in a vault or safe, to be provided for
11 that purpose, or in one or more depositories.
12 However, the treasurer of state and the treasurer of
13 each political subdivision shall invest, unless
14 otherwise provided, any of the public funds not
15 currently needed for operating expenses in notes,
16 certificates, bonds, prime eligible bankers
17 acceptances, commercial paper rated within the two
18 highest classifications of prime as established by at
19 least one of the standard rating services approved by
20 the superintendent of banking pursuant to chapter 17A,
21 perfected repurchase agreements, or other evidences of
22 indebtedness which are obligations of or guaranteed by
23 the United States of America or any of its agencies;
24 or in time deposits in depositories as provided in
25 chapter 453 and receive time certificates of deposit
26 therefor; or in savings accounts in depositories. The
27 total investment in commercial paper of any one

28 corporation is limited to an amount not more than
 29 twenty percent of the total stockholders' equity of
 30 that corporation. The treasurer of state may invest
 31 any of the funds in the treasurer's custody in any of
 32 the investments authorized for the Iowa public
 33 employees' retirement system in section 97B.7,
 34 subsection 2, paragraph "b" except that investment in
 35 common stocks is not permitted. As used in this
 36 section, "depository" means a financial institution
 37 designated as a legal depository under chapter 453.

38 Sec. 2. Section 452.10, is amended by adding the
 39 following new unnumbered paragraphs following
 40 unnumbered paragraph 1:

41 NEW UNNUMBERED PARAGRAPH. The treasurer of each
 42 political subdivision shall at all times keep all
 43 funds coming into the treasurer's possession as public
 44 money, in a vault or safe, to be provided for that
 45 purpose, or in some depository legally designated as a
 46 depository for such funds. However, the treasurer of
 47 each political subdivision shall invest, unless
 48 otherwise provided, any of the public funds not
 49 currently needed for operating expenses in notes,
 50 certificates, bonds, or other evidences of

Page 2

1 indebtedness which are obligations of or guaranteed by
 2 the United States of America or any of its agencies;
 3 or make time deposits of such funds in depositories as
 4 provided in chapter 453 and receive time certificates
 5 of deposit therefor; or in savings accounts in
 6 depositories.

7 NEW UNNUMBERED PARAGRAPH. Notwithstanding any
 8 provision of the Code to the contrary, a treasurer of
 9 a city as defined in section 411.1, subsection 18, may
 10 invest any public funds of the city not currently
 11 needed for operating expenses in investments
 12 authorized in section 411.7, subsection 2, and may
 13 hold, purchase, sell, assign, transfer or dispose of
 14 any of these investments as well as the proceeds of
 15 these investments. The city council shall implement
 16 appropriate investment policies to be followed by the
 17 city treasurer and shall periodically review the
 18 performance of the investments made by the city
 19 treasurer pursuant to such policies under this
 20 paragraph."

21 2. By striking page 2, line 34 through page 3,
 22 line 11.

23 3. Page 3, by striking lines 12 through 16 and
 24 inserting the following:

25 "Sec. _____. Section 453.16, subsection 1, paragraph

26 b, Code 1985, is amended to read as follows:

27 b. The depository institution may deposit,
28 maintain, pledge and assign for the benefit of the
29 public officer in the manner provided in this chapter,
30 securities approved by the public officer, the market
31 value of which is not less than one hundred ten
32 percent of the total deposits of public funds placed
33 by that public officer in the depository institution.
34 The securities shall consist of any of the following:

35 (1) Direct obligations of, or obligations that are
36 insured or fully guaranteed as to principal and
37 interest by, the United States of America or an agency
38 or instrumentality of the United States of America.

39 (2) Public bonds or obligations of this state or a
40 political subdivision of this state.

41 (3) Public bonds or obligations of another state
42 or a political subdivision of another state whose
43 bonds are rated within the two highest classifications
44 of prime as established by at least one of the
45 standard rating services approved by the
46 superintendent of banking pursuant to chapter 17A.

47 (3 4) To the extent of the guarantee, loans,
48 obligations, or nontransferable letters of credit upon
49 which the payment of principal and interest is fully
50 secured or guaranteed by the United States of America

Page 3

1 or an agency or instrumentality of the United States
2 of America.

3 (5) First lien mortgages which are valued
4 according to practices acceptable to the treasurer of
5 state."

6 4. Page 3, by inserting before line 17 the
7 following:

8 "Sec. _____. Section 453.17, subsection 1, paragraph
9 c, Code 1985, is amended to read as follows:

10 c. The securities shall be deposited with the
11 federal reserve bank of Chicago, Illinois or the
12 federal home loan bank of Des Moines, Iowa pursuant to
13 a bailment agreement or a pledge custody agreement."

14 5. Page 5, by striking lines 9 through 20.

15 6. Page 6, by inserting after line 21 the
16 following:

17 "_____. The claim of a public depositor for purposes
18 of this section shall be the amount of the depositor's
19 deposits plus interest to the date the funds are
20 distributed to the public depositor at the rate the
21 depository institution agreed to pay on the funds
22 reduced by the portion of the funds which is insured
23 by federal deposit insurance."

- 24 7. Page 8, by striking lines 22 through 28 and
 25 inserting the following: "office."
 26 8. Page 9, by striking lines 16 through 19 and
 27 inserting the following: "nonfeasance on the part of
 28 the official. If the treasurer of state sells a".
 29 9. Page 12, by inserting after line 3 the
 30 following:
 31 "Sec._____. It is the policy of the general
 32 assembly that in implementing chapter 452 local public
 33 body treasurers shall be granted, commensurate with
 34 their experience or training, the authority to
 35 prudently invest public funds to maximize return on
 36 investments. To this end, it is the intent of the
 37 general assembly that only certain cities which
 38 currently have specific statutory authority for the
 39 investment of pension funds shall be granted
 40 equivalent authority for the investment of general
 41 funds."
 42 10. Renumber as necessary.

The committee amendment H—3763 was adopted.

O'Kane of Woodbury asked and received unanimous consent to withdraw amendment H—3662 filed by him on April 4, 1985.

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H—3432 filed by him on March 25, 1985.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 296)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones

Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Carter	Hermann	Lonergan	Shultz
Tabor			

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

Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements, with report of committee recommending amendment and passage was taken up for consideration.

Hughes of Union offered the following amendment H—3685 filed by the committee on energy and environmental protection:

H—3685

- 1 Amend Senate File 450 as follows:
- 2 1. Page 1, line 2, by striking the word "PROGRAM"
- 3 and inserting the following: "PROGRAMS".
- 4 2. Page 2, line 2, by striking the words "a pilot
- 5 program" and inserting the following: "pilot
- 6 programs".
- 7 3. Page 2, line 5, by striking the word "program"
- 8 and inserting the following: "programs".
- 9 4. Page 2, line 9, by striking the word "program"
- 10 and inserting the following: "programs".
- 11 5. Page 2, line 11, by striking the word
- 12 "program" and inserting the following: "programs".
- 13 6. Page 2, by inserting after line 34 the
- 14 following:
- 15 "A loan, credit, rebate or other financial
- 16 incentive offered or given to a customer for the

17 purchase or installation of an energy conservation
18 improvement pursuant to this section shall not be
19 contingent upon the improvement being performed by the
20 utility."

21 7. Page 2, line 35, by striking the words "of
22 the" and inserting the following: "of a".

23 8. Title page, line 1, by striking the words "an
24 Iowa commerce commission pilot program" and inserting
25 the following: "Iowa commerce commission pilot
26 programs".

Paulin of Plymouth asked and received unanimous consent to withdraw amendment H-3730, to the committee amendment H-3685, filed by him on April 10, 1985.

Paulin of Plymouth offered the following amendment H-3808, to the committee amendment H-3685, filed by him and Parker of Jasper from the floor and moved its adoption:

H-3808

1 Amend amendment H-3685 to Senate File 450 as amended,
2 passed and reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 20, the following:
4 "_____. The commission shall provide small businesses
5 with an equal opportunity to compete by adopting rules
6 pursuant to chapter 17A which require, where practical,
7 that customers be provided with alternative pricing
8 proposals for energy conservation improvements from
9 small businesses and other persons in addition to the
10 proposals provided by the investor-owned rate-regulated
11 utilities."

12 2. Renumber subsections as necessary.

Amendment H-3808 was adopted.

Hughes of Union asked and received unanimous consent to temporarily defer action on the committee amendment H-3685, as amended.

McIntee of Black Hawk offered the following amendment H-3789 filed by him:

H-3789

1 Amend Senate File 450 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 476.5, Code 1985, is amended
6 to read as follows:

7 476.5 ADHERENCE TO SCHEDULES — DISCOUNTS.

8 1. ~~No~~ A public utility subject to rate regulation
9 shall not directly or indirectly charge a greater or
10 less compensation for its services than that
11 prescribed in its tariffs, and ~~no~~ such public utility
12 shall not make or grant any unreasonable preferences
13 or advantages as to rates or services to any person or
14 subject any person to any unreasonable prejudice or
15 disadvantage.

16 2. Nothing in this section shall be construed to
17 prohibit any public utility furnishing communications
18 services from providing any service rendered by it
19 without charge or at reduced rate to any of its active
20 or retired officers, directors, or employees, or such
21 officers, directors or employees of other public
22 utilities furnishing communications services.

23 ~~Provided, however, said the service is for personal~~
24 ~~use, and not for engaging in a business for profit.~~
25 3. Notwithstanding subsection 1, the commission
26 may approve electric and natural gas rates, charges,
27 schedules and regulations which provide discounts to
28 industrial and commercial customers if the commission
29 finds all of the following:

30 a. The utility has the necessary delivery
31 capabilities.

32 b. The discount rate, charge, schedule or
33 regulation is reasonably calculated to attract new
34 business or expand existing production and employment.

35 c. Other customers of the utility will not
36 experience an increase in rates as a result of the
37 discounts.

38 The discount provided to the customer shall phase
39 out over a reasonable period as specified by the
40 commission."

41 2. Title page, line 1, by striking the words "to
42 create" and inserting the following: "relating to use
43 of energy by allowing the Iowa state commerce
44 commission to approve discount gas and electric
45 utility rates, charges, schedules and regulations
46 which are calculated to attract new business or expand
47 existing production and employment, and by creating".

McIntee of Black Hawk offered the following amendment
H—3809, to amendment H—3789, filed by him from the floor and
moved its adoption:

H-3809

1 Amend amendment H-3789 to Senate File 450 as
2 amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, line 37, by inserting after the word
5 "discounts." the following: "Competitors of an
6 industrial customer receiving a discount under this
7 subsection which have the same industrial
8 classification as the industrial customer shall not be
9 charged a tariff which is higher than the discounted
10 tariff provided to the industrial customer under this
11 subsection."

Amendment H-3809 was adopted.

Parker of Jasper rose on a point of order that amendment H-3789 was not germane.

The Speaker ruled the point well taken and amendment H-3789, as amended, not germane.

Van Camp of Scott offered the following amendment H-3743 filed by him and moved its adoption:

H-3743

1 Amend Senate File 450 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, lines 32 and 33 by striking the words
4 "given to a customer".
5 2. Page 1, line 35, by striking the figure "1986"
6 and inserting the figure "1987".

Amendment H-3743 lost.

Van Camp of Scott offered the following amendment H-3701 filed by him and moved its adoption:

H-3701

1 Amend Senate File 450 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 3, by inserting after line 6 the
4 following:
5 "_____. The investments of a public utility in
6 energy conservation improvements under this section
7 shall only be made with respect to customers who have

8 been certified to the public utility by the local
9 agency which is administrating the low income home
10 energy assistance program and weatherization
11 assistance program as being eligible for either the
12 low income home energy assistance program or
13 weatherization assistance program. A qualified
14 applicant for the low income home energy assistance
15 program shall be promptly certified by the local
16 agency administrating the applicant's program to the
17 applicant's public utility that the customer is
18 qualified for the low income home energy assistance
19 program or weatherization assistance program."

A non-record roll call was requested.

The ayes were 39, nays 53.

Amendment H—3701 lost.

Norland of Worth asked and received unanimous consent that Senate File 450 be deferred and placed on the unfinished business calendar.

MOTIONS TO RECONSIDER
(Senate File 27)

I move to reconsider the vote by which Senate File 27 passed the House on April 16, 1985.

BLANSHAN of Greene

(Senate File 27)

I move to reconsider the vote by which Senate File 27 passed the House on April 16, 1985.

STROMER of Hancock

(Senate File 244)

I move to reconsider the vote by which Senate File 244 passed the House on April 15, 1985.

CLARK of Cerro Gordo

(Senate File 329)

I move to reconsider the vote by which Senate File 329 passed the House on April 16, 1985.

HUMMEL of Benton

(Senate File 329)

I move to reconsider the vote by which Senate File 329 passed the House on April 16, 1985.

PETERSON of Carroll

(Senate File 445)

I move to reconsider the vote by which Senate File 445 passed the House on April 16, 1985.

STROMER of Hancock

(Senate File 445)

I move to reconsider the vote by which Senate File 445 passed the House on April 16, 1985.

RENAUD of Polk

(Senate File 463)

I move to reconsider the vote by which Senate File 463 passed the House on April 16, 1985.

VAN CAMP of Scott

(Senate File 465)

I move to reconsider the vote by which Senate File 465 passed the House on April 16, 1985.

MUHLBAUER of Crawford

(Senate File 538)

I move to reconsider the vote by which Senate File 538 passed the House on April 16, 1985.

KOENIGS of Mitchell

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 16th day of April, 1985: House File 225.

JOSEPH O'HERN

Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

Pellett of Cass presented to the House the Honorable William Darrington, former member of the House representing Harrison County.

The Speaker announced that the following visitors were present in the House chamber:

Forty-five eighth grade students from West Central Junior-Senior High School, Maynard, accompanied by Ron Reusche and Larry Munger. By Avenson of Fayette.

Sixteen 4-H students from Henry and Lee Counties. By Carter of Henry, Spear of Lee and Sullivan of Van Buren.

Forty-seven sixth grade students from Britt Elementary School, Britt, accompanied by Reta Klipping. By Branstad of Winnebago.

Thirty-five seventh and eighth grade students from Wall Lake Elementary School, Wall Lake, accompanied by Verla Schroeder, Larry Faust and Steve Tröst. By Maulsby of Calhoun.

Forty-seven 4-H members from Cherokee County, accompanied by Marie Bork and Ron Schmeller. By Miller of Cherokee.

Ten Senior students from Monticello High School, Monticello, accompanied by Keith Stamp. By McKean of Jones.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 398 Ways and Means

Relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

S.B. 399 Ways and Means

Providing for the assessment and taxation of waterworks, gasworks, electric light or power, telegraph, telephone, electric transmission line and pipeline companies and making it retroactive.

S.B. 400 Ways and Means

Exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films and video and audio tapes under certain conditions.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 528), relating to the exemption of certain nonprofit corporations providing services to disabled persons from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

Fiscal Note is required.

Recommended Amend and Do Pass April 15, 1985.

AMENDMENTS FILED

H—3799	S.F.	503	Swartz of Marshall
H—3800	S.F.	385	Bennett of Ida
H—3801	S.F.	290	Muhlbauer of Crawford
Lageschulte of Bremer			Pavich of Pottawattamie
Woods of Polk			Renaud of Polk
Peick of Linn			Van Camp of Scott
			Platt of Muscatine
H—3802	H.F.	547	Carl of Poweshiek
H—3803	S.F.	521	Brammer of Linn
H—3804	S.F.	503	Metcalf of Polk
H—3805	S.F.	110	Teaford of Black Hawk
H—3806	H.F.	759	Spear of Lee
H—3807	S.F.	475	Parker of Jasper
H—3811	S.F.	521	Jay of Appanoose
H—3812	S.F.	503	Swartz of Marshall
H—3813	H.F.	747	Knapp of Dubuque
			Miller of Cherokee
H—3814	S.F.	503	Swartz of Marshall
H—3815	S.F.	503	Swartz of Marshall
H—3816	S.F.	503	Metcalf of Polk
H—3817	S.F.	383	Hatch of Polk
Swartz of Marshall			Connors of Polk
Jochum of Dubuque			Branstad of Winnebago
Corey of Louisa			Fey of Scott
Teaford of Black Hawk			Halvorson of Clayton
Halvorson of Webster			Sturgeon of Woodbury
Blanshan of Greene			Connolly of Dubuque
McIntee of Black Hawk			Varn of Johnson
Sullivan of Van Buren			Siegrist of Pottawattamie
Peterson of Carroll			Baxter of Des Moines
Hughes of Union			Shoultz of Black Hawk
Muhlbauer of Crawford			Hanson of Delaware
Osterberg of Linn			Koenigs of Mitchell
O'Kane of Woodbury			Mullins of Kossuth
H—3818	S.F.	524	Teaford of Black Hawk
H—3819	S.F.	290	Carpenter of Polk
H—3820	S.F.	364	Bennett of Ida
H—3821	S.F.	364	Renken of Grundy
H—3822	S.F.	364	Schneklath of Scott
H—3823	S.F.	364	Hester of Pottawattamie
H—3824	S.F.	364	Bennett of Ida

H-3825	S.F.	364	Carpenter of Polk
H-3826	S.F.	364	Harbor of Mills
			Halvorson of Clayton
H-3827	S.F.	364	Torrence of Muscatine
H-3828	S.F.	364	Halvorson of Clayton
			Harbor of Mills
H-3829	S.F.	364	Daggett of Taylor
H-3830	S.F.	110	Lloyd-Jones of Johnson
H-3831	S.F.	110	Lloyd-Jones of Johnson
H-3832	S.F.	364	Metcalf of Polk
H-3833	S.F.	364	Welden of Hardin
H-3834	S.F.	364	Handorf of Marshall
H-3835	S.F.	364	Kremer of Buchanan
H-3837	S.F.	27	Parker of Jasper
			Stromer of Hancock
H-3838	S.F.	465	Hanson of Delaware
H-3839	S.F.	364	Bennett of Ida
H-3840	S.F.	364	Bennett of Ida
H-3841	S.F.	364	Bennett of Ida
H-3842	S.F.	364	Maulsby of Calhoun
H-3843	H.F.	747	Jochum of Dubuque
			Varn of Johnson
H-3844	S.F.	521	Jay of Appanoose
H-3845	S.F.	455	Jay of Appanoose
H-3846	S.F.	540	McIntee of Black Hawk
			Jochum of Dubuque
H-3847	S.F.	455	Jay of Appanoose
H-3848	S.F.	383	Halvorson of Clayton

On motion by Norland of Worth, the House adjourned at 5:30 p.m., until 9:00 a.m., Wednesday, April 17, 1985.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day — Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 17, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Dennis Gilbert, pastor of the United Methodist Church, Shell Rock.

The Journal of Tuesday, April 16, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Kent Hartung, Iowa Lutheran Medical Center, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine, for the remainder of the week, on request of Clark of Cerro Gordo.

INTRODUCTION OF BILL

House File 760, by committee on ways and means, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exemption retroactive.

Read first time and placed on the **ways and means calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 124, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

Also: That the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 173, a bill for an act to protect public employees from personnel actions as reprisals for providing information to legislators or public officials or disclosing waste, mismanagement, or violations of law.

Also: That the Senate has on April 15, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 378, a bill for an act exempting road workers from the forty miles per hour minimum speed limit.

Also: That the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 338, a bill for an act relating to the term of office of the labor commissioner.

Also: That the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 418, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees.

Also: That the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 553, a bill for an act relating to federal disaster assistance to state and local governments and providing an effective date.

Also: That the Senate has on April 15, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 642, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date.

Also: That the Senate has on April 15, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 678, a bill for an act relating to drainage and drainage districts.

K. MARIE THAYER, Secretary

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules to take up out of order Senate Files 450 and 385.

CONSIDERATION OF BILLS
Unfinished Business Calendar

The House resumed consideration of **Senate File 450**, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements, deferred and placed on the unfinished business calendar on April 16, 1985, and the committee amendment H—3685, as amended (found on pages 1622 and 1623 of the House Journal).

De Groot of Lyon offered the following amendment H—3849, to the committee amendment H—3685, filed by him from the floor and moved its adoption:

H—3849

- 1 Amend amendment H—3685 to Senate File 450 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by inserting after line 22 the
- 5 following:
- 6 "_____. Page 3, by inserting after line 6 the
- 7 following:
- 8 "Sec._____. By January 1, 1988, the Iowa state-
- 9 commerce commission shall file with the governor and
- 10 the general assembly a report on the effects section
- 11 476.61 created under this Act has made on rates
- 12 charged to customers of investor-owned electric and
- 13 natural gas utilities in Iowa and the report shall
- 14 indicate the level of investments in energy
- 15 conservation improvements made by the public utilities
- 16 under the provisions of section 476.61." "

Amendment H—3849 was adopted.

Hughes of Union offered the following amendment H—3850, to the committee amendment H—3685, filed by Parker of Jasper and him from the floor and moved its adoption:

H—3850

- 1 Amend amendment H—3685 to Senate File 450 as
- 2 amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by inserting after line 22 the
- 5 following:
- 6 "_____. Page 3, line 4, by inserting after the word
- 7 "all" the following: "investor-owned," "
- 8 2. Renumber as necessary.

Amendment H—3850 was adopted.

On motion by Hughes of Union, the committee amendment H—3685, as amended, was adopted.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 450)

The ayes were, 60:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Cochran
Connolly	Connors	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Halvorson, R. N.	Hammond	Hanson	Hatch
Haverland	Holveck	Hughes	Jochum
Johnson	Koenigs	Lageschulte	Lloyd-Jones
McIntee	McKean	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Platt	Rosenberg	Running	Sherzan
Shoultz	Rogrist	Skow	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Zimmerman	Mr. Speaker

The nays were, 36:

Bennett	Branstad	Carpenter	Cooper
Corey	Daggett	De Groot	Grandia
Gruhn	Halvorson, R. A.	Handorf	Hester
Hummel	Jay	Knapp	Kremer
Lonergan	Maulsby	Metcalf	Miller
Muhlbauer	Paulin	Pellet	Poncy
Renaud	Renken	Rensink	Royer
Schnekloth	Shoning	Spear	Stromer
Swearingen	Van Camp	Van Maanen	Welden

Absent or not voting, 4:

Harbor	Hermann	Torrence	Woods
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Black of Jasper in the chair at 10:21 a.m.

Regular Calendar

Senate File 385, a bill for an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties, with report of committee recommending passage was taken up for consideration.

Bennett of Ida offered the following amendment H—3800 filed by him and moved its adoption:

H—3800

- 1 Amend Senate File 385 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 6, line 12, by striking the word
- 4 "highest" and inserting the word "average".

Roll call was requested by Lageschulte of Bremer and Pellett of Cass.

Rule 75 was invoked.

On the question "Shall amendment H—3800 be adopted?"

The ayes were, 42:

Bennett	Branstad	Carpenter	Carter
Clark	Daggett	De Groot	Diemer
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Handorf	Hanson	Hester
Hummel	Johnson	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Swearingen	Van Maanen	Varn
Welden	Zimmerman		

The nays were, 52:

Arnould	Avenson	Baxter	Beatty
Buhr	Carl	Chapman	Cochran
Connolly	Connors	Cooper	Corey
Doderer	Fey	Groninga	Halvorson, R. N.
Hatch	Haverland	Holveck	Hughes
Jay	Jochum	Knapp	Koenigs
Lonergan	Muhlbauer	Norland	O'Kane

Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Van Camp	Woods	Mr. Speaker (Black)

Absent or not voting, 6:

Blanshan	Brammer	Hammond	Harbor
Hermann	Torrence		

Amendment H — 3800 lost.

(Senate File 385 pending at recess.)

Speaker Avenson in the chair at 10:47 a.m.

On motion by Norland of Worth, the House recessed at 10:48 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 469, a bill for an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 494, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project.

K. MARIE THAYER, Secretary

COMMITTEE TO NOTIFY THE SENATE

Poncy of Wapello moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee Poncy of Wapello, Chair; Muhlbauer of Crawford and Pellett of Cass.

Poncy of Wapello, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported the committee had performed its duty. The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Parliamentarian of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Parliamentarian to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION PIONEER LAWMAKERS (House Chamber - 1:30 p.m.)

In accordance with House Concurrent Resolution 18, duly adopted, the joint convention was called to order, President Anderson presiding.

President Anderson announced a quorum present and the joint convention duly organized.

Senator Junkins of Lee moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Senators Neighbour of Lucas and Holt of Clay, and Representatives Gruhn of Dickinson and Welden of Hardin.

The committee escorted the Pioneer Lawmakers into the House chamber.

President Anderson presented Senator Norman G. Rodgers of Dallas, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Anderson presented Representative John Connors, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Anderson presented the Honorable Eugene Hill who responded to the welcome. Senator Hill announced the legislators who were eligible to become members of the Pioneer Lawmakers and that Robert Case (deceased), Waterloo, and Elizabeth Ligouri, Des Moines, were awarded honorary membership in the Pioneer Lawmakers Association.

President Anderson then presented the Honorable Robert D. Fulton, Former Governor of the State of Iowa, who addressed the joint convention as follows:

Thank you, Senator Hill, Governor Anderson, Senator Rodgers, Speaker pro tempore Connors, Senator Coleman, and distinguished guests:

It is a pleasure and a privilege to be offered the opportunity to speak to the Pioneer Lawmakers. I only have one problem, I have very little idea of what I intend to say, or how I intend to say it, because a problem of logistics developed.

Some two months ago, I had a phone call from Senator Coleman asking if I would be the speaker and if you've ever been aware of has-beens, if anybody asks to put a microphone in their hands, they say yes and say it very quickly, before somebody will change their mind, which I did. I asked that I be advised a couple of weeks ahead of time of the appropriate date, as it had not been set.

I received a call this morning from the Lieutenant Governor's office on another matter. The secretary said "Could you stop in and talk to the Lieutenant Governor while you're down in Des Moines?". And I responded with "Why am I going to be in Des Moines, today?". This was at 10:30 a.m. She informed me that it was Pioneer Lawmaker's Day. Joe and I talked and I said, "Joe, I have nothing to say!" and he said, "All your friends will recognize you." I said, "Joe, I don't have time to prepare a speech." and he said, "You always gave your best speeches, when they weren't prepared." You notice he didn't say a good speech. He only compared them with my others.

Be that as it may, I'm here. I almost didn't come for one other reason. When Joe indicated I was going to be here, I told him that I would only come on one condition. That this podium be moved outdoors in front of the television cameras so that I could get proper recognition. I was told that would not be accepted and so here I'm doing it like everyone else.

I also would like to pay my tribute to Robert Case who was referred to earlier, who was a reporter for the Waterloo Courier in my home town. Bob was a good political reporter. He did a great job of understanding the political process. He respected the people in the political process, he respected the legislature and I know you and we in Waterloo will miss him a great deal.

In discussing things with John Connors, I said "John, what did we do back when I first got involved, like my first session in the legislature?" I was trying to think of constitutional amendments and tax bills and very important problems in the state of Iowa that we solved or confused as the case may be. And John, typical to his heritage as a fireman, said, "Well Bob, you passed the police and firemen's pension." I guess that's how he remembers us and I guess all of us to a degree are that way.

I also want to comment that every so often I see that there is a reference here, the difference between the House and the Senate. Well I can give you a very short difference between the various bodies and the executive branch. And I think I'm quite qualified to speak since I served both in the House and the Senate, and for a short period of four years as Lieutenant Governor, whatever role that is and 14 days as Governor. Well I found out that in the House, they debate the problems and the issues facing the state of Iowa. The Senate speaks to each other about the problems and the issues of the state of Iowa, and the chief executive claims both bodies are not doing anything about them. This was true back when I was here and we had two Democratic legislatures and a Democratic Governor, as well as the President.

One other thing I want to correct, if I may, and that is on the introduction of the program, it lists me as the former Governor. That's a title I hold, I appreciate and of which I'm proud of, if only for a short period. But today I want to indicate to you here assembled, that I'm here not even as ex Lieutenant Governor, but as an ex member of the Iowa House and an ex member of the Iowa Senate.

Although very often, disparaging remarks are made about the legislature and its process, when I think about the democratic process, its good people and the roles I've played, I think the most important part are those in the legislative structure, and that's what I remember the most often.

I also want to indicate to you that things really do not change. I noticed last week you passed the tax bill. This law will obviously be remembered as the tax bill of 1985, but I want to let you know that I was Lieutenant Governor and had something to do with the services tax bill which was passed in 1967. And it appears to me from reading the account, that one thing happened. And that is that you used the same formula in drafting the services that were used in the past. Let me explain it this way. I find that one of the services that were used earlier were put in this bill also, which would lead me to the conclusion that the same yellow pages were used. But something more revealing about it, is that the formula you've used, didn't have lawyers, accountants, or the various professions just like ours didn't some 20 years ago.

It was my privilege to start serving in the legislature in 1958. In reminiscing, you think of the various people, legislators, press, and their insight into the political process. The press is always at some time criticized but they're only there to analyze the political process. But in 1958 the press always chose the most likely to go on into politics and the least likely to succeed. And with their clairvoyance as usual, they picked out a lot of people who were going on into politics and we've never heard of since. Their pick for the least likely to succeed was a fellow that I started with in this House in 1958. He said "Wel-l-l—golly," in Lil' Abner boots and we now call him Senator Grassley. And it just shows that you don't know where success is in the political process and you don't understand the choices of the people since they'll almost always be different than the choices of the members.

I would also like to spend a little time talking with you about the things that I learned through my political experience and through the legislative process. As I indicated, I started in 1958. I came out in February of that year and opened up my own law office and that's a lonely, lonely thing to do. So in order to have something to do, I went to a Democratic Central Committee meeting. Somebody pinched me, I said ouch and wound up as a candidate for the legislature. That was the only qualification to be a Democratic candidate at that time because none had been elected in 30 years. It was a good year for the Democrats, I went out and campaigned, said what I had on my mind because I didn't think I had a chance of winning, had a good time and won.

I came down and served in a very responsible session of the Iowa legislature in 1959. In that session, the first thing I learned was that all the partisan gossip that goes on during the election process is not indicative of the corroboration that goes on in these halls for the benefit of the state of Iowa.

I remember in the campaign, I was convinced that Clark McNeal, the Republican Majority Leader and Scott Swisher the Democratic Floor Leader—that Swisher was the good guy and McNeal was the bad guy and they must hate each other. But I got down here and found two responsible politicians, doing their best for the state of Iowa, cooperating when cooperation was called for, competing when competition was called for and making sure that the two never became confused. This taught me that you can differ without being difficult and without being insulting.

I then decided that since I'd come down to learn something in 1958, I would run again in 1960 and this time, of course, I caught the disease of all politicians. I was of the opinion that the legislature, and particularly this House, couldn't operate without me. I ran and, as you might imagine, things weren't quite so favorable in 1960 and I got beat. But the sorry thing about that was during the process I figured it was so important for me to be here, that it was necessary for me to not fully disclose my stand on certain issues. When I lost I had two pains — one, the pain of losing, the other was not saying what I had to say about the problems of Iowa during the election process.

In 1962, the incumbent Democratic senator from Black Hawk County ran for Lieutenant Governor and I ran for the Senate. I won that election by about 39 votes out of 35,000. But in the process of that election I learned some things important to the political process and important to anyone in any walk of life.

In that campaign, it was my privilege to run with Harold Hughes who was running for Governor the first time. I'll not forget when we were on a television program together, we were taking questions over the air and someone called in a question about

the death penalty. I leaned over to Harold and said, "Harold, maybe you should let me take this one so it won't hurt your chances." Harold looked at me and said, "Bob, I have an opinion on it and the people of Iowa are entitled to know that opinion," and he gave it. I learned that it is better to give your opinion and live with it, than attempting to obtain any honor by less than full honesty.

I got elected in 1962 and served in the Senate. We were 12 Democrats and 38 Republicans. I learned there that you can be an abject minority. At times you would feel picked on, but all the time you were treated with full respect and your views were given a chance to be heard and there was an understanding of the majority to treat the minority with fairness. This, I think, is another thing that can be learned through our time of service.

In 1964, I got elected Lieutenant Governor and was allowed to serve as the presiding officer of the Senate. At that time I had two beautiful floor leaders. A good presiding officer is only as good as his floor leader, they can make the job difficult or make the job easier. Andy Frommelt, Majority Leader, and Bob Rigler, Minority Leader did nothing but make my job easy. And the Senate would always forgive my mistakes and compliment me for my correct rulings.

I got reelected in 1966, and at that time we had a Democratic controlled Senate and a Republican controlled House and we learned that we could pass legislation even though the bodies were divided and come up with legislation that was the basis for a lot of changes within our governmental process.

These experiences have taught me as I've indicated that it is fun to compete, it is fun to be different, but there is a time to cooperate for the benefit of the purposes for which we get involved in the process. I want to congratulate those of you who are now taking part in that process. I do not envy your responsibilities. Your task is the most difficult that I have seen since I have been aware of state government and its process. The lack of money and the problems that need to be solved are contradictions that are going to take your best efforts and your best cooperation. Based on the Pioneer Lawmakers that I've seen — I'm sorry I don't have time to name them all — and how they've responded in unity to Iowa's problems and I know you will do the same. It doesn't hurt to compete for the best jobs in the political process — that you should do. It doesn't hurt to corroborate for the benefit of Iowa. That, you have been doing.

On behalf of those of us who have served before, we thank you for your service and ask you to have us back again next year when you'll have a speaker more prepared.

Norland of Worth moved that the joint convention be now dissolved at 2:08 p.m.

The motion prevailed.

The House reconvened at 2:10 p.m., Speaker Avenson in the chair.

The House stood at ease at 2:10 p.m., until the fall of the gavel.

The House resumed session at 2:29 p.m., Speaker Avenson in the chair.

BUSINESS PENDING AT RECESS

The House resumed consideration of **Senate File 385**, a bill for an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties, pending at recess.

Stromer of Hancock rose on a point of order and invoked Rule 32 on Senate File 385.

The Speaker ruled the point not well taken and Rule 32 not in order.

Cochran of Webster in the chair at 2:38 p.m.

Sherzan of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 385)

The ayes were, 54:

Arnould	Avenson	Baxter	Beatty
Black	Brammer	Buhr	Carl
Carter	Chapman	Connolly	Connors
Doderer	Fey	Groninga	Groth
Halvorson, R. N.	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Lloyd-Jones	Lonergan	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker (Cochran)		

The nays were, 44:

Bennett	Blanshan	Branstad	Carpenter
Clark	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hester	Hummel
Koenigs	Kremer	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schneklath
Shoning	Siegrist	Skow	Stromer
Stueland	Swearingen	Van Maanen	Welden

Absent or not voting, 2:

Hermann Torrence

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

AMENDMENTS OUT OF ORDER

Amendments H—3853 and H—3854 to Senate File 385, filed by McIntee of Black Hawk from the floor, not timely filed pursuant to Rule 31.8 and which would have required a suspension of the rules, are out of order.

Regular Calendar

Senate File 157, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance, with report of committee recommending passage was taken up for consideration.

The following amendment H—3871 filed by Swartz of Marshall from the floor was adopted by unanimous consent:

H—3871

- 1 Amend Senate File 157 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 12, by striking the figure
- 4 "534.505," and inserting the following: "534.506,".

Arnould of Scott in the chair at 3:17 p.m.

Swartz of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 157)

The ayes were, 96:

Avenson	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Arnould)

The nays were, none.

Absent or not voting, 4:

Connolly	Fey	Hermann	Torrence
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 539, a bill for an act relating to motor vehicle fuel, with report of committee recommending amendment and passage was taken up for consideration.

Muhlbauer of Crawford offered the following amendment H—3747 filed by the committee on agriculture:

H—3747

- 1 Amend Senate File 539 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, by striking lines 4 through 6.
- 4 2. By renumbering as necessary.

Muhlbauer of Crawford offered the following amendment H—3851, to the committee amendment H—3747, filed from the floor by Muhlbauer, Pellett, Cochran and Branstad and moved its adoption:

H—3851

- 1 Amend amendment H—3747 to Senate File 539 as
- 2 amended, passed, and reprinted by the Senate as follows:
- 3 1. Page 1, by striking line 3, and inserting the
- 4 following:
- 5 "_____. Page 2, by striking lines 10 through 20."

Amendment H—3851 was adopted.

On motion by Muhlbauer of Crawford, the committee amendment H—3747, as amended, was adopted.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 539)

The ayes were, 73:

Avenson	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Diemer	Fey
Fogarty	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Kremer	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley

Parker	Paulin	Pavich	Peick
Pellet	Renaud	Rosenberg	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker (Arnould)			

The nays were, 22:

Black	Carter	Cooper	Corey
Daggett	De Groot	Grandia	Handorf
Hanson	Koenigs	Lageschulte	Peterson
Platt	Poncy	Renken	Rensink
Royer	Spear	Stueland	Van Camp
Van Maanen	Weiden		

Absent or not voting, 5:

Connors	Doderer	Groth	Hermann
Torrence			

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

SENATE FILES DEFERRED

Norland of Worth asked and received unanimous consent that the following bills be deferred and that the bills retain their place on the calendar: Senate Files 364 and 383.

Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles, with report of committee recommending amendment and passage was taken up for consideration.

Woods of Polk offered the following amendment H—3728 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3728

- 1 Amend Senate File 295 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking line 1, and inserting the
- 4 following:
- 5 "Section 1. Section 123.28, unnumbered paragraph

6 2, Code 1985, is amended to read as follows:
 7 A person driving a motor vehicle shall not
 8 knowingly possess in a motor vehicle upon a public
 9 street or highway any an open or unsealed bottle, can,
 10 jar, or other receptacle containing an alcoholic
 11 beverage or beer with the intent to consume the
 12 alcoholic beverage or beer while the motor vehicle is
 13 upon a public street or highway. Evidence that an
 14 open or unsealed receptacle containing an alcoholic
 15 beverage or beer was found during an authorized search
 16 in the glove compartment, utility compartment,
 17 console, front passenger seat, or any unlocked
 18 portable device and within the immediate reach of the
 19 driver while the motor vehicle is upon a public street
 20 or highway is evidence from which the court or jury
 21 may infer that the driver intended to consume the
 22 alcoholic beverage or beer while upon the public
 23 street or highway if the inference is supported by
 24 corroborative evidence. However, an open or unsealed
 25 receptacle containing an alcoholic beverage or beer
 26 may be transported at any time in the trunk of the
 27 motor vehicle or in some other area of the interior of
 28 the motor vehicle not designed or intended to be
 29 occupied by the driver and not readily accessible to
 30 the driver while the motor vehicle is in motion. A
 31 person convicted of a violation of this paragraph is
 32 guilty of a simple misdemeanor.

33 Sec. 2. Section 123.33, Code 1985, is amended to
 34 read".

35 2. Title page, by striking lines 1 and 2, and
 36 inserting the following: "An Act relating to the
 37 violation of laws concerning alcoholic liquor and beer
 38 by establishing the penalty for transporting an open
 39 container of alcoholic liquor or beer in a motor
 40 vehicle as a simple misdemeanor, and by removing the
 41 duty of a liquor control licensee to break empty
 42 liquor bottles."

The committee amendment H-3728 was adopted.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 295)

The ayes were, 96:

Avenson
Black

Baxter
Blanshan

Beatty
Brammer

Bennett
Branstad

Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Arnould)

The nays were, none.

Absent or not voting, 4:

Connors	Doderer	Hermann	Torrence
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 438, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents, with report of committee recommending passage was taken up for consideration.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 438)

The ayes were, 95:

Avenson	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter

Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Arnould)	

The nays were, 2:

Doderer O'Kane

Absent or not voting, 3:

Hermann Lloyd-Jones Torrence

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

Senate File 455, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity, with report of committee recommending passage was taken up for consideration.

Jay of Appanoose offered the following amendment H-3845 filed by him and moved its adoption:

H-3845

- 1 Amend Senate File 455 as amended, passed, and re-
- 2 printed by the Senate as follows:
- 3 1. Page 4, by inserting after line 5, the fol-
- 4 lowing:

5 "5. Notwithstanding the provisions of this section
6 to the contrary, seized property which was stolen or
7 otherwise obtained in violation of the law may be re-
8 turned to the owner, if the owner was not the person
9 from whom the property was seized, without hearing if
10 all of the following are true:
11 a. The identity of the owner is not in question.
12 b. The owner's right to possess the property is
13 not in question.
14 c. The possession of the property is not pro-
15 hibited by law.
16 d. One of the following is also true:
17 (1) Criminal charges have not been filed and are
18 not being contemplated regarding the theft of the
19 property.
20 (2) Evidence regarding the property is not to be
21 introduced in any proceeding.
22 (3) If evidence regarding the property is to be
23 introduced, all of the following are true:
24 (a) The property has been photographed in such a
25 manner as to fairly show the nature and condition of
26 the property.
27 (b) The photographs are available for use in any
28 subsequent proceeding.
29 (c) If the value of the property is in excess of
30 one hundred dollars, the county attorney has notified
31 the attorney for any person against whom the evidence
32 regarding the property may be used of the intention to
33 return the property following its being photographed
34 and the person's attorney either exercised or waived
35 an opportunity to examine the property within fourteen
36 days.
37 (4) If the property may be introduced as evidence,
38 it is of such a nature that it is not easily alterable
39 without detection and arrangements satisfactory to
40 both the county attorney and the attorneys for any
41 persons against whom evidence regarding the property
42 may be used have been made for its return for use as
43 evidence."

Amendment H—3845 was adopted.

Jay of Appanoose asked and received unanimous consent to withdraw amendment H—3847 filed by him on April 16, 1985.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 455)

The ayes were, 97:

Avenson	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellet	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Arnould)			

The nays were, none.

Absent or not voting, 3:

Carter Hermann Torrence

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

AMENDMENT OUT OF ORDER

Amendment H—3858 to Senate File 455, filed by McIntee of Black Hawk, from the floor, not timely filed pursuant to Rule 31.8, which would have required a suspension of the rules, is out of order.

Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill, with report of committee recommending passage was taken up for consideration.

Teaford of Black Hawk offered the following amendment H-3818 filed by her and requested division as follows:

H-3818

- 1 Amend Senate File 524, as passed by the Senate, as
- 2 follows:

H-3818A

- 3 1. Page 1, line 8, by inserting after the word
- 4 "ill" the following: "and brain injured".
- 5 2. Page 1, line 9, by striking the word "may" and
- 6 inserting the following: "may shall".
- 7 3. Page 1, by striking line 10 and inserting the
- 8 following: "classifications within that category, or
- 9 special".

H-3818B

- 10 4. Page 1, line 11, by striking the word
- 11 "facility" and inserting the following: "facility,
- 12 intermediate care facility,".

H-3818A

- 13 5. Page 1, line 28, by inserting after the words
- 14 "the mentally ill" the following: "and brain
- 15 injured".
- 16 6. Page 1, line 34, by inserting after the word
- 17 "ill" the following: "and brain injured".
- 18 7. Page 1, line 35, by inserting after the word
- 19 "ill" the following: "and brain injured".
- 20 8. Title page, line 2, by inserting after the
- 21 word "ill" the following: "and brain injured".

On motion by Teaford of Black Hawk, amendment H-3818A was adopted.

Teaford of Black Hawk asked and received unanimous consent to withdraw amendment H-3788 filed by her on April 15, 1985.

Teaford of Black Hawk asked and received unanimous consent to withdraw amendment H-3818B filed by her.

Teaford of Black Hawk asked and received unanimous consent that Senate File 524 be deferred and placed on the unfinished business calendar.

IMMEDIATE MESSAGE
(Senate File 318)

Norland of Worth asked and received unanimous consent to immediately message Senate File 318 to the Senate.

Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund, with report of committee recommending passage was taken up for consideration.

Speaker Avenson in the chair at 4:07 p.m.

Connolly of Dubuque in the chair at 4:11 p.m.

Halvorson of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 264)

The ayes were, 70:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Brammer	Branstad
Carl	Carpenter	Carter	Clark
Cochran	Connors	Corey	Daggett
De Groot	Fogarty	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Hatch	Hester	Hughes
Hummel	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Maulsby	McIntee
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Oxley	Parker
Paulin	Pavich	Pellett	Poncy
Renaud	Renken	Rensink	Royer
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Sullivan	Swartz	Swearingen	Tabor
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Connolly)		

The nays were, 28:

Blanshan	Buhr	Chapman	Cooper
Diemer	Doderer	Fey	Grandia

Groth	Hammond	Haverland	Holveck
Jay	Kremer	Lageschulte	Loneragan
McKean	Miller	Osterberg	Peick
Peterson	Platt	Rosenberg	Running
Stueland	Sturgeon	Teaford	Van Camp

Absent or not voting, 2:

Hermann Torrence

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

SENATE FILE 406 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 406 be deferred and that the bill retain its place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **Senate File 503**, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' or other self-insured workers' compensation plan formed under section 87.4, (deferred and placed on the unfinished business calendar on April 16, 1985) with report of committee recommending amendment and passage.

Swartz of Marshall offered the following amendment H-3741 filed by the committee on small business and commerce:

H-3741

- 1 Amend Senate File 503 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 2, by striking the word
- 4 "paragraph" and inserting the following:
- 5 "paragraphs".
- 6 2. Page 1, by inserting after line 8 the
- 7 following:
- 8 "**NEW UNNUMBERED PARAGRAPH.** A plan shall be
- 9 submitted to the commissioner of insurance for review
- 10 and approval prior to its implementation. The
- 11 commissioner shall adopt rules for the review and
- 12 approval of a self-insured group plan provided under
- 13 this section. The rules shall include, but are not
- 14 limited to, the following:

15 1. Procedures for submitting a plan for approval
16 including the establishment of a fee schedule to cover
17 the costs of conducting the review.

18 2. Establishment of minimum financial standards to
19 ensure the ability of the plan to adequately cover the
20 reasonably anticipated expenses.

21 Sec. 2. NEW SECTION. 505.18 APPROVAL OF SELF-
22 INSURANCE PLANS.

23 The state, a political subdivision of the state, a
24 school corporation, or any other public body in the
25 state which seeks to implement or continue any type of
26 self-insurance plan shall submit the plan to the
27 commissioner of insurance for approval. The
28 commissioner shall adopt rules for the review and
29 approval of the plan. The rules adopted shall
30 include, but are not limited to, the following:

31 1. A requirement that before a plan is approved
32 the plan shall include all coverages and provisions
33 that are required by law in insurance policies for the
34 type of risk that the self-insurance plan is intended
35 to cover.

36 2. Procedures for submitting a plan for approval
37 including the establishment of a fee schedule to cover
38 the cost of conducting the review.

39 3. Establishment of minimum financial standards to
40 ensure the ability of the plan to adequately cover the
41 reasonably anticipated expenses.

42 4. A requirement that if the resources of the plan
43 are inadequate to fully cover a claim under the plan,
44 then the public body is liable for any portion of the
45 claim that is left unpaid.

46 Sec. 3. Section 2 of this Act is effective on July
47 1, 1986. However, the commissioner of insurance shall
48 commence rulemaking procedures in sufficient time to
49 have the final rules adopted by July 1, 1986.
50 However, a city or county may implement a self-insured

Page 2

1 plan for worker's compensation prior to July 1, 1986
2 if the plan complies with the law and any rules in
3 effect when the plan is implemented.

4 3. Title page, by striking lines 1 through 3 and
5 inserting the following: "An Act relating to self-
6 insurance plans."

7 4. Renumber as necessary.

Metcalf of Polk asked and received unanimous consent to withdraw amendment H-3804, to the committee amendment H-3741, filed by her on April 16, 1985.

Metcalf of Polk offered the following amendment H-3816, to the committee amendment H-3741, filed by her and moved its adoption:

H-3816

1 Amend amendment H-3741 to Senate File 503, as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, line 21, by striking the figure
5 "505.18" and inserting the following: "509A.14".

6 2. Page 1, by striking lines 23 through 30 and
7 inserting the following:

8 "The commissioner of insurance shall adopt rules
9 for self-insurance plans for life insurance and
10 accident and health insurance for the state, a
11 political subdivision of the state, a school
12 corporation, or any other public body in the state.
13 The rules adopted shall include, but are not limited
14 to, the following:"

15 3. Page 1, by striking line 31 and inserting the
16 following:

17 "1. A requirement that".

18 4. Page 1, by striking lines 36 through 41 and
19 inserting the following:

20 "_____. A requirement that at least once each twelve
21 months, the governing body of the public body shall
22 obtain from an outside consulting actuary a
23 certification that the plan is able to cover all
24 reasonably anticipated expenses."

Amendment H-3816 was adopted, placing amendment H-3799, to the committee amendment H-3741, filed by Swartz of Marshall on April 16, 1985, out of order.

Swartz of Marshall offered the following amendment H-3814, to the committee amendment H-3741, filed by him and requested division as follows:

H-3814

1 Amend the amendment, H-3741, to Senate File 503, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

H-3814A

4 1. Page 1, line 25, by striking the words "any
5 type of" and inserting the following: "a".

6 2. Page 1, line 26, by inserting after the words

7 "self-insurance plan" the following: "providing life
8 insurance or accident and health insurance".

H—3814B

9 3. By striking page 1, line 50 through page 2,
10 line 3.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—3814A.

On motion by Swartz of Marshall, amendment H—3814B was adopted.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—3812, to the committee amendment H—3741, filed by him on April 16, 1985.

Swartz of Marshall offered the following amendment H—3815, to the committee amendment H—3741, filed by him and moved its adoption:

H—3815

- 1 Amend the amendment, H—3741 to Senate File 503 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 46, by striking the word "July"
- 5 and inserting the following: "January".
- 6 2. Page 1, line 49, by striking the word "July"
- 7 and inserting the following: "January".

Amendment H—3815 was adopted.

On motion by Swartz of Marshall, the committee amendment H—3741, as amended, was adopted.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—3796 filed by him on April 15, 1985.

Swartz of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 503)

The ayes were, 89:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connolly)			

The nays were, 9:

Halvorson, R. A.	Hanson	Harbor	Maulsby
Renken	Royer	Schnekloth	Skow
Stueland			

Absent or not voting, 2:

Hermann	Torrence
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Speaker Avenson in the chair at 4:53 p.m.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 538)

Koenigs of Mitchell asked and received unanimous consent to withdraw the motion to reconsider Senate File 538, a bill for an act relating to an agricultural supply dealer's lien, filed by him on April 16, 1985, placing out of order amendment H—3860 filed by him from the floor.

Regular Calendar

Senate File 449, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 449 be deferred and that the bill be placed on the unfinished business calendar.

MOTION TO RECONSIDER PREVAILED (Senate File 27)

Blanshan of Greene called up for consideration the motion to reconsider Senate File 27, filed on April 16, 1985, and moved to reconsider the vote by which Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies, passed the House and was placed on its last reading on April 16, 1985.

A non-record roll call was requested.

The ayes were 71, nays none.

The motion prevailed and the House reconsidered Senate File 27, placing out of order the motion to reconsider filed by Stromer of Hancock on April 16, 1985.

Parker of Jasper asked and received unanimous consent to reconsider the vote by which amendment H-3785 was adopted by the House on April 16, 1985, and amendment H-3785, (found on page 1599 of the House Journal) was taken up for consideration.

Parker of Jasper offered the following amendment H-3837, to amendment H-3785, filed by him and Stromer of Hancock and moved its adoption:

H—3837

1 Amend amendment H—3785 to Senate File 27 as passed
 2 by the Senate as follows:
 3 1. Page 1, by striking lines 6 and 7 and
 4 inserting the following: "purposes shall meet the
 5 requirements for doing business in Iowa sufficient to
 6 be subject to tax under rules of the department of
 7 revenue." "

Amendment H—3837 was adopted.

On motion by Parker of Jasper, amendment H—3785, as amend-
 ed, was adopted.

Blanshan of Greene moved that the bill be read a last time now
 and placed upon its passage which motion prevailed and the bill was
 read a last time.

On the question "Shall the bill pass?" (S.F. 27)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Hermann

Torrence

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

MOTIONS TO RECONSIDER

(Senate File 264)

I move to reconsider the vote by which Senate File 264 passed the House on April 17, 1985.

JOHNSON of Winneshiek

(Senate File 264)

I move to reconsider the vote by which Senate File 264 passed the House on April 17, 1985.

BLACK of Jasper

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 17, 1985. Had I been present, I would have voted "aye" on Senate File 157.

CONNOLLY of Dubuque

PRESENTATION OF VISITORS

Blanshan of Green presented to the House the Honorable Henry Stevens and C. Raymond Fisher, both former members of the House representing Greene County.

The Speaker announced the following visitors were present in the House chamber:

Thirty third grade students from Earlham Elementary School, Earlham, accompanied by Betty Addy and Joyce Baiotto. By Skow of Guthrie.

Forty fifth grade students from Woodbury Elementary School, Marshalltown. By Swartz of Marshall.

Eighty eighth grade students from Sumner Community Schools, Sumner. By Lageschulte of Bremer.

Thirty-seven fifth grade students from B.C.L. Elementary School, Conrad, accompanied by John Ehn and Mary Pieper. By Renken of Grundy.

Forty-five 4-H members from Marion County, accompanied by Bill Shepherd and Erma Williams. By Grandia of Marion.

AMENDMENTS FILED

H-3852	S.F.	244	Clark of Cerro Gordo
H-3855	H.F.	378	Senate Amendment
H-3856	H.F.	678	Senate Amendment
H-3857	H.F.	642	Senate Amendment
H-3859	S.F.	449	McIntee of Black Hawk
			Halvorson of Clayton
H-3861	H.F.	494	Senate Amendment
H-3862	H.F.	747	Jochum of Dubuque
H-3863	S.F.	364	Daggett of Taylor
H-3864	S.F.	364	Bennett of Ida
H-3865	S.F.	364	Hummel of Benton
H-3866	S.F.	364	Hummel of Benton
H-3867	S.F.	364	Rensink of Sioux
H-3868	S.F.	110	Stromer of Hancock
H-3869	S.F.	110	Lloyd-Jones of Johnson
H-3870	S.F.	364	Carpenter of Polk
H-3872	S.F.	364	Groth of Buena Vista
			Varn of Johnson
H-3873	S.F.	461	Hanson of Delaware
H-3874	S.F.	309	Rosenberg of Story
H-3875	S.F.	364	Halvorson of Clayton
H-3876	S.F.	364	Halvorson of Clayton
H-3877	S.F.	521	Brammer of Linn
H-3878	S.F.	91	Groth of Buena Vista
H-3879	S.F.	424	Arnould of Scott
			Carl of Poweshiek
			Sturgeon of Woodbury

H-3880	S.F.	309	Holveck of Polk Van Camp of Scott Running of Linn Hanson of Delaware Sturgeon of Woodbury Mullins of Kossuth Knapp of Dubuque
H-3881	S.F.	309	Holveck of Polk Van Camp of Scott Running of Linn Sturgeon of Woodbury Knapp of Dubuque
H-3882	S.F.	374	Jay of Appanoose
H-3883	S.F.	364	Hummel of Benton Schnekloth of Scott

On motion by Norland of Worth, the House adjourned at 5:07 p.m., until 9:00 a.m., Thursday, April 18, 1985.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day—Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 18, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Allen Ricks, pastor of the United Methodist Church, Hudson.

The Journal of Wednesday, April 17, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashton McCrary, Lake City.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hester of Pottawattamie on request of Beatty of Warren; Handorf of Marshall on request of Stromer of Hancock; Branstad of Winnebago, until his arrival, on request of Fogarty of Palo Alto.

PETITION FILED

The following petition was received and placed on file:

By Jochum of Dubuque, from eighty-five constituents of District 36 favoring House File 735, an act to establish an Iowa peace institute, to prescribe its duties, and to make an appropriation.

INTRODUCTION OF BILLS

House File 761, by committee on ways and means, a bill for an act relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions.

Read first time and placed on the **ways and means calendar**.

House File 762, by Norland and Stromer, a bill for an act to legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 763, by committee on appropriations, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 66, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 130, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 150, a bill for an act relating to fees collected by the sheriff.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 181, a bill for an act to legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 204, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 398, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 419, a bill for an act relating to the payment of court costs and providing a penalty.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 428, a bill for an act relating to the use of gizzard shad as bait.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 454, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 484, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, declaring certain acts unlawful and providing for enforcement by the attorney general.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 537, a bill for an act relating to special elections to fill vacancies in city councils.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 549, a bill for an act relating to domestic abuse counseling and the coordination of certain domestic abuse programs by the department of human services.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 550, a bill for an act making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 556, a bill for an act relating to chattel loans by providing a short title to chapter 536 and increasing the maximum amount of a regulated loan from two thousand to ten thousand dollars.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 558, a bill for an act relating to the liabilities of mental health advocates.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 584, a bill for an act relating to information contained on interstate probation and parole compact transfer requests.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 625, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 664, a bill for an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 688, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 691, a bill for an act relating to the psychological testing of law enforcement officers and candidates.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 713, a bill for an act relating to educational leave and educational assistance for state employees.

K. MARIE THAYER, Secretary

MOTION TO RECONSIDER PREVAILED
(Senate File 244)

Clark of Cerro Gordo called up for consideration the motion to reconsider Senate File 244, filed on April 16, 1985, and moved to reconsider the vote by which Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions, passed the House and was placed on its last reading on April 15, 1985.

A non-record roll call was requested.

The ayes were 66, nays none.

The motion prevailed and the House reconsidered Senate File 244.

Clark of Cerro Gordo offered the following amendment H-3852 filed by her and moved its adoption:

H-3852

- 1 Amend Senate File 244 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by striking lines 28 through 31.

Amendment H—3852 was adopted.

Clark of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 244)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Branstad	Handorf	Hermann	Hester
Shoning	Torrence		

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

CONSIDERATION OF BILLS

Regular Calendar

Senate File 424, a bill for an act relating to the ownership and

operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 424 be deferred and placed on the unfinished business calendar.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order for immediate consideration Senate File 364.

Senate File 364, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board (deferred April 17, 1985), with report of committee recommending amendment and passage was taken up for consideration.

The House stood at ease at 9:42 a.m., until the fall of the gavel.

The House resumed session and consideration of **Senate File 364** at 11:00 a.m., Speaker Avenson in the chair.

Sherzan of Polk offered the following amendment H—3379 filed by the committee on labor and industrial relations:

H—3379

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 8 through 12.
- 4 2. Page 2, line 9, by striking the figure "1."
- 5 3. Page 2, line 10, by striking the word
- 6 "certificated" and inserting the word "public".
- 7 4. By striking page 2, line 11, through page 3,
- 8 line 5.
- 9 5. Page 3, line 6, by striking the letter "a" and
- 10 inserting the figure "1".
- 11 6. Page 3, line 25, by striking the letter "b"
- 12 and inserting the figure "2".
- 13 7. Page 4, line 1, by striking the letter "c" and
- 14 inserting the figure "3".

- 15 8. Page 4, line 10, by striking the letter "d"
 16 and inserting the figure "4".
 17 9. Page 4, by inserting after line 20 the
 18 following:
 19 "5. Proposals in conflict with state-mandated
 20 retirement systems are excluded from the scope of
 21 negotiations.
 22 6. Discharged public employees of the state
 23 covered under chapter 279 shall follow either the
 24 grievance procedures provided in their collective
 25 bargaining agreement or the procedures under chapter
 26 279."
 27 10. By striking page 4, line 21 through page 5,
 28 line 17.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H-3872, to the committee amendment H-3379, filed by him on April 17, 1985.

Groth of Buena Vista offered the following amendment H-3889, to the committee amendment H-3379, filed by him and Varn of Johnson from the floor. Division was requested as follows:

H-3889

- 1 Amend House amendment H-3379 to Senate File 364 as
 2 amended, passed, and reprinted by the Senate as
 3 follows:

H-3889A

- 4 1. Page 1, by inserting after line 10 the
 5 following:
 6 " _____. Page 3, lines 16 and 17, by striking the
 7 following: "life and health insurance premiums for
 8 present employees when retired;"
 9 _____. Page 3, line 19, by inserting after the word
 10 "remediation" the following: "procedures".
 11 _____. Page 3, line 19, by striking the word
 12 "transfers" and inserting the following: "transfer
 13 procedures".
 14 _____. Page 3, lines 19 and 20, by striking the
 15 words "and criteria".
 16 _____. Page 3, line 22, by striking the word
 17 "including" and inserting the following: "and".
 18 _____. Page 3, line 23, by inserting after the word
 19 "staffing" the words "related to health and safety"."

H-3889B

20 2. Page 1, by inserting after line 14 the
21 following:
22 "_____. Page 4, by striking lines 3 through 8 and
23 inserting the following: "this section. The
24 bargaining subjects listed under" "

H-3889C

25 3. Page 1, by striking lines 22 through 26 and
26 inserting the following:
27 "6. Certificated employees discharged for the
28 purpose of a reduction in force shall follow the
29 grievance procedures provided in their collective
30 bargaining agreement. Discharged certificated
31 employees who do not have reduction in force
32 procedures provided in their collective bargaining
33 agreement shall follow the termination procedures
34 provided under chapter 279. A certificated employee
35 organization may unilaterally reject negotiated
36 reduction in force procedures in the collective
37 bargaining agreement through March 1, 1986. A
38 certificated employee organization shall notify the
39 board of a rejection of reduction in force procedures
40 prior to March 1, 1986."

H-3889D

41 4. Page 1, by inserting before line 27 the
42 following:
43 "_____. Page 4, by inserting before line 21 the
44 following:
45 "Sec._____. Section 20.17, subsection 4, Code 1985,
46 is amended to read as follows:
47 4. The terms of a proposed collective bargaining
48 agreement shall be made public and reasonable notice
49 shall be given to the public employees prior to a
50 ratification election. The collective bargaining

Page 2

1 agreement shall become effective only if ratified by a
2 majority of those voting by secret ballot. Balloting
3 may be conducted by mail in whole or in part.
4 Sec._____. Section 20.17, subsection 10, Code 1985,
5 is amended to read as follows:
6 10. A collective bargaining agreement between a
7 public employer and an employee organization shall be
8 effective for two consecutive years. The negotiation
9 of a proposed collective bargaining agreement by
10 representatives of a state public employer and a state

H-3889D

11 employee organization shall be complete not later than
 12 March 15 of the year when the agreement is to become
 13 effective. The board shall provide, by rule, a date
 14 on which any impasse item must be submitted to binding
 15 arbitration and for such other procedures as deemed
 16 necessary to provide for the completion of
 17 negotiations of proposed state collective bargaining
 18 agreements not later than March 15 the dates
 19 established by this section. The date selected for
 20 the mandatory submission of impasse items to binding
 21 arbitration shall be sufficiently in advance of March
 22 15 the date established for completion of negotiations
 23 to insure that the arbitrators' decision can be
 24 reasonably made before March 15 the completion date." "

25 5. Page 1, by striking lines 27 and 28 and

26 inserting the following:

27 "_____. By striking page 4, line 23 through page 5,
 28 line 11 and inserting the following:

29 NEW SUBSECTION. The negotiations for a proposed
 30 collective bargaining agreement between the
 31 representatives of a public employer other than a city
 32 and an employee organization shall commence in even
 33 numbered years. The negotiations for a proposed
 34 collective bargaining agreement between the
 35 representatives of a city and an employee organization
 36 shall commence in odd numbered years. The employee
 37 organization shall present its opening bargaining
 38 position at the first bargaining session to be held no
 39 sooner than November 1 and no later than November 10.
 40 The public employer shall present its opening
 41 bargaining position at the second bargaining session
 42 which shall be held no later than ten days following
 43 the first session. The parties shall hold a third
 44 bargaining session no later than ten days from the
 45 second bargaining session and after the third
 46 bargaining session either party may request mediation.
 47 If negotiations have not produced an agreement before
 48 January 5, the board shall arrange for mediation and
 49 set up the first mediated session. The parties may
 50 then meet thereafter at their discretion with or

Page 3

1 without the mediator. The board shall arrange for a
 2 final mediated session within fourteen days of the
 3 first mediated session at which final bargaining
 4 positions shall be submitted. If there is no
 5 agreement within three days from the final mediated
 6 session, the board shall arrange for arbitration on
 7 the final bargaining positions under section 20.22.

H—3889D

8 The determination by the panel of arbitrators shall be
9 announced not later than March 1.””

10 6. Page 1, by inserting after line 28 the
11 following:

12 “_____. Page 5, by inserting before line 12 the
13 following:

14 “Sec._____. Section 20.21, Code.1985, is repealed.

15 Sec._____. Section 20.22, subsections 1 and 3, Code
16 1985, are amended to read as follows:

17 1. If an impasse persists after the findings of
18 fact and recommendations are made public by the fact-
19 finder mediation, the parties may continue to
20 negotiate or, the board shall have the power, upon
21 request of either party, to arrange for arbitration,
22 which shall be binding. The request for arbitration
23 shall be in writing and a copy of the request shall be
24 served upon the other party.

25 3. The submission of the impasse items to the
26 arbitrators shall be limited to those issues that had
27 been considered by the fact-finder during mediation
28 and upon which the parties have not reached agreement.
29 With respect to each such item, the The arbitration
30 board award shall be restricted to either of the final
31 offers on each all impasse item items submitted by the
32 parties to the arbitration board or to the
33 recommendation of the fact-finder on each impasse
34 item.””

Koenigs of Mitchell in the chair at 11:42 a.m.

Varn of Johnson moved the adoption of amendment H—3889A,
to the committee amendment H—3379.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 46, nays 48.

Amendment H—3889A lost.

Speaker Avenson in the chair at 12:07 p.m.

Varn of Johnson moved the adoption of amendment H—3889B,
to the committee amendment H—3379.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 50, nays 43.

Amendment H—3889B was adopted.

(The committee amendment H—3379, as amended, pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:11 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SENATE FILE 364 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 364 be deferred and that the bill retain its place on the calendar.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order for immediate consideration Senate Files 452, 374 and 547.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 452, a bill for an act authorizing conversion of certain real property to a mobile home, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 452 be deferred and placed on the unfinished business calendar.

Senate File 374, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 374 be deferred and placed on the unfinished business calendar.

Senate File 547, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 547 be deferred and placed on the unfinished business calendar.

The House resumed consideration of **Senate File 364**, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, and the committee amendment H-3379, as amended.

Bennett of Ida offered the following amendment H-3864, to the committee amendment H-3379, filed by him and moved its adoption:

H-3864

- 1 Amend House amendment H-3379 to Senate File 364 as
- 2 amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 19 through 21 and
- 5 inserting the following:
- 6 "All retirement systems shall be excluded from the
- 7 scope of negotiations."

A non-record roll call was requested.

The ayes were 26, nays 38.

Amendment H-3864 lost.

The House resumed consideration of amendment H-3889C, to the committee amendment H-3379.

Renaud of Polk in the chair at 1:57 p.m.

Groth of Buena Vista moved the adoption of amendment H-3889C.

A non-record roll call was requested.

The ayes were 50, nays 40.

Amendment H—3889C was adopted.

The House resumed consideration of amendment H—3889D, to the committee amendment H—3379.

Groth of Buena Vista moved the adoption of amendment H—3889D.

Roll call was requested by Sherzan of Polk and Woods of Polk.

Rule 75 was invoked.

On the question "Shall amendment H—3889D, to the committee amendment H—3379, be adopted?"

The ayes were, 42:

Bennett	Blanshan	Carl	Carpenter
Clark	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Harbor
Hughes	Hummel	Jay	Johnson
Koenigs	Kremer	Lageschulte	Maulsby
Metcalf	Miller	Muhlbauer	Mullins
Paulin	Pellett	Renken	Royer
Schnekloth	Shoning	Skow	Stromer
Stueland	Tabor	Van Camp	Van Maanen
Varn	Welden		

The nays were, 50:

Arnould	Avenson	Baxter	Beatty
Black	Brammer	Buhr	Carter
Chapman	Connolly	Connors	Doderer
Fey	Groninga	Hammond	Hanson
Hatch	Haverland	Holveck	Jochum
Knapp	Lloyd-Jones	Lonergan	McIntee
McKean	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Platt	Poncy
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Spear	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Woods
Zimmerman	Mr. Speaker (Renaud)		

Absent or not voting, 8:

Branstad	Cochran	Halvorson, R. N.	Handorf
Hermann	Hester	Rensink	Torrence

Amendment H—3889D lost.

The House stood at ease at 3:10 p.m., until the fall of the gavel.

The House resumed session and consideration of the committee amendment H—3379 to Senate File 364 at 3:25 p.m., Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-eight members present, thirty-two absent.

Sherzan of Polk moved the adoption of the committee amendment H—3379, as amended.

A non-record roll call was requested.

The ayes were 50, nays 33.

The committee amendment H—3379, as amended, was adopted placing the following amendments out of order:

H—3840 (to page 4) filed by Bennett of Ida on April 16, 1985.

H—3841 (to page 4) filed by Bennett of Ida on April 16, 1985.

H—3867 (to page 5) filed by Rensink of Sioux on April 17, 1985.

H—3875 (to page 5) filed by Halvorson of Clayton on April 17, 1985.

Hummel of Benton offered the following amendment H—3865 filed by him and moved its adoption:

H—3865

- 1 Amend Senate File 364 as amended, passed, and re-
- 2 printed by the Senate as follows:
- 3 1. Page 1, by striking lines 13 through 25.

A non-record roll call was requested.

The ayes were 48, nays 39.

Amendment H—3865 was adopted.

Bennett of Ida offered the following amendment H—3839 filed by him and moved its adoption:

H—3839

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, by striking line 9 and inserting the
- 4 following: "in good faith with respect to wages; a".

A non-record roll call was requested.

The ayes were 29, nays 48.

Amendment H—3839 lost.

Renken of Grundy asked and received unanimous consent to withdraw amendment H—3821 filed by him on April 16, 1985.

Kremer of Buchanan offered the following amendment H—3835 filed by him and moved its adoption:

H—3835

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 11 and 12, by striking the words
- 4 "supplemental pay and benefits;"

A non-record roll call was requested.

The ayes were 23, nays 52.

Amendment H—3835 lost.

Welden of Hardin offered the following amendment H—3833 filed by him and moved its adoption:

H—3833

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:

- 3 1. Page 3, lines 12 and 13, by striking the words
- 4 "allowances and reimbursements for necessary costs
- 5 incurred in employment;".

A non-record roll call was requested.

The ayes were 29, nays 43.

Amendment H—3833 lost.

Spear of Lee in the chair at 4:37 p.m.

Bennett of Ida offered the following amendment H—3820 filed by him and moved its adoption:

H—3820

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 13, by striking the words
- 4 "secondary employment;".

A non-record roll call was requested.

The ayes were 29, nays 54.

Amendment H—3820 lost.

Bennett of Ida asked and received unanimous consent to temporarily defer action on amendment H—3827.

Speaker Avenson in the chair at 4:57 p.m.

Harbor of Mills offered the following amendment H—3826 filed by him and Halvorson of Clayton:

H—3826

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 14 through 16, by striking the
- 4 words "physical examination and fitness standards for
- 5 an employee's continued employment and job
- 6 assignment;".

Doderer of Johnson in the chair at 5:04 p.m.

Harbor of Mills moved the adoption of amendment H—3826.

A non-record roll call was requested.

The ayes were 29, nays 48.

Amendment H—3826 lost.

Stromer of Hancock offered the following amendment H—3823 filed by Hester of Pottawattamie and moved its adoption:

H—3823

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 16, by striking the words "early
- 4 retirement incentive programs;"

A non-record roll call was requested.

The ayes were 33, nays 43.

Amendment H—3823 lost.

Halvorson of Clayton offered the following amendment H—3828 filed by him and Harbor of Mills and moved its adoption:

H—3828

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 16 and 17, by striking the words
- 4 "life and health insurance premiums for present
- 5 employees when retired;"

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 50, nays 42.

Amendment H—3828 was adopted.

(Senate File 364 pending at adjournment.)

MOTIONS TO RECONSIDER WITHDRAWN
(Senate File 445)

Stromer of Hancock and Renaud of Polk asked and received unanimous consent to withdraw their motions to reconsider Senate File 445, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system, filed by them on April 16, 1985.

MOTIONS TO RECONSIDER
(Amendment H—3826 to Senate File 364)

I move to reconsider the vote by which amendment H—3826 to Senate File 364 failed to be adopted by the House on April 18, 1985.

CHAPMAN of Linn

(Amendment H—3828 to Senate File 364)

I move to reconsider the vote by which amendment H—3828 to Senate File 364 was adopted by the House on April 18, 1985.

CONNORS of Polk

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts.

Also: That the Senate has on April 18, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 730, a bill for an act relating to the licensure of dietitians and nutritionists.

K. MARIE THAYER, Secretary

PROOF OF PUBLICATION
(House File 762)

Published copy of House File 762 and verified proof of publication of said bill in the Mount Ayr Record-News, a weekly newspaper printed and published in Mount Ayr, Ringgold County, Iowa, on April 11, 1985 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMUNICATION FROM SECRETARY OF STATE

April 16, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that House File 41 was published in the Marshalltown Times-Republican, Marshalltown, Iowa on April 5, 1985 and in The Malvern Leader, Malvern, Iowa on April 11, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, April 16, 1985. Had I been present, I would have voted "aye" on Senate Files 27, 103, 218, 224, 250, 296, 303, 318, 329, 355, 359, 376, 393, 398, 401, 423, 435, 445, 456, 463, 465, 467, 514 and 538.

LONERGAN of Boone

PRESENTATION OF VISITORS

Connolly of Dubuque presented to the House the four finalists in the American Legion National Oratorical Contest: Brian Domitrovic, Pittsburgh, Pennsylvania; Christopher Jordan, Smithfield, North Carolina; Gwen Connolly, Cedarburg, Wisconsin; and Anne-Marie Deitering, Aurora, Oregon. They will be competing at Drake University, Des Moines on April 19, 1985.

Harbor of Mills presented to the House Jeff Moe and Lloyd-Jones of Johnson presented Bart Casey. Jeff and Bart are freshmen members of the Iowa Hawkeyes Basketball Team.

Sturgeon of Woodbury presented to the House, Margo Chesebro, who has received the "Teacher of the Year" award. She teaches in Sioux City East High School, Sioux City.

The Speaker announced that the following visitors were present in the House chamber:

Sixty tenth grade students from Roland-Story High School, Story City, accompanied by Susan Amensen, Howard Larson and Kerry Van Winkle. By Lonergan of Boone.

Thirty fifth grade students from Colo Elementary School, Colo, accompanied by Liz Robinson. By Rosenberg of Story.

Eleven eighth grade students from Kanawha Christian School, Kanawha, accompanied by Mr. and Mrs. Marvin Sturing and Mr. and Mrs. Louis Smicht. By Stromer of Hancock.

Twenty Senior students from Central Webster School, Burnside, accompanied by Jim Ainslie. By Cochran of Webster.

Seven students from Anamosa High School, Anamosa, accompanied by Reverend Rohn Peterson. By McKean of Jones.

Thirty-two fifth grade students from Villisca Elementary School, Villisca, accompanied by Mrs. Guffey and Mrs. Jensen. By Daggett of Taylor.

Fifty fifth grade students from Hanawalt Elementary School, Des Moines, accompanied by Sue Renaud and Ms. Cronin. By Carpenter of Polk.

Thirty-four sixth grade students from Peterson Elementary and Myers Elementary Schools, Council Bluffs, accompanied by Linda Nelson, Jim Cunningham, Carolyn Fiala and Connie Gronstal. By Pavich of Pottawattamie.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 1985.

Committee Bill (Formerly House File 237), relating to budget reports and statements showing expenditures and receipts for a fiscal year and the condition of the treasury at the end of a fiscal year.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 17, 1985.

Committee Bill (Formerly House File 252), to establish an Iowa small and high risk business new jobs training program, authorizing an area school to levy a tax to provide matching funds, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 17, 1985.

Committee Bill, to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 1985.

COMMITTEE ON WAYS AND MEANS

Senate File 509, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 1985.

Committee Bill (Formerly Study Bill 174), relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 17, 1985.

House File 233, a bill for an act relating to pari-mutuel betting by providing that persons licensed to conduct dog races are eligible for the tax credit to assist in retiring the annual debt on the cost of construction of the licensed facility and providing that the state racing commission shall include a statement in its annual report describing the degree to which all segments of the Iowa economy and all geographic regions of the state have been served by the commission.

Fiscal Note is required.

Committee Action **Failed to Pass** April 17, 1985.

Committee Bill (Formerly Study Bill 398), relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 17, 1985.

AMENDMENTS FILED

H-3884	S.F.	524	Teaford of Black Hawk
H-3885	S.F.	110	Teaford of Black Hawk
H-3886	S.F.	524	Teaford of Black Hawk
H-3887	S.F.	91	Daggett of Taylor
H-3888	S.F.	406	Black of Jasper Cooper of Lucas
H-3890	H.F.	484	Senate Amendment
H-3891	H.F.	462	Senate Amendment
H-3892	H.F.	549	Senate Amendment
H-3893	H.F.	556	Senate Amendment
H-3894	H.F.	631	Senate Amendment
H-3896	H.F.	398	Senate Amendment
H-3897	H.F.	66	Senate Amendment
H-3898	H.F.	688	Senate Amendment
H-3899	S.F.	364	Hummel of Benton Schneklath of Scott

H-3901	S.F.	366	Spear of Lee
H-3902	S.F.	461	Welden of Hardin
H-3903	H.F.	730	Senate Amendment
H-3904	S.F.	264	Osterberg of Linn
			Johnson of Winneshiek
			Mullins of Kossuth
			McKean of Jones
			Black of Jasper
H-3905	S.F.	309	Peick of Linn
H-3906	S.F.	309	Peick of Linn
H-3907	S.F.	364	Carpenter of Polk
H-3908	S.F.	110	Lloyd-Jones of Johnson
			Blanshan of Greene
			Siegrist of Pottawattamie
H-3909	S.F.	364	Varn of Johnson
			Groth of Buena Vista

On motion by Norland of Worth, the House adjourned at 5:41 p.m., until 9:00 a.m., Friday, April 19, 1985.

JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day—Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 19, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend David Franker, pastor of the Trinity Evangelical Lutheran Church, Tipton.

The Journal of Thursday, April 18, 1985 was approved.

INTRODUCTION OF BILLS

House File 764, by committee on ways and means, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

Read first time and placed on the **ways and means calendar**.

House File 765, by committee on appropriations, a bill for an act relating to budget reports and statements showing expenditures and receipts for a fiscal year and the condition of the treasury at the end of a fiscal year.

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

House File 766, by committee on appropriations, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 210, a bill for an act relating to the weighting per pupil for shared programs of school districts.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 255, a bill for an act relating to the election of hospital trustees.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 341, a bill for an act requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two-family residential construction.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 366, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 453, a bill for an act relating to the hunter safety course requirements in applying for a hunting license.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 460, a bill for an act relating to the investment of the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small businesses operating in this state.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 526, a bill for an act relating to interpreters for certain hearing impaired persons.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 531, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and making penalties applicable.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 569, a bill for an act relating to the administration of special land use districts.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 626, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 670, a bill for an act relating to the termination of a county library district.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 677, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 682, a bill for an act relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 692, a bill for an act relating to the Iowa dairy industry commission.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 703, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 709, a bill for an act relating to the hazardous chemicals interagency coordinating council.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 711, a bill for an act relating to the application for registration and titling of vehicles and providing penalties.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 726, a bill for an act relating to joint exercise of powers to finance hydro-electric power facilities.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 728, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 741, a bill for an act relating to custom livestock feeders.

Also: That the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 750, a bill for an act imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program and subjecting violators to a penalty.

Also: That the Senate has on April 17, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 751, a bill for an act relating to restitution by a child for attorneys' fees.

K. MARIE THAYER, Secretary

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

April 18, 1985

The Honorable Donald D. Avenson
Speaker of the House
State Capitol Building
L O C A L

Dear Speaker Avenson:

I hereby transmit House File 225, an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for set-asides in state procurement contracts for small minority businesses; providing for the reorganization of state economic development programs and activities with the Iowa Development Commission acting as the interim coordinating agency for economic development until the new Department of Economic Development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa Development Commission and the General Assembly on

economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa World Trade Center selection advisory committee to accept proposals from private groups on the construction of the Iowa World Trade Center, to select from those proposals one proposal under which the state will purchase space in the Iowa World Trade Center, and to become part of the nonprofit corporation formed to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a forgivable loan program for loans to students who remain residents of Iowa and are employed as a teacher under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

House File 225 is approved April 18, 1985, with the following exception which I hereby disapprove.

I am unable to approve Division IV, Section 401, Section 402, a portion of Section 403 beginning on line 5, which I have designated on the bill, Section 404, Section 405, Section 406, Section 407, Section 408, and Section 409.

Division IV of House File 225 requires the Governor to submit to the General Assembly a proposal for the reorganization and coordination of all state economic development programs. I recognize the need to provide a better focus and coordination of our economic development effort in the state and I am hereby approving that portion of this Division which requires the development of a reorganization plan.

However, I believe that the Executive Branch should be given maximum flexibility in the development of such a plan. The above designated portions of Division IV which are item vetoed detail the areas to be included in an economic development reorganization plan and prescribe the process to be used in the development of this plan.

I believe the legislature has an appropriate role to provide advice to the Governor on the reorganization of the Executive Branch and to approve any statutory changes that may be required. However, I believe that the chief executive should be given the flexibility to develop a plan that best suits the needs of the state. I plan to do just that and to submit that plan to the legislature on December 1 of this year, as required in House File 225.

In addition, this action will give this office the opportunity to review studies that are now being conducted on the organization of economic development efforts in the state. In fact, the Legislative Council has commissioned such a study by Garfield Swartz Associates, Inc. and I plan to review carefully the results of that study as I develop a plan.

The other disapproved portions of Division IV of House File 225 establish an advisory committee on economic development in Iowa. Several sections delineate the make-up of the advisory committee and the specific responsibilities of that committee.

After discussions with the legislative leaders, it is apparent that this advisory committee was designed to act as the Iowa Partnership for Economic Progress which I announced in my State of the State Message.

Over the past several months I have been developing this Partnership, consistent with the recommendations made by the Committee on Iowa's Future Growth. I plan to appoint such a Partnership in the near future and charge that group with developing a long-term strategy for Iowa's economic development. Since the organization of the Iowa Partnership is nearly complete, it is unnecessary for the legislature to statutorily create such a committee.

While I generally plan to follow the suggestions of the General Assembly on the composition of the Partnership Committee, I believe that the Executive Branch should have greater flexibility in the appointment and the direction of this committee. The Partnership Committee must forge a broad based consensus among those interested in economic development in Iowa and provide the framework in which we can analyze and implement needed economic development initiatives. The Partnership Committee I will soon appoint will do just that.

In short, I agree with the legislature's desire to provide better focus and reorganization to economic development efforts in the state. I plan to develop a reorganization plan which will accomplish those objectives and submit that plan to the General Assembly. I believe that the Executive Branch requires maximum flexibility to the development of that plan.

I also believe that this office requires flexibility in appointing and directing the Iowa Partnership for Economic Progress in order to develop a consensus and a strategy for economic development issues in the state of Iowa.

For the above reasons, I respectfully disapprove of these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 225 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

SENATE FILE 364 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 364 be temporarily deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jay of Appanoose on request of Rosenberg of Story; Brammer of Linn and Connolly of Dubuque, on request of Norland of Worth, all until their arrival; Branstad of Winnebago on request of Stromer of Hancock.

MOTION TO OVERRIDE GOVERNOR'S ITEM VETO

Groninga of Cerro Gordo called up for consideration **House File 225**, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for set-asides in state procurement contracts for small minority businesses; providing for the reorganization of state economic development programs and activities with the Iowa Development Commission acting as the interim coordinating agency for economic development until the new Department of Economic Development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa Development Commission and the General Assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa World Trade Center selection advisory committee to accept proposals from private groups on the construction of the Iowa World Trade Center, to select from those proposals one proposal under which the state will purchase space in the Iowa World Trade Center, and to become part of the nonprofit corporation formed to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a forgivable loan program for loans to students who remain residents of Iowa and are employed as a teacher under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, item vetoed by the Governor on April 18, 1985.

The House stood at ease at 9:20 a.m., until the fall of the gavel.

The House resumed session and consideration of the Governor's item veto on House File 225 at 10:18 a.m., Speaker Avenson in the chair.

Groninga of Cerro Gordo moved that the House on reconsideration agree to pass House File 225, the objections (to Division IV, Sections 401 and 402; a portion of Section 403 beginning on line 5; Sections 404, 405, 406, 407, 408 and 409) of the Governor to the contrary notwithstanding.

Rule 75 was invoked.

On the question "Shall the House on reconsideration pass the bill, the objections of the Governor to the contrary notwithstanding?" (H.F. 225)

The ayes were, 56:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Chapman	Cochran	Connors	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Hatch	Haverland	Holveck	Hughes
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lonergan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 37:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Djemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hester	Hummel	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Swearingen	Van Camp	Van Maanen
Welden			

Absent or not voting, 7:

Brammer	Branstad	Connolly	Hermann
Jay	Sullivan	Torrence	

The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's item veto was sustained.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 290, a bill for an act relating to the sale of antique motor vehicles (deferred April 15, 1985), with report of committee recommending passage was taken up for consideration.

Carpenter of Polk offered the following amendment H-3819 filed by her:

H-3819

- 1 Amend Senate File 290 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 2, by striking the word
- 4 "paragraph" and inserting the following:
- 5 "paragraphs".
- 6 2. Page 1, by inserting after line 7 the
- 7 following:
- 8 "NEW UNNUMBERED PARAGRAPH. All motor vehicles
- 9 registered under this section are exempt from the
- 10 requirements of section 321.445."
- 11 3. Title page, line 1, by striking the words "the
- 12 sale of".

Fey of Scott rose on a point of order that amendment H-3819 was not germane.

The Speaker ruled the point well taken and amendment H-3819 not germane.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-3775 filed by Shoultz, et al., on April 12, 1985, placing out of order the following amendments to amendment H-3775:

- H-3777 filed by Peterson of Carroll on April 15, 1985.
- H-3801 filed by Muhlbauer, et al., on April 16, 1985.

Fey of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 290)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga

Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Brammer	Branstad	Connolly	Hermann
Jay	Sullivan	Torrence	

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

Senate File 383, a bill for an act relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers, with report of committee recommending amendment and passage was taken up for consideration.

Connors of Polk in the chair at 10:43 a.m.

Norland of Worth asked and received unanimous consent that Senate File 383 be deferred and placed on the unfinished business calendar.

Senate File 497, a bill for an act prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums, with report of committee recommending passage was taken up for consideration.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 497)

The ayes were, 85:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Cooper	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hester	Holveck	Hughes	Hummel
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Teaford	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, 4:

Corey	Haverland	Miller	Parker
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Absent or not voting, 11:

Brammer	Branstad	Connolly	Herrmann
Jay	Jochum	Paulin	Spear
Sullivan	Torrence	Welden	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sullivan of Van Buren on request of Rosenberg of Story.

The House resumed consideration of **Senate File 364**, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board (temporarily deferred).

Daggett of Taylor offered the following amendment H—3834 filed by Handorf of Marshall:

H—3834

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 18, by striking the words
- 4 "training and education benefits;"

Handorf of Marshall moved the adoption of amendment H—3834.

Amendment H—3834 lost.

Bennett of Ida asked and received unanimous consent to temporarily defer action on amendment H—3824.

Daggett of Taylor offered the following amendment H—3863 filed by him and moved its adoption:

H—3863

- 1 Amend Senate File 364 as amended, passed, and re-
- 2 printed by the Senate as follows:
- 3 1. Page 3, lines 18 and 19, by striking the words
- 4 "evaluation procedures and remediation;"

A non-record roll call was requested.

The ayes were 38, nays 43.

Amendment H—3863 lost.

Metcalf of Polk offered the following amendment H—3832 filed by her and moved its adoption:

H—3832

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 19, by striking the words
- 4 "promotion procedures;"

Roll call was requested by Bennett of Ida and Halvorson of Clayton.

Rule 75 was invoked.

On the question "Shall amendment H—3832 be adopted?"

The ayes were, 39:

Bennett	Black	Carpenter	Carter
Clark	Cochran	Corey	Daggett
De Groot	Doderer	Fogarty	Grandia
Halvorson, R. A.	Handorf	Hanson	Hester
Hummel	Kremer	Lageschulte	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schneklath	Shoning
Skow	Stromer	Stueland	Swearingen
Van Camp	Van Maanen	Welden	

The nays were, 51:

Arnould	Avenson	Baxter	Beatty
Blanshan	Buhr	Carl	Chapman
Cooper	Fey	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonerган	McIntee	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Spear
Sturgeon	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

Absent or not voting, 10:

Brammer	Branstad	Connolly	Diemer
Harbor	Hermann	Jay	Sullivan
Swartz	Torrence		

Amendment H—3832 lost.

Carpenter of Polk offered the following amendment H—3825 filed by her:

H—3825

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 19 and 20, by striking the words
- 4 "procedures and criteria for staff reduction and
- 5 recall;".

Carpenter of Polk asked and received unanimous consent to withdraw amendment H—3870, to amendment H—3825, filed by her on April 17, 1985.

Carpenter of Polk moved the adoption of amendment H—3825.

A non-record roll call was requested.

The ayes were 33, nays 43.

Amendment H—3825 lost.

Speaker Avenson in the chair at 11:58 a.m.

Schneklath of Scott offered the following amendment H—3822 filed by him and moved its adoption:

H—3822

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 20 and 21, by striking the words
- 4 "discipline and discharge;".

A non-record roll call was requested.

The ayes were 31, nays 47.

Amendment H—3822 lost.

(Senate File 364 pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:00 noon, until 12:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-five members present, thirty-five absent.

SENATE FILE 364 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 364 be temporarily deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS Regular Calendar

Senate File 110, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties. (deferred April 17, 1985) with report of committee recommending passage was taken up for consideration.

Norland of Worth asked for unanimous consent that Senate File 110 be deferred and placed on the unfinished business calendar.

Objection was raised.

Lloyd-Jones of Johnson offered the following amendment H-3908 filed by Lloyd-Jones, et al.:

H-3908

1 Amend Senate File 110 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 15 and 16 and
4 inserting the following: "state-chartered bank,
5 savings and loan, thrift institution, any other
6 institution, or affiliate of the foregoing permitted
7 by state or federal law to".

8 2. Page 1, by inserting after line 19 the
9 following:

10 "_____. "Affiliate" means any entity controlling,
11 controlled by or under common control with a financial
12 institution."

13 3. Page 2, by striking line 2 and inserting the
14 following: "warehousing or other operations within
15 the Republic of South Africa, except that it shall not
16 mean any company which has adopted the Sullivan
17 principles and has obtained a performance rating in
18 the top two categories of the Sullivan principles
19 rating system prepared by Arthur D. Little, Inc., or
20 is in categories four or five of the rating system."

21 4. Page 2, by striking lines 4 through 6 and
22 inserting the following: "means directly or
23 indirectly supplying strategic products or services
24 for use by the government of South Africa or for use
25 by the military or police in South Africa. This
26 includes, but is not limited to, transactions carried
27 out through intermediary corporations."

28 5. Page 2, by striking lines 14 through 32 and
29 inserting the following:

30 "1. The treasurer of state shall not invest or
31 deposit funds belonging to the state of Iowa in a
32 financial institution which has made a loan, after the
33 effective date of this Act, to the Republic of South
34 Africa, or in the stocks, securities, or other
35 obligations of such a financial institution or of any
36 company doing business in or with the Republic of
37 South Africa.

38 2. The state board of regents shall not invest or
39 deposit funds belonging to the institutions under the
40 control of the state board of regents in a financial
41 institution which has made a loan, after the effective
42 date of this Act, to the Republic of South Africa, or
43 in the stocks, securities, or other obligations of
44 such a financial institution or of any company doing
45 business in or with the Republic of South Africa.

46 3. The Iowa department of job service shall not
47 invest or deposit funds from the Iowa public
48 employment retirement fund in a financial institution
49 which has made a loan, after the effective date of
50 this Act, to the Republic of South Africa, or in the

Page 2

1 stocks, securities or other obligations of such a
2 financial institution or of any company doing business
3 in or with the Republic of South Africa."

4 6. Page 2, line 33, by striking the word "either"
5 and inserting the following: "any".

6 7. Page 3, by inserting after line 4 the
7 following:

8 "c. The deposit of funds with a paying agent for
9 bonds of the state board of regents issued prior to
10 January 1, 1985."

11 8. Page 3, by striking lines 14 through 23 and
12 inserting the following:

13 "1. The treasurer of state, the state board of
14 regents, and the department of job service shall make
15 no additional investments of the type prohibited under
16 section 12A.3 subsequent to June 30, 1985. The sale
17 of securities and investments held by the treasurer of
18 state, the state board of regents, and the department
19 of job service on the effective date of this Act that
20 are prohibited under section 12A.3 shall be completed
21 by July 1, 1990, unless prior thereto the general
22 assembly determines that substantial and fundamental
23 progress in establishing human rights policies in the
24 Republic of South Africa has occurred. Subject to any
25 such action of the general assembly not less than one
26 fifth of the value of the investments held on July 1,
27 1985 shall be sold in the year beginning July 1,
28 1988."

29 9. Page 4, by striking lines 4 through 9.

30 10. Page 4, by striking lines 11 through 20 and
31 inserting the following:

32 "1. The treasurer of state shall maintain a list
33 of companies that do business in or with the Republic
34 of South Africa. The list shall be developed with
35 reference to information obtained from the United
36 States department of commerce and Arthur D. Little,
37 Inc. and other authoritative sources. The treasurer
38 shall mail written notification to each company on the
39 divestiture list."

Stromer of Hancock offered the following amendment H-3911,
to amendment H-3908, filed by him from the floor:

H-3911

1 Amend amendment H-3908 to Senate File 110 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, line 17, by adding after the word
5 "and" the words ", during three of the preceding
6 five years".

Norland of Worth asked and received unanimous consent that Senate File 110 be deferred and placed on the unfinished business calendar.

(Amendment H—3911, to amendment H—3908, to Senate File 110 pending.)

SPECIAL PRESENTATION

Connolly of Dubuque presented to the House his niece, Gwen Connolly, who is the national champion of the American Legion National Oratorical Contest. Gwen, who is from Cedarburg, Wisconsin won a \$16,000 scholarship. She was accompanied by her parents and grandparents.

The House rose and expressed its congratulations.

Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 406 be deferred and placed on the unfinished business calendar.

The House stood at ease at 1:29 p.m., until the fall of the gavel.

The House resumed session at 2:32 p.m., Speaker Avenson in the chair.

Senate File 540, a bill for an act relating to the financing of political campaigns and the reporting of that financing, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked for unanimous consent that Senate File 540 be deferred and placed on the unfinished business calendar.

The House stood at ease at 2:35 p.m., until the fall of the gavel.

The House resumed session and consideration of the request for deferral of Senate File 540 at 3:23 p.m., Speaker Avenson in the chair.

There being no objection, Senate File 540 was deferred and placed on the unfinished business calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Koenigs of Mitchell and Muhlbauer of Crawford, on request of Skow of Guthrie; Daggett of Taylor on request of Bennett of Ida; McKean of Jones on request of Shoning of Woodbury, all for the remainder of the day.

Senate File 459, a bill for an act relating to real property which is subject to foreclosure, with report of committee recommending passage was taken up for consideration.

McIntee of Black Hawk offered the following amendment H-3688 filed by him:

H-3688

- 1 Amend Senate File 459, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 654.14, Code 1985, is amended
- 6 to read as follows:
- 7 654.14 PREFERENCE IN RECEIVERSHIP - APPLICATION
- 8 OF RENTS.
- 9 In any action to foreclose a real estate mortgage,
- 10 a receiver may be appointed at any time while the
- 11 foreclosure action is pending, at the time a judgment
- 12 is rendered, or during the redemption period. where
- 13 Where a receiver is appointed to take charge of the
- 14 real estate, the receiver shall be entitled to
- 15 possession of the real estate notwithstanding the
- 16 provisions of section 628.3, but preference shall be
- 17 given to the owner in actual possession, subject to
- 18 approval of the court, in leasing the mortgaged
- 19 premises. The rents, profits, avails and/or and
- 20 income derived from said the real estate shall be
- 21 applied as follows:
- 22 1. To the cost of receivership.
- 23 2. To the payment of taxes due or becoming due
- 24 during said the receivership.
- 25 3. To pay the insurance on buildings on the
- 26 premises and/or such and other benefits to the real
- 27 estate as may be ordered by the court.
- 28 4. The balance shall be paid and distributed as
- 29 determined by the court."

Cochran of Webster rose on a point of order that amendment H-3688 was not germane.

The Speaker ruled the point well taken and amendment H-3688 not germane.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 459)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	Metcalf
Miller	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Van Camp	Van Maanen	Varn
Weiden	Woods	Zimmerman	

The nays were, none.

Absent or not voting, 13:

Branstad	Connolly	Daggett	Hermann
Jay	Koenigs	McKean	Muhlbauer
Oxley	Pony	Sullivan	Torrence
Mr. Speaker			

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

Senate File 81, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 81 be deferred and placed on the unfinished business calendar.

Senate File 461, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked for unanimous consent that Senate File 461 be deferred and placed on the unfinished business calendar.

Objection was raised.

Norland of Worth moved that Senate File 461 be deferred and placed on the unfinished business calendar.

A non-record roll call was requested.

The ayes were 51, nays 34.

The motion prevailed.

Norland of Worth asked for unanimous consent that Senate File 364 be called up for consideration, deferred and placed on the unfinished business calendar.

Objection was raised.

Norland of Worth moved that Senate File 364 be deferred and placed on the unfinished business calendar.

A non-record roll call was requested.

The ayes were 52, nays 31.

The motion prevailed.

SENATE FILE 530 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 530 be deferred and that the bill retain its place on the calendar.

Senate File 91, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked for unanimous consent that Senate File 91 be deferred and placed on the unfinished business calendar.

Objection was raised.

Norland of Worth moved that Senate File 91 be deferred and placed on the unfinished business calendar.

A non-record roll call was requested.

The ayes were 47, nays 25.

The motion prevailed.

Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 309 be deferred and placed on the unfinished business calendar.

Senate File 254, a bill for an act relating to administrative endorsements and certificates issued by the board of educational

examiners, with report of committee recommending passage was taken up for consideration.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 254)

The ayes were, 86:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	Metcalf	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Weiden
Zimmerman	Mr. Speaker		

The nays were, 1:

Grandia

Absent or not voting, 13:

Branstad	Connolly	Daggett	Hermann
Jay	Koenigs	McKean	Muhlbauer
Oxley	Poncy	Sullivan	Torrence
Woods			

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

SENATE FILE 257 DEFERRED

Groth of Buena Vista asked and received unanimous consent that Senate File 257 be deferred and that the bill retain its place on the calendar.

Senate File 361, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 361 be deferred and placed on the unfinished business calendar.

Senate File 366, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 366 be deferred and placed on the unfinished business calendar.

Senate File 515, a bill for an act relating to the election to become a senior judge, with report of committee recommending amendment and passage was taken up for consideration.

McIntee of Black Hawk offered the following amendment H-3749 filed by the committee on judiciary and law enforcement and moved its adoption:

H-3749

- 1 Amend Senate File 515 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking page 1, line 9 through page 3,
- 4 line 27 and inserting the following: "retirement."
- 5 2. Page 3, by inserting after line 27 the
- 6 following:
- 7 "Sec. 2. Section 602.9203, subsection 2, Code
- 8 1985, is amended by adding the following new lettered
- 9 paragraph:

10 NEW LETTERED PARAGRAPH. e. Submits evidence to
 11 the satisfaction of the supreme court that since the
 12 date of retirement the judicial officer has not
 13 engaged in the practice of law."

The committee amendment H—3749 was adopted.

McIntee of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 515)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Metcalf	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Branstad	Daggett	Hermann	Jay
Koenigs	McKean	Muhlbauer	Oxley
Poncy	Sullivan	Torrence	

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

Senate File 549, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in certain types of venture capital funds and the earnings on the proceeds prior to investment to be used as prizes, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 549 be deferred and placed on the unfinished business calendar.

Senate File 35, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards, with report of committee recommending amendment and passage was taken up for consideration.

Norland of Worth asked for unanimous consent that Senate File 35 be deferred and placed on the unfinished business calendar.

Objection was raised.

Norland of Worth moved that Senate File 35 be deferred and placed on the unfinished business calendar.

A non-record roll call was requested.

The ayes were 44, nays 18.

The motion prevailed.

MOTION TO RECONSIDER
(Senate File 459)

I move to reconsider the vote by which Senate File 459 passed the House on April 19, 1985.

COCHRAN of Webster

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 18, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 395, an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting and providing refunds until the exemption begins of the sale or lease of certain farm machinery and equipment, including certain replacement parts, and certain industrial machinery, equipment and computers, including certain replacement parts, from the state sales, services and use tax, providing for setting aside of revenues to pay such refunds and not including certain increases in revenues in computing the state percent of growth for purposes of chapter 442, amending the state sales, services and use tax to impose the tax on the rendering or furnishing of additional services, and on sales of certain tangible personal property, to alter certain definitions, and to provide exemptions and limit others, increasing the tax on tobacco products and on cigarettes and little cigars, imposing an inventory tax on cigarettes and little cigars, unused tax stamps and metered imprints and granting one-time credit purchase on cigarette tax stamps, providing for the phase out and repeal of all property taxes on personal property, and providing penalties, appropriations and effective dates, making permanent the exemption from property taxation of certain pollution control property, providing for the special valuation of certain machinery, equipment and computers acquired after a certain date and limiting the applicability of the present special valuation to that property acquired before a certain date, amending the lottery law to provide for fifty percent of the projected annual revenue from the sales of lottery tickets or shares to be used for payment of prizes, and imposing the state sales, services and use tax on the sales of lottery tickets and shares, eliminating the prohibition on the manufacture of electronic and computerized gambling devices, providing a new jobs tax credit for computing the individual and corporate tax liabilities of certain businesses that create new jobs within the state, providing that for purposes of property taxation the term "computer" does not include point of sales equipment and providing penalties and appropriations.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Monday, April 15, 1985. Had I been present, I would have voted "aye" on Senate Files 63, 121, 154, 230, 244, 306, 315, 317, 328, 377, 387, 407, 466, 480, 490, 511 and 525.

McINTEE of Black Hawk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Ninety fifth grade students from Crossroads Park Elementary School, West Des Moines, accompanied by Ms. Oggero and Ms. Vukovich. By Carpenter of Polk.

Fifty eighth grade students from Prairie Junior-Senior High School, Gowrie, accompanied by Darrell Ziemer and eight chaperones. By Cochran of Webster.

SUBCOMMITTEE ASSIGNMENTS

House File 507

Appropriations: Swartz, Chair; Halvorson of Clayton, Harbor, Jochum and Muhlbauer.

House File 708

Ways and Means: Groninga, Chair; Bennett and Carpenter.

House File 718

Ways and Means: Groninga, Chair; Parker and Siegrist.

House File 731

Ways and Means: Brammer, Chair; Carpenter and Cochran.

House File 756

Ways and Means: Connolly, Chair; Oxley and Siegrist.

House File 762

Judiciary and Law Enforcement: Siegrist, Chair; Kremer and Peterson.

House Concurrent Resolution 30

Appropriations: Varn, Chair; Lloyd-Jones and Maulsby.

Senate File 308

Ways and Means: Parker, Chair; Groninga and Renken.

Senate File 409

Appropriations: Halvorson of Webster, Chair; Maulsby and Swartz.

Senate File 473

Appropriations: Lloyd-Jones, Chair; Halvorson of Webster and Mullins.

Senate File 509

Ways and Means: Brammer, Chair; Miller and Oxley.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 394

Ways and Means: Tabor, Chair; Connolly and Rosenberg.

Study Bill 395

Ways and Means: Hanson, Chair; Brammer and Renken.

Study Bill 397

Ways and Means: Groth, Chair; Daggett and Oxley.

Study Bill 399

Ways and Means: Tabor, Chair; Osterberg and Schnekloth.

RESOLUTIONS FILED

HCR 33, by Woods, Pavich, Renaud, Peick, Tabor and Running, a concurrent resolution relating to gubernatorial bill-signing ceremonies.

Laid over under **Rule 25**.

HCR 34, by Harbor, a concurrent resolution concerning the sale of Consolidated Rail Corporation (Conrail).

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3910	S.F.	364	Sherzan of Polk
H-3912	S.F.	110	Stromer of Hancock
H-3913	H.F.	255	Senate Amendment
H-3914	H.F.	210	Senate Amendment
H-3915	H.F.	460	Senate Amendment
H-3916	H.F.	531	Senate Amendment
H-3917	H.F.	750	Senate Amendment
H-3918	H.F.	677	Senate Amendment
H-3919	H.F.	626	Senate Amendment
H-3920	H.F.	747	Paulin of Plymouth
H-3921	S.F.	406	Welden of Hardin
H-3922	H.F.	484	Chapman of Linn
H-3923	S.F.	475	Swartz of Marshall

H-3924	H.F.	747	Zimmerman of Dallas
H-3925	S.F.	364	Zimmerman of Dallas
H-3926	H.F.	760	Fey of Scott
			Groninga of Cerro Gordo
			De Groot of Lyon
			Holveck of Polk
			Connolly of Dubuque
H-3927	S.F.	110	Teaford of Black Hawk
H-3928	S.F.	383	Swartz of Marshall
H-3929	S.F.	264	Johnson of Winneshiek
			Osterberg of Linn
H-3930	H.F.	642	Jochum of Dubuque

On motion by Norland of Worth, the House adjourned at 3:47 p.m., until 10:00 a.m., Monday, April 22, 1985.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day — Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday April 22, 1985.

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Ernest Engler, pastor of St. Patrick's Catholic Church, Tama-Toledo.

The Journal of Friday, April 19, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Bryan Taylor, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Stueland of Clinton, until his arrival, on request of Maulsby of Calhoun; Van Camp of Scott, until his arrival, on request of Stromer of Hancock; Jay of Appanoose, until his arrival, on request of Rosenberg of Story and Lageschulte of Bremer, until his arrival, on request of Handorf of Marshall.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty.

Also: That the Senate has on April 18, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 164, a bill for an act relating to the payment of commissions to commission salespersons and providing a penalty.

Also: That the Senate has on April 19, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Also: That the Senate has on April 19, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

Also: That the Senate has on April 18, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 639, a bill for an act relating to the presence and removal of asbestos in public school buildings.

Also: That the Senate has on April 18, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 702, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable.

Also: That the Senate has on April 18, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 729, a bill for an act relating to certain tax levies of political subdivisions and area schools.

Also: That the Senate has on April 18, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 748, a bill for an act relating to the financial requirements of grain dealers.

Also: That the Senate has on April 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Also: That the Senate has on April 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Also: That the Senate has on April 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation.

K. MARIE THAYER, Secretary

SENATE FILE 424 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 424 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 524**, a bill for an act creating a residential care licensing classification for the mentally ill, deferred on April 17, 1985.

Teaford of Black Hawk asked and received unanimous consent to defer action on amendment H—3884.

Teaford of Black Hawk asked and received unanimous consent to reconsider the vote by which amendment H—3818A (found on page 1653 of the House Journal) was adopted by the House on April 17, 1985, and amendment H—3818A was taken up for consideration.

Teaford of Black Hawk asked and received unanimous consent to withdraw amendment H—3886, to amendment H—3818A, filed by her on April 18, 1985.

Teaford of Black Hawk asked and received unanimous consent to withdraw amendment H—3818A.

Teaford of Black Hawk offered the following amendment H—3884 filed by her and moved its adoption:

H-3884

1 Amend Senate File 524, as passed by the Senate, as
2 follows:

3 1. Page 1, line 28, by inserting after the words
4 "the mentally ill," the following: "advocacy groups
5 for the brain injured,".

6 2. Page 1, line 35, by inserting after the word
7 "ill." the following: "The advisory committee shall
8 also consider whether a need exists for a special
9 classification within the residential care facility
10 category for brain injured individuals."

Amendment H-3884 was adopted.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 524)

The ayes were, 86:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Clark
Cochran	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Kremer	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schnekloth
Sherzan	Shoning	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Torrence
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Carter

Chapman

Connolly

Hermann

Jay
Platt
Tabor

Koenigs
Royer
Van Camp

Lageschulte
Shoultz

Maulsby
Stueland

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

On motion by Norland of Worth, the House was recessed at 10:36 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 11, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 183, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

K. MARIE THAYER, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-nine members present, twenty-one absent.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order for immediate consideration the following bills: Senate Files 271 and 475 and House Files 547 and 747.

The House stood at ease at 1:42 p.m., until the fall of the gavel.

The House resumed session at 3:30 p.m., Speaker Avenson in the chair.

SENATE MESSAGES CONSIDERED

Senate File 434, by committee on appropriations, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

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

Senate File 552, by committee on appropriations, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

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

Senate File 562, by committee on appropriations, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation.

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

CONSIDERATION OF BILLS
Unfinished Business Calendar

The House resumed consideration of **Senate File 271**, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty, and amendment H-3365 (found on page 1513 of the House Journal) deferred and placed on the unfinished business calendar on April 12, 1985.

Groninga of Cerro Gordo moved the adoption of amendment H-3365.

Amendment H-3365 lost.

Tabor of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 271)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 5:

Clark	Groninga	Hammond	Knapp
Sturgeon			

Absent or not voting, 3:

Hermann	Stueland	Van Camp
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of **Senate File 475**, a bill for an act relating to corporate takeovers and providing penalties, deferred and placed on the unfinished business calendar on April 16, 1985.

Swartz of Marshall asked and received unanimous consent to temporarily defer action on the committee amendment H—3769.

Swartz of Marshall offered the following amendment H—3923 filed by him and moved its adoption:

H-3923

1 Amend Senate File 475 as passed by the Senate as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 502.102, subsection 11, Code
6 1985, is amended to read as follows:

7 11. "Securities Act of 1933", "Securities Exchange
8 Act of 1934", "Public Utility Holding Company Act of
9 1935", "Investment Company Act of 1940", "Internal
10 Revenue Code of 1954" and "Agricultural Marketing Act"
11 mean the federal statutes of those names, as amended
12 before January 1, 1976.

13 Sec. 2. Section 502.102, subsections 14, 15, 16
14 and 17, Code 1985, are amended by striking the
15 subsections and inserting the following:

16 14. For the purposes of sections 502.211 through
17 502.218, unless the context otherwise requires:

18 a. "Associate" means a person acting jointly or in
19 concert with another for the purpose of acquiring,
20 holding or disposing of, or exercising any voting
21 rights attached to the equity securities of a target
22 company.

23 b. "Equity security" means any stock or similar
24 security, and includes the following:

25 (1) Any security convertible, with or without
26 consideration, into a stock or similar security.

27 (2) Any warrant or right to subscribe to or
28 purchase a stock of similar security.

29 (3) Any security carrying a warrant or right to
30 subscribe to or purchase a stock or similar security.

31 (4) Any other security which the administrator
32 deems to be of a similar nature and considers
33 necessary or appropriate, according to rules
34 prescribed by the administrator for the public
35 interest and protection of investors, to be treated as
36 an equity security.

37 c. "Offeror" means a person who makes or in any
38 manner participates in making a takeover offer. It
39 does not include a supervised financial institution or
40 broker-dealer loaning funds to an offeror in the
41 ordinary course of its business, or any supervised
42 financial institution, broker-dealer, attorney,
43 accountant, consultant, employee, or other person
44 furnishing information or advice to or performing
45 ministerial duties for an offeror, and who does not
46 otherwise participate in the takeover offer.

47 d. "Offeree" means the beneficial owner, who is a
48 resident of this state, of equity securities which an
49 offeror offers to acquire in connection with a
50 takeover offer.

Page 2

1 e. "Takeover offer":

2 (1) Means the offer to acquire any equity
3 securities of a target company from a resident of this
4 state pursuant to a tender offer or request or
5 invitation for tenders, if after the acquisition of
6 all securities acquired pursuant to the offer either
7 of the following are true:

8 (a) The offeror would be directly or indirectly a
9 beneficial owner of more than ten percent of any class
10 of the outstanding equity securities of the target
11 company.

12 (b) The beneficial ownership by the offeror of any
13 class of the outstanding equity securities of the
14 target company would be increased by more than five
15 percent. However, this provision does not apply if
16 after the acquisition of all securities acquired
17 pursuant to the offer, the offeror would not be
18 directly or indirectly a beneficial owner of more than
19 ten percent of any class of the outstanding equity
20 securities of the target company.

21 (2) Does not include the following:

22 (a) An offer in connection with the acquisition of
23 a security which, together with all other acquisitions
24 by the offeror of securities of the same class of
25 equity securities of the target company, would not
26 result in the offeror having acquired more than two
27 percent of this class of securities during the
28 preceding twelve-month period.

29 (b) An offer by the target company to acquire its
30 own equity securities if such offer is subject to
31 section 13(e) of the Securities Exchange Act of 1934.

32 (c) An offer in which the target company is an
33 insurance company or insurance holding company subject
34 to regulation by the commissioner of insurance, a
35 financial institution subject to regulation by the
36 state superintendent of banking or the state auditor,
37 or a public utility subject to regulation by the
38 commerce commission.

39 f. "Target company" means an issuer of publicly-
40 traded equity securities which has at least twenty
41 percent of its equity securities beneficially held by
42 residents of this state and has substantial assets in
43 this state. For the purposes of this chapter, an
44 equity security is publicly traded if a trading market
45 exists for the security. A trading market exists if
46 the security is traded on a national securities
47 exchange, whether or not registered pursuant to the
48 Securities Exchange Act of 1934, or on the over-the-
49 counter market.

50 g. "Beneficial owner" includes, but is not limited

Page 3

1 to, any person who directly or indirectly, through any
2 contract, arrangement, understanding, or relationship,
3 has or shares the power to vote or direct the voting
4 of a security or has or shares the power to dispose of
5 or otherwise direct the disposition of the security.
6 A person is the beneficial owner of securities
7 beneficially owned by any relative or spouse or
8 relative of the spouse residing in the home of the
9 person, any trust or estate in which the person owns
10 ten percent or more of the total beneficial interest
11 or serves as trustee or executor, any corporation or
12 entity in which the person owns ten percent or more of
13 the equity, and any affiliate or associate of the
14 person.

15 h. "Beneficial ownership" includes, but is not
16 limited to, the right, exercisable within sixty days,
17 to acquire securities through the exercise of options,
18 warrants, or rights or the conversion of convertible
19 securities. The securities subject to these options,
20 warrants, rights, or conversion privileges held by a
21 person are outstanding for the purpose of computing
22 the percentage of outstanding securities of the class
23 owned by the person, but are not outstanding for the
24 purpose of computing the percentage of the class owned
25 by any other person.

26 15. "Interest at the legal rate" means the
27 interest rate for judgments, specified in section
28 535.3.

29 Sec. 3. Section 502.211, Code 1985, is amended by
30 striking the section and inserting the following:

31 **502.211 REGISTRATION REQUIREMENT.**

32 1. It is unlawful for a person to make a takeover
33 offer or to acquire any equity securities pursuant to
34 the offer unless the offer is valid under sections
35 502.211 through 502.218. A takeover offer is
36 effective when the offeror files with the
37 administrator a registration statement containing the
38 information prescribed in subsection 6. Not later
39 than the date of filing of the registration statement,
40 the offeror shall deliver a copy of the registration
41 statement by certified mail to the target company at
42 its principal office and publicly disclose the
43 material terms of the proposed offer. Public
44 disclosure shall require, at a minimum, that a copy of
45 the registration statement be supplied to all broker-
46 dealers maintaining an office in this state currently
47 quoting the security.

48 2. The registration statement shall be filed on
49 forms prescribed by the administrator, and shall be
50 accompanied by a consent by the offeror to service of

Page 4

1 process and filing fee specified in section 502.216,
2 and contain the following information:
3 a. All information specified in subsection 6.
4 b. Two copies of all solicitation materials
5 intended to be used in the takeover offer, and in the
6 form proposed to be published, sent, or delivered to
7 offerees.
8 c. Additional information as prescribed by the
9 administrator by rule, pursuant to chapter 17A, prior
10 to the making of the offer.

11 3. Registration shall not be considered approval
12 by the administrator, and any representation to the
13 contrary is unlawful.

14 4. Within three calendar days of the date of
15 filing of the registration statement, the
16 administrator may, by order, summarily suspend the
17 effectiveness of the takeover offer if the
18 administrator determines that the registration does
19 not contain all of the information specified in
20 subsection 6 or that the takeover offer materials
21 provided to offerees do not provide full disclosure to
22 offerees of all material information concerning the
23 takeover offer. The suspension shall remain in effect
24 only until the determination following a hearing held
25 pursuant to subsection 5.

26 5. A hearing shall be scheduled by the
27 administrator for each suspension under this section,
28 and the hearing shall be held within ten calendar days
29 of the date of the suspension. The administrator's
30 determination following the hearing shall be made
31 within three calendar days after the hearing has been
32 completed, but not more than sixteen days after the
33 date of the suspension. The administrator may
34 prescribe different time periods than those specified
35 in the subsection by rule or order.

36 If, based upon the hearing, the administrator finds
37 that the registration statement fails to provide for
38 full and fair disclosure of all material information
39 concerning the offer, or that the takeover is in
40 violation of any of the provisions of section 502.211
41 through 502.218, the administrator shall permanently
42 suspend the effectiveness of the takeover offer,
43 subject to the right of the offeror to correct
44 disclosure and other deficiencies identified by the
45 administrator and to reinstate the takeover offer by
46 filing a new or amended registration statement
47 pursuant to this section.

48 6. The form required to be filed by subsection 2,
49 paragraph "a", shall contain all of the following
50 information:

Page 5

1 a. The identity and background of all persons on
2 whose behalf the acquisition of any equity security of
3 the target company has been or is to be effected.

4 b. The source and amount of funds or other
5 consideration used or to be used in acquiring any
6 equity security including, if applicable, a statement
7 describing any securities which are being offered in
8 exchange for the equity securities of the target
9 company and, if any part of the acquisition price is
10 or will be represented by borrowed funds or other
11 consideration, a description of the material terms of
12 any financing arrangements and the names of the
13 parties from whom the funds were or are to be
14 borrowed.

15 c. If the offeror is other than a natural person,
16 information concerning its organization and
17 operations, including the year, form and jurisdiction
18 of its organization, a description of each class of
19 equity security and long-term debt, a description of
20 the business conducted by the offeror and its
21 subsidiaries and any material changes in the offeror
22 or subsidiaries during the past three years, a
23 description of the location and character of the
24 principal properties of the offeror and its
25 subsidiaries, a description of any pending and
26 material legal or administrative proceedings in which
27 the offeror or any of its affiliates is a party, the
28 names of all directors and executive officers of the
29 offeror and their material business activities and
30 affiliations during the past five years, and financial
31 statements of the offeror in a form and for periods of
32 time as the administrator may, pursuant to chapter 17A
33 and prior to the making of the offer, prescribe.

34 d. If the offeror is a natural person, information
35 concerning the offeror's identity and background,
36 including business activities and affiliations during
37 the past five years and a description of any pending
38 and material legal or administrative proceedings in
39 which the offeror is a party.

40 e. If the purpose of the acquisition is to gain
41 control of the target company, the material terms of
42 any plans or proposals which the offeror has, upon
43 gaining control, to liquidate the target company, sell
44 its assets, effect its merger or consolidation, change
45 the location of its principal executive office or of a
46 material portion of its business activities, change
47 its management or policies of employment, materially
48 alter its relationship with suppliers or customers or
49 the community in which it operates, or make any other
50 major changes in its business, corporate structure,

Page 6

1 management or personnel, and other information which
2 would materially affect the shareholders' evaluation
3 of the acquisition.

4 f. The number of shares or units of any equity
5 security of the target company owned beneficially by
6 the offeror and any affiliate or associate of the
7 offeror, together with the name and address of each
8 affiliate or associate.

9 g. The material terms of any contract,
10 arrangement, or understanding with any other person
11 with respect to the equity securities of the target
12 company by which the offeror has or will acquire any
13 interest in additional equity securities of the target
14 company, or is or will be obligated to transfer any
15 interest in the equity securities to another.

16 h. Information required to be included in a tender
17 offer statement pursuant to section 14(d) of the
18 Securities Exchange Act of 1934 and the rules and
19 regulations of the securities and exchange commission
20 issued pursuant to the Act.

21 Sec. 4. Section 502.212, Code 1985, is amended by
22 striking the section and inserting the following:

23 **502.212 FILING OF SOLICITATION MATERIALS.**

24 Copies of all advertisements, circulars, letters,
25 or other materials disseminated by the offeror or the
26 target company, soliciting or requesting the
27 acceptance or rejection of a takeover offer shall be
28 filed with the administrator and sent to the target
29 company or offeror not later than the time the
30 solicitation or request materials are first published;
31 sent, or given to the offerees. The administrator may
32 prohibit the use of any materials deemed false or
33 misleading.

34 Sec. 5. Section 502.213, Code 1985, is amended by
35 striking the section and inserting the following:

36 **502.213 FRAUDULENT AND DECEPTIVE PRACTICES.**

37 It is unlawful for an offeror, target company,
38 affiliate or associate of an offeror or target
39 company, or broker-dealer acting on behalf of an
40 offeror or target company to engage in a fraudulent,
41 deceptive, or manipulative act or practice in
42 connection with a takeover offer. For purposes of
43 this section, an unlawful act or practice includes,
44 but is not limited to, the following:

45 1. The publication or use in connection with a
46 takeover offer of a false statement of a material
47 fact, or the omission of a material fact which renders
48 the statements made misleading.

49 2. The purchase of any of the equity securities of
50 an officer, director, or beneficial owner of five

Page 7

1 percent or more of the equity securities of the target
2 company by the offeror or the target company for a
3 consideration greater than that to be paid to other
4 shareholders, unless the terms of the purchase are
5 disclosed in a registration statement filed pursuant
6 to section 502.11.

7 3. The refusal by a target company to permit an
8 offeror who is a shareholder of record to examine or
9 copy its list of shareholders, pursuant to the
10 applicable corporation statutes, for the purpose of
11 making a takeover offer.

12 4. The refusal by a target company to mail any
13 solicitation materials published by the offeror to its
14 security holders with reasonable promptness after
15 receipt from the offeror of the materials, together
16 with the reasonable expenses of postage and handling.

17 5. The solicitation of any offeree for acceptance
18 or rejection of a takeover offer, or acquisition of
19 any equity security pursuant to a takeover offer, when
20 the offer is suspended under section 502.211,
21 provided, however, that the target company may
22 communicate during a suspension with its equity
23 security holders to the extent required to respond to
24 the takeover offer made pursuant to the Securities
25 Exchange Act of 1934.

26 Sec. 6. Section 502.214, Code 1985, is amended by
27 striking the section and inserting the following:

28 502.214 LIMITATIONS ON OFFERORS.

29 1. A takeover offer shall contain substantially
30 the same terms for shareholders residing within and
31 outside this state.

32 2. An offeror shall provide that any equity
33 securities of a target company deposited or tendered
34 pursuant to a takeover offer may be withdrawn by or on
35 behalf of an offeree within seven days after the date
36 the offer has become effective and after sixty days
37 from the date the offer has become effective, or as
38 otherwise determined by the administrator pursuant to
39 a rule or order issued for the protection of the
40 shareholders.

41 3. If an offeror makes a takeover offer for less
42 than all the outstanding equity securities of any
43 class and, within ten days after the offer has become
44 effective and copies of the offer, or notice of any
45 increase in the consideration offered, are first
46 published or sent or given to equity security holders,
47 the number of securities deposited or tendered
48 pursuant to the offer is greater than the number of
49 securities that the offeror has offered to accept and
50 pay for, the securities shall be accepted pro rata,

Page 8

1 disregarding fractions, according to the number of
2 securities deposited or tendered for each offeree.

3 4. If an offeror varies the terms of a takeover
4 offer before the offer's expiration date by increasing
5 the consideration offered to equity security holders,
6 the offeror shall pay the increased consideration for
7 all equity securities accepted, whether the securities
8 have been accepted by the offeror before or after the
9 variation in the terms of the offer.

10 5. An offeror shall not make a takeover offer or
11 acquire any equity securities in this state pursuant
12 to a takeover offer during the period of time that an
13 administrator's proceeding alleging a violation of
14 this chapter is pending against the offeror.

15 6. An offeror shall not acquire, remove, or
16 exercise control, directly or indirectly, over any
17 target company assets located in this state pursuant
18 to a takeover offer during the period of time that an
19 administrator's proceeding alleging a violation of
20 this chapter is pending against the offeror.

21 7. An offeror shall not acquire from a resident of
22 this state an equity security of any class of a target
23 company at any time within two years following the
24 last purchase of securities pursuant to a takeover
25 offer with respect to that class, including, but not
26 limited to, acquisitions made by purchase, exchange,
27 merger, consolidation, partial or complete
28 liquidation, redemption, reverse stock split,
29 recapitalization, reorganization, or any other similar
30 transaction, unless the holders of the equity
31 securities are afforded, at the time of the
32 acquisition, a reasonable opportunity to dispose of
33 the securities to the offeror upon substantially
34 equivalent terms as those provided in the earlier
35 takeover offer.

36 Sec. 7. Section 502.215, Code 1985, is amended by
37 striking the section and inserting the following:

38 502.215 ADMINISTRATION — RULES AND ORDERS.

39 1. The administrator shall make and adopt rules
40 and forms as the administrator determines are
41 necessary to carry out the purposes of sections
42 502.211 through 502.218.

43 2. The administrator may by rule or order exempt
44 from any provision of sections 502.211 through 502.218
45 the following:

46 a. A proposed takeover offer or a category or type
47 of takeover offer which the administrator determines
48 does not have the purpose or effect of changing or
49 influencing the control of a target company.

50 b. A proposed takeover offer for which the

Page 9

1 administrator determines that compliance with the
2 sections is not necessary for the protection of the
3 offerees.

4 c. A person from the requirement of filing
5 statements.

6 3. In the event of a conflict between the
7 provisions of chapter 17A and the provisions of
8 sections 502.211 through 502.218, the provisions of
9 sections 502.211 through 502.218 shall prevail.

10 Sec. 8. NEW SECTION. 502.216 FEES AND EXPENSES.

11 The administrator shall charge a nonrefundable
12 filing fee of two hundred fifty dollars for a
13 registration statement filed by an offeror.

14 Sec. 9. NEW SECTION. 502.217 APPLICATION OF
15 CORPORATE TAKEOVER LAW.

16 If the target company is a public utility, public
17 utility holding company, national banking association,
18 bank holding company, or savings and loan association
19 which is subject to regulation by a federal agency and
20 the take over of such company is subject to approval
21 by the federal agency, sections 502.211 through
22 502.218 do not apply.

23 Sec. 10. NEW SECTION. 502.218 APPLICATION OF
24 SECURITIES LAW.

25 All of the provisions of this chapter which are not
26 in conflict with sections 502.211 through 502.218,
27 apply to any takeover offer involving a target
28 company.

29 Sec. 11. Section 502.407, Code 1985, is amended to
30 read as follows:

31 502.407 MISSTATEMENTS IN PUBLICITY.

32 It is unlawful for any person to make or cause to
33 be made, in any public report or press release, or in
34 other information which is either made generally
35 available to the public or used in opposition to a
36 tender offer, any statement of a material fact
37 relating to an issuer a target company or made in
38 connection with a tender offer which is, at the time
39 and in the light of the circumstances under which it
40 is made, false or misleading, if it is reasonably
41 foreseeable that such statement will induce other
42 persons to buy, sell or hold securities of the issuer
43 target company.

44 Sec. 12. Section 502.501, Code 1985, is amended by
45 adding the following new subsection:

46 NEW SUBSECTION. 3. In addition to other remedies
47 provided in this chapter, in a proceeding alleging a
48 violation of sections 502.211 through 502.218 the
49 court may provide that all shares acquired from a
50 resident of this state in violation of any provision

Page 10

1 of this chapter or rule order issued pursuant to this
 2 chapter be denied voting rights for one year after
 3 acquisition, that the shares be nontransferable on the
 4 books of the target company, or that during this one-
 5 year period the target company have the option to call
 6 the shares for redemption either at the price at which
 7 the shares were acquired or at book value per share as
 8 of the last day of the fiscal quarter ended prior to
 9 the date of the call for redemption, which redemption
 10 shall occur on the date set in the call notice but not
 11 later than sixty days after the call notice is given."

Amendment H—3923 was adopted placing the following amend-
 ments out of order:

H—3769 filed by the committee on small business and commerce
 on April 12, 1985.

H—3807 filed by Parker of Jasper on April 16, 1985.

Swartz of Marshall moved that the bill be read a last time now
 and placed upon its passage which motion prevailed and the bill was
 read a last time.

On the question "Shall the bill pass?" (S.F. 475)

The ayes were, 84:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Corey	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poney	Renaud	Rosenberg	Royer
Running	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sturgeon	Swartz	Swearingen

Tabor Welden	Teaford Woods	Torrence Zimmerman	Varn Mr. Speaker
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The nays were, 12:

Branstad	Daggett	De Groot	Grandia
Handorf	Hester	Maulsby	Pellett
Renken	Rensink	Schnekloth	Van Maanen

Absent or not voting, 4:

Clark	Hermann	Stueland	Van Camp
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

The House resumed consideration of **House File 547**, a bill for an act relating to the adoption and termination of parental rights and providing penalties, deferred on April 15, 1985.

Muhlbauer of Crawford in the chair at 3:58 p.m.

The House resumed consideration of amendment H-3472F (found on pages 1177 and 1178 of the House Journal).

Mullins of Kossuth asked and received unanimous consent to withdraw amendment H-3472F.

Hummel of Benton asked and received unanimous consent to withdraw amendment H-3738 filed by him on April 10, 1985.

Schnekloth of Scott offered amendment H-3667 filed by him and requested division as follows:

H-3667

1 Amend House File 547 as follows:

H-3667A

2 1. Page 18, by inserting after line 30 the
3 following:

4 "Sec. _____ **NEW SECTION. 600.36 ADOPTIVE PARENTS**
5 - **STATEMENT OF ADOPTEE RIGHTS.**

H-3667A

6 The court at the time of the issuance of the final
7 adoption decree shall inform the adoptive parents of
8 the adoptee's legal rights to request and obtain
9 identifying or nonidentifying information relating to
10 any principal party to the adoption."

H-3667B

11 2. Page 24, by inserting after line 29 the
12 following:
13 "Sec. _____. APPLICATION. Notwithstanding any
14 provision of this Act to the contrary, this Act shall
15 only apply to adoptions finalized on or after the
16 effective date of this Act."
17 3. By renumbering as necessary.

On motion by Schneklath of Scott, amendment H-3667A was adopted.

The House resumed consideration of amendment H-3469C.

Haverland of Polk asked and received unanimous consent to defer action on amendment H-3469C.

The House resumed consideration of amendment H-3460B.

Carl of Poweshiek offered the following amendment H-3530, to amendment H-3460B, filed by her and moved its adoption:

H-3530

1 Amend the amendment, H-3460, to House File 547 as
2 follows:
3 1. Page 1, line 3, by inserting after the figure
4 "24" the following: "and inserting the following:
5 "5. A person shall not deny a parent access to the
6 parent's child until an agency or independent child-
7 placing person is appointed custodian or guardian of
8 the child pursuant to subsection 3. After
9 appointment, the custodian or guardian shall not deny
10 a parent access to the parent's child unless the court
11 restricts the parent's access at the time of
12 appointment of the custodian or guardian or at a later
13 time.""

Amendment H—3530 was adopted.

On motion by Schnekloth of Scott, amendment H—3460B, as amended, was adopted.

Haverland of Polk asked and received unanimous consent to withdraw amendment H—3479 filed by him on March 26, 1985.

The House resumed consideration of amendment H—3460C.

Carl of Poweshiek asked for unanimous consent to temporarily defer action on amendment H—3460C.

Objection was raised.

Schnekloth of Scott moved the adoption of amendment H—3460C.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 43, nays 48.

Amendment H—3460C lost.

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the calendar.

House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic and historical programs of the state, placed on the unfinished business calendar on April 12, 1985, was taken up for consideration.

Speaker Avenson in the chair at 5:10 p.m.

Swartz of Marshall offered the following amendment H—3689 filed by him and Varn of Johnson and moved its adoption:

H—3689

1 Amend House File 747 as follows:

2 1. Page 1, by inserting after line 21 the
3 following:

4 "As a condition of the appropriation in this
5 paragraph, the Iowa state historical department shall
6 allocate at least twenty thousand dollars for the
7 employment of at least one full-time staff member who
8 resides in or near Haverhill, Iowa, for operation of
9 the Matthew Edel blacksmith shop in Haverhill, Iowa,
10 referred to in House Concurrent Resolution 107 adopted
11 by the 1984 session of the Seventieth General
12 Assembly. The full-time staff member shall be
13 employed not later than August 1, 1985."

A non-record roll call was requested.

The ayes were 29, nays 38.

Amendment H—3689 lost.

Lageschulte of Bremer offered the following amendment
H—3585 filed by him and moved its adoption:

H—3585

1 Amend House File 747 as follows:

2 1. Page 1, line 30, by striking the figure "1,549,535"
3 and inserting the following: "1,569,535".

Amendment H—3585 lost.

Jochum of Dubuque asked and received unanimous consent to
defer action on amendment H—3565.

Hughes of Union asked and received unanimous consent to
withdraw amendment H—3588 filed by him and Daggett of Taylor
on April 2, 1985; and amendments H—3589 and H—3590 filed by
him on April 2, 1985.

Varn of Johnson in the chair at 6:02 p.m.

Daggett of Taylor offered the following amendment H—3931
filed by him from the floor:

H—3931

- 1 Amend House File 747 as follows:
 2 1. Page 6, line 21, by striking the figure
 3 "43,992,818" and inserting the figure "43,192,818".
 4 2. Page 6, by striking lines 22 through 27 and
 5 inserting the following:
 6 "b. The department of public".
 7 3. Page 7, by striking lines 2 through 25.
 8 4. Page 8, line 12, by inserting after the figure
 9 "280A," the following: "to provide funds for
 10 retaining existing programs,".
 11 5. Page 8, line 16, by striking the figure
 12 "8,456,400" and inserting the figure "9,256,400".

Speaker Avenson in the chair at 6:10 p.m.

Daggett of Taylor moved the adoption of amendment H—3931.

Roll call was requested by Daggett of Taylor and Bennett of Ida.

On the question "Shall amendment H—3931 be adopted?"

The ayes were, 42:

Bennett	Black	Branstad	Carpenter
Clark	Cochran	Daggett	De Groot
Diemer	Fogarty	Halvorson, R. A.	Hammond
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hummel	Kremer
Lageschulte	Lonergan	Maulsby	McIntee
Metcalf	Miller	Mullins	O'Kane
Paulin	Pellett	Renken	Rensink
Rosenberg	Royer	Shoning	Shultz
Siegrist	Stromer	Sturgeon	Teaford
Welden	Zimmerman		

The nays were, 54:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Connolly	Connors	Cooper
Corey	Doderer	Fey	Grandia
Groninga	Groth	Gruhn	Halvorson, R. N.
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	McKean
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poney	Renaud

Running	Schneklath	Sherzan	Skow
Spear	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Maanen	Varn
Woods	Mr. Speaker		

Absent or not voting, 4:

Handorf	Hermann	Stueland	Van Camp
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Amendment H—3931 lost.

Harbor of Mills offered the following amendment H—3567 filed by him and Halvorson of Clayton and moved its adoption:

H—3567

- 1 Amend House File 747 as follows:
- 2 1. Page 6, by striking lines 22 through 27 and
- 3 inserting the following:
- 4 "b. The department of public".
- 5 2. Page 7, by striking lines 2 through 25 and
- 6 inserting the following:
- 7 "(3) The remaining funds appropriated in paragraph
- 8 "a" after the amounts in subparagraphs (1) and (2)
- 9 have been allocated shall be allocated to merged area
- 10 schools in the same proportion that moneys are
- 11 allocated under subparagraphs (1) and (2)."

A non-record roll call was requested.

The ayes were 26, nays 51.

Amendment H—3567 lost.

Norland of Worth asked and received unanimous consent that House File 747 be deferred and that the bill retain its place on the calendar.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a committee on appropriations meeting upon adjournment.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 561, a bill for an act relating to taxation by updating references to the internal revenue code.

K. MARIE THAYER, Secretary

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 22, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 79, an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing for the issuance of tax and revenue anticipation notes for certain purposes, and providing an effective date.

COMMUNICATION FROM SECRETARY OF STATE

April 19, 1985

Joseph O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that Senate File 55 was published in the Clayton County Press-Journal, Strawberry Point, Iowa on March 12, 1985 and in The Chariton Leader, Chariton, Iowa on March 19, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 19,

1985. Had I been present, I would have voted "aye" on Senate Files 254, 459 and 515.

PONCY of Wapello

I was necessarily absent from the House chamber on Friday, April 19, 1985. Had I been present, I would have voted "aye" on Senate Files 254, 459 and 515.

DAGGETT of Taylor

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|---------|---|
| 1985-19 | Wayne Vermeer, Sioux Center High School — One of four finalists for 1984-85 Iowa Teacher of the Year. |
| 1985-20 | Michael A. Losh, Altoona — Awarded the Eagle Scout Award. |

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3955, April 22, 1985.

AMENDMENTS FILED

H-3932	H.F.	571	Senate Amendment
H-3933	H.F.	476	Senate Amendment
H-3934	H.F.	729	Senate Amendment
H-3935	H.F.	139	Senate Amendment
H-3936	H.F.	702	Senate Amendment
H-3937	H.F.	747	Jochum of Dubuque
H-3938	H.F.	747	Zimmerman of Dallas
H-3939	H.F.	183	Senate Amendment
H-3940	H.F.	760	Lageschulte of Bremer
H-3941	H.F.	642	Groninga of Cerro Gordo
H-3942	H.F.	642	Halvorson of Clayton Jochum of Dubuque Harbor of Mills
H-3943	H.F.	747	Harbor of Mills Halvorson of Clayton
H-3944	H.F.	747	Rensink of Sioux
H-3945	H.F.	747	Carter of Henry
H-3946	H.F.	764	Rosenberg of Story
H-3947	H.F.	747	Welden of Hardin
H-3948	H.F.	747	Jochum of Dubuque Poncy of Wapello, Rensink of Sioux Welden of Hardin
H-3950	H.F.	747	Shoultz of Black Hawk
H-3951	S.F.	424	Arnould of Scott Carl of Poweshiek Sturgeon of Woodbury
H-3952	H.F.	747	Connors of Polk Stromer of Hancock Carpenter of Polk Blanshan of Greene Carl of Poweshiek
H-3953	S.F.	547	Sherzan of Polk
H-3954	H.F.	747	Jochum of Dubuque
H-3955	S.F.	434	Committee on Appropriations

On motion by Norland of Worth, the House adjourned at 6:40 p.m., until 9:00 a.m., Tuesday, April 23, 1985.

JOURNAL OF THE HOUSE

One Hundredth Calendar Day—Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 23, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Lon Lewis, pastor of the United Methodist Church, Nora Springs.

The Journal of Monday, April 22, 1985 was approved.

SENATE MESSAGE CONSIDERED

Senate File 561, by committee on ways and means, a bill for an act relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; making technical corrections to the individual and corporate income tax concerning the credit for increasing research activities in the state; eliminating the requirement that the election campaign fund and fish and game protection fund checkoffs be on the face of the return immediately above the signature line; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates.

Read first time and referred to committee on **ways and means**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on

April 19, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 196, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

Also: That the Senate has on April 19, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 498, a bill for an act relating to the qualifications of a weed commissioner, deputy weed commissioner or commercial applicator.

Also: That the Senate has on April 19, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 514, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls.

Also: That the Senate has on April 19, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 589, a bill for an act relating to fees collected by county officers.

Also: That the Senate has on April 19, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 640, a bill for an act relating to the computation of interest penalties on delinquent property taxes:

Also: That the Senate has on April 19, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties.

K. MARIE THAYER, Secretary

SENATE FILES 461 and 424 DEFERRED

Norland of Worth asked and received unanimous consent that Senate Files 461 and 424 be deferred and that the bills retain their place on the calendar.

Connors of Polk in the chair at 9:26 a.m.

CONSIDERATION OF BILLS
Unfinished Business Calendar

The House resumed consideration of **Senate File 547**, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department, deferred and placed on the unfinished business calendar on April 18, 1985.

Sherzan of Polk offered the following amendment H—3754 filed by the committee on labor and industrial relations and moved its adoption:

H—3754

1 Amend Senate File 547 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, by inserting after line 20 the
4 following:
5 "Sec. _____. Section 905.4, subsection 2, Code 1985,
6 is amended to read as follows:
7 2. Employ a director having the qualifications
8 required by section 905.6 to head the district
9 department's community-based correctional program and,
10 within a range established by the Iowa department of
11 corrections, fix the compensation of and have control
12 over the director and the district department's staff.
13 For purposes of collective bargaining under chapter
14 20, employees of the district board who are not exempt
15 from chapter 20 are employees of the state, and the
16 employees of all of the district boards shall be
17 included within one collective bargaining unit shall
18 negotiate on a statewide basis, although bargaining
19 units shall be organized by judicial district."

The committee amendment H—3754 was adopted.

Sherzan of Polk offered the following amendment H—3953 filed by him and moved its adoption:

H—3953

1 Amend Senate File 547 as amended, passed, and
2 reprinted by the Senate as follows:
•3 1. Page 1, lines 6 and 7 by striking the words
4 "certifications of employee organizations" and
5 inserting the following: "~~certifications of employee~~

- 6 organizations the certified representative".
7 2. Page 1, line 7, by striking the word
8 "represent" and inserting the following: "represent
9 represents".
10 3. Page 1, line 9, by striking the words "in
11 effect" and inserting the following: "in effect the
12 certified representative".
13 4. Page 1, lines 10 through 13, by striking the
14 words "a public employee files a petition under
15 section 20.14, subsection 3, and the employee
16 organization is decertified in an election held under
17 section 20.15" and inserting the following: "a public
18 employee files a petition under section 20.14,
19 subsection 3, and the public employee organization is
20 decertified in an election held under section 20.15 or
21 amended or absorbed into another certified
22 organization pursuant to chapter 20".

Amendment H—3953 was adopted.

Carpenter of Polk called up for consideration the motion to reconsider the committee amendment H—3754, filed by her from the floor.

The Speaker ruled the motion not in order.

The House stood at ease at 9:57 a.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 547 at 10:54 a.m., Speaker Avenson in the chair.

Stromer of Hancock called up for consideration the motion to reconsider the committee amendment H—3754 filed by him from the floor.

Sherzan of Polk rose on a point of order that the motion was not in order.

The Speaker ruled the point well taken and the motion not in order.

Stromer of Hancock asked and received unanimous consent to reconsider the vote by which the committee amendment H—3754 was adopted by the House on April 23, 1985.

Stromer of Hancock rose on a point of order that the committee amendment H—3754 was not germane.

The Speaker ruled the point well taken and the committee amendment H—3754 not germane.

Sherzan of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 547)

The ayes were, 69:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Holveck	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Loneragan	McIntee	McKean	Metcalf
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rosenberg	Running	Schneklath
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 26:

Bennett	Blanshan	Branstad	Corey
De Groot	Grandia	Handorf	Haverland
Hester	Hughes	Hummel	Kremer
Lageschulte	Maulsby	Miller	Muhlbauer
Mullins	Pellett	Renken	Rensink
Royer	Shoning	Stueland	Torrence
Van Maanen	Welden		

Absent or not voting, 5:

Carl	Carter	Cooper	Daggett
Hermann			

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

On motion by Norland of Worth, the House was recessed at 9:57 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 767, by Norland and Stromer, a bill for an act relating to the base period under the unemployment compensation law for an employee who has received workers' compensation or indemnity insurance benefits.

Read first time and referred to committee on **labor and industrial relations**.

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **Senate File 521**, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law, deferred and placed on the unfinished business calendar on April 16, 1985.

Brammer of Linn offered the following amendment H-3877 filed by him and moved its adoption:

H-3877

- 1 Amend Senate File 521 as passed by the Senate as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:
- 5 "Section 1. Section 507B.4, subsection 1, Code
- 6 1985, is amended by adding the following new lettered
- 7 paragraph:
- 8 **NEW LETTERED PARAGRAPH.** i. Misrepresents any
- 9 insurance policy to consumers by using the terms
- 10 "burial insurance", "funeral insurance", "burial
- 11 plan", or "funeral plan" in its names or titles,
- 12 unless the policy is made with a funeral provider as
- 13 beneficiary who specifies and fixes a price under

14 contract with an insurance company. This paragraph
 15 does not prevent insurers from stating or advertising
 16 that insurance benefits may provide cash for funeral
 17 or burial expenses."

18 2. Title page, by striking lines 1 through 5, and
 19 inserting in lieu thereof the following: "An Act
 20 relating to insurance trade practices and providing
 21 penalties."

Amendment H—3877 was adopted, placing the following amend-
 ments out of order:

H—3786 filed by Woods of Polk on April 15, 1985.

H—3811, to amendment H—3786, filed by Jay of Appanoose on
 April 16, 1985.

H—3803 filed by Brammer of Linn on April 16, 1985.

H—3844 filed by Jay of Appanoose on April 16, 1985.

Brammer of Linn moved that the bill be read a last time now and
 placed upon its passage which motion prevailed and the bill was
 read a last time.

On the question "Shall the bill pass?" (S.F. 521)

The ayes were, 88:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabar	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Mr. Speaker

The nays were, 8:

De Groot
Paulin

Grandia
Schneklloth

Handorf
Van Maanen

Hummel
Zimmerman

Absent or not voting, 4:

Chapman

Hermann

Kremer

Miller

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order for immediate consideration House File 747.

The House resumed consideration of **House File 747**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic and historical programs of the state, deferred on April 22, 1985.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—3565 (temporarily deferred), filed by him on April 1, 1985.

Jochum of Dubuque offered the following amendment H—3948 filed by Jochum, et al., and moved its adoption:

H—3948

- 1 Amend House File 747 as follows:
- 2 1. Page 6, line 31, by inserting after the words
- 3 "equal to" the following: "ninety-nine percent of".
- 4 2. Page 6, line 34, by inserting after the words
- 5 "percent of" the following: "ninety-nine percent of".
- 6 3. Page 21, by inserting after line 11 the
- 7 following:
- 8 "Sec. _____. The amount of the funds appropriated
- 9 under sections 1 through 6 and 10 of this Act for the
- 10 fiscal year beginning July 1, 1985 and ending June 30,
- 11 1986 shall be reduced by one percent, rounded to the
- 12 nearest whole dollar, and the provisions of this
- 13 section shall prevail over any other provisions of

14 this Act.”
15 4. Renumber sections and correct internal
16 references as necessary in accordance with this
17 amendment.

Amendment H—3948 was adopted.

Brammer of Linn in the chair at 2:41 p.m.

Shoultz of Black Hawk offered the following amendment
H—3950 filed by him and moved its adoption:

H—3950

1 Amend House File 747 as follows:
2 1. Page 7, by striking lines 2 through 25 and
3 inserting the following:
4 “(3) An amount for each area school in which the
5 general state aid per student contact hour eligible to
6 receive general state aid is below the average for all
7 merged area schools. The amount received by an area
8 school under this paragraph shall be determined by
9 dividing the contact hour differential for each area
10 school below the average for all area schools by the
11 total contact hour differential for all area schools
12 below the average and multiplying the result by the
13 amount of the remaining funds appropriated in
14 paragraph “a” after amounts in subparagraphs (1) and
15 (2) have been allocated.
16 For the purpose of this subparagraph, the contact
17 hour differential is determined for an area school by
18 subtracting the area school’s general state aid per
19 eligible contact hour from the average general state
20 aid per eligible contact hour for all area schools.”
21 For the purpose of this subparagraph, an area
22 school’s certification of student contact hours is
23 subject to audit by the department.”

A non-record roll call was requested.

The ayes were 34, nays 59.

Amendment H—3950 lost.

Running of Linn offered the following amendment H—3783 filed
by him and moved its adoption:

H-3783

- 1 Amend House File 747, as follows:
- 2 1. Page 7, line 32, by inserting after the word
- 3 "schools" the following: ", including funds for
- 4 existing merged area school public radio stations,".

Amendment H-3783 was adopted.

Sherzan of Polk asked and received unanimous consent to withdraw amendment H-3575 filed by him on April 1, 1985.

Rensink of Sioux offered the following amendment H-3944 filed by him and moved its adoption:

H-3944

- 1 Amend House File 747 as follows:
- 2 1. Page 9, by striking lines 13 through 24.
- 3 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 29, nays 54.

Amendment H-3944 lost.

Welden of Hardin offered the following amendment H-3780 filed by him and Jochum of Dubuque:

H-3780

- 1 Amend House File 747 as follows:
- 2 1. Page 10, line 27, by striking the figure
- 3 "18,165,066" and inserting the figure "19,286,050".
- 4 2. Page 15, by striking lines 20 through 25.
- 5 3. By renumbering sections as necessary.

Varn of Johnson offered the following amendment H-3957, to amendment H-3780, filed by him and Jochum of Dubuque from the floor and moved its adoption:

H-3957

- 1 Amend amendment H-3780 to House File 747 as
- 2 follows:

- 3 1. Page 1, by striking lines 2 and 3 and
4 inserting the following:
5 "_____. Page 11, line 8, by striking the figure
6 "122,820,648" and inserting the figure "123,504,528".
7 _____ Page 14, line 8, by striking the figure
8 "100,157,918" and inserting the figure "100,651,118".
9 _____ Page 14, line 31, by striking the figure
10 "39,764,032" and inserting the figure "39,786,901"."

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 55, nays 42.

Amendment H—3957 was adopted.

On motion by Welden of Hardin, amendment H—3780, as amended, was adopted.

Welden of Hardin offered the following amendment H—3967 filed by him from the floor and moved its adoption:

H—3967

- 1 Amend House File 747 as follows:
2 1. Page 11, by inserting after line 8 the
3 following:
4 "It is the intent of the general assembly that
5 funds appropriated in this paragraph not be used to
6 pay for efforts of the prisoner assistance clinic at
7 the university of Iowa law school to solicit partici-
8 pation in the clinic by inmates at state correctional
9 facilities."

Amendment H—3967 was adopted.

Zimmerman of Dallas offered the following amendment H—3774 filed by her:

H—3774

- 1 Amend House File 747 as follows:
2 1. Page 11, line 16, by striking the figure
3 "25,917,985" and inserting the following: "24,758,928".

Arnould of Scott in the chair at 3:24 p.m.

Zimmerman of Dallas asked and received unanimous consent to withdraw amendment H—3924, to amendment H—3774, filed by her on April 19, 1985.

Speaker Avenson in the chair at 3:47 p.m.

Zimmerman of Dallas moved the adoption of amendment H—3774.

Roll call was requested by Varn of Johnson and Zimmerman of Dallas.

Rule 75 was invoked.

On the question "Shall amendment H—3774 be adopted?"

The ayes were, 51:

Baxter	Beatty	Bennett	Blanshan
Branstad	Buhr	Carpenter	Carter
Chapman	Clark	Daggett	De Groot
Grandia	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hummel	Jay
Johnson	Lageschulte	Loneragan	McKean
Metcalf	Miller	Muhlbauer	Mullins
O'Kane	Osterberg	Parker	Paulin
Peick	Pellet	Peterson	Renken
Royer	Schneklath	Sherzan	Shoning
Siegrist	Stueland	Sturgeon	Teaford
Van Maanen	Welden	Zimmerman	

The nays were, 47:

Arnould	Black	Brammer	Carl
Cochran	Connolly	Cooper	Corey
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hughes	Jochum	Knapp	Koenigs
Kremer	Lloyd-Jones	Maulsby	McIntee
Norland	Ollie	Oxley	Pavich
Platt	Poncy	Renaud	Rensink
Rosenberg	Running	Shoultz	Skow
Spear	Stromer	Sullivan	Swartz
Swearingen	Tabor	Torrence	Van Camp
Varn	Woods	Mr. Speaker	

Absent or not voting, 2:

Connors

Hermann

Amendment H—3774 was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw amendments H—3862 and H—3937 filed by him on April 17 and 22, 1985, respectively, placing out of order amendment H—3938 (to amendment H—3862) filed by Zimmerman of Dallas on April 22, 1985.

Jochum of Dubuque offered the following amendment H—3843 filed by him and Varn of Johnson:

H—3843

1 Amend House File 747 as follows:

2 1. Page 12, by striking lines 1 through 4 and
3 inserting the following: "1984."

4 2. Page 12, by striking lines 5 through 17 and
5 inserting the following:

6 "It is the intent of the general assembly that
7 university hospitals shall not perform heart, liver,
8 or heart/lung transplantations on indigent patients
9 referred under chapter 255 unless the expenses of such
10 procedures are defrayed by moneys other than state
11 appropriations.

12 Prior to consideration of the appropriations
13 requests for the fiscal year beginning July 1, 1986,
14 from the state board of regents for the university
15 hospitals indigent patient care program, the joint
16 education appropriations subcommittee shall monitor
17 the heart, liver, and heart/lung transplantation
18 experience at the university hospitals, shall review
19 the report and recommendations of the governor's
20 advisory committee on organ transplants made in
21 December 1984, and shall make recommendations to the
22 legislative council and the general assembly regarding
23 state funding for heart, liver, and heart/lung
24 transplantations for indigent patients."

De Groot of Lyon offered the following amendment H—3966, to amendment H—3843; filed by him from the floor and moved its adoption:

H—3966

- 1 Amend H—3843 to House File 747 as follows:
- 2 1. Page 1, line 7 by inserting after the word
- 3 "liver," the words "artificial heart,".

Amendment H—3966 was adopted.

Division of amendment H—3843 was requested. Lines 2 and 3, amendment H—3843A; lines 4 through 24, amendment H—3843B.

Jochum of Dubuque moved the adoption of amendment H—3843A.

A non-record roll call was requested.

The ayes were 41, nays 49.

Amendment H—3843A lost.

Ollie of Clinton in the chair at 4:25 p.m.

Jochum of Dubuque moved the adoption of amendment H—3843B, as amended.

Roll call was requested by Haverland of Polk and Varn of Johnson.

On the question "Shall amendment H—3843B, as amended, be adopted?"

The ayes were, 67:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carter	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Gruhn	Handorf
Harbor	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	Miller	Muhlbauer	O'Kane
Oxley	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Renken
Royer	Running	Sherzan	Shoultz
Siegrist	Skow	Spear	Sturgeon
Sullivan	Swartz	Swearingen	Tabor

Torrence
Woods

Van Camp
Zimmerman

Van Maanen
Mr. Speaker
(Ollie)

Varn

The nays were, 30:

Avenson
Groninga
Hammond
Johnson
Metcalf
Paulin
Schneklath
Teaford

Branstad
Groth
Hanson
Lonergan
Mullins
Pellett
Shoning
Welden

Carpenter
Halvorson, R. A.
Hester
Maulsby
Osterberg
Rensink
Stromer

Chapman
Halvorson, R. N.
Hummel
McKean
Parker
Rosenberg
Stueland

Absent or not voting, 3:

Doderer

Hermann

Norland

Amendment H—3843B; as amended, was adopted.

Speaker Avenson in the chair at 5:03 p.m.

Carpenter of Polk offered the following amendment H—3765 filed by Carpenter, et al., and moved its adoption:

H—3765

- 1 Amend House File 747 as follows:
- 2 1. Page 15, by inserting after line 6 the
- 3 following:
- 4 "Sec. _____. It is the intent of the general
- 5 assembly that during the fiscal year beginning July 1,
- 6 1985, the college aid commission shall prepare
- 7 guidelines for the operation and administration of an
- 8 occupational therapy scholarship and loan program
- 9 beginning with the fiscal year beginning July 1, 1986
- 10 and ending June 30, 1987. It is the intent of the
- 11 general assembly to appropriate moneys for the
- 12 occupational therapy scholarship and loan program
- 13 beginning with the fiscal year beginning July 1, 1986
- 14 and ending June 30, 1987, and to provide guidelines or
- 15 standards for the program."

A non-record roll call was requested.

The ayes were 29, nays 42.

Amendment H—3765 lost.

Paulin of Plymouth asked and received unanimous consent to withdraw amendment H—3920 filed by him on April 19, 1985.

Knapp of Dubuque offered the following amendment H—3813 filed by him and Miller of Cherokee:

H—3813

1 Amend House File 747 as follows:

2 1. Page 16, by inserting after line 7 the
3 following:

4 "Sec. 100. Section 257.10, Code 1985, is amended
5 by adding the following new subsection:
6 **NEW SUBSECTION. 11A. Constitute the board in**
7 **control of extracurricular interscholastic activities**
8 **of school districts and nonpublic schools as provided**
9 **in section 280.13.**

10 The state board shall appoint a citizen advisory
11 committee consisting of one member residing in each
12 area education agency. The advisory committee shall
13 meet at least quarterly and shall exercise oversight
14 and counsel with organizations as defined in section
15 280.13. The advisory committee shall report its
16 activities and recommendations to the state board at
17 least annually.

18 The advisory committee shall consider but not be
19 limited to the issues of length of competitive
20 seasons, time allowed for absence from academic
21 classes, practice sessions occurring on a voluntary
22 basis in advance of the date upon which official
23 practice sessions may commence, and excessive
24 attention to extracurricular interscholastic
25 activities that impede the delivery of a well-rounded
26 educational program.

27 Members of the advisory committee shall not be
28 employed in the field of education and shall not be
29 members of boards of directors of school corporations.
30 Not more than a simple majority of the advisory
31 committee shall be of one gender. The state board
32 shall appoint the members to three-year staggered
33 terms that commence and end as provided in section
34 69.19. The state board shall fill vacancies for the
35 unexpired portion of the term. Members shall be
36 reimbursed for actual travel and necessary expenses
37 from funds appropriated to the department."

38 2. Page 21, by inserting after line 11 the
39 following:

40 "Sec. _____. Section 100 of this Act is repealed
41 effective July 1, 1990."

42 3. By numbering and renumbering sections as
43 necessary.

Haverland of Polk rose on a point of order that amendment H-3813 was not germane.

The Speaker ruled the point well taken and amendment H-3813 not germane.

Connors of Polk offered the following amendment H-3952 filed by Connors, et al.:

H-3952

- 1 Amend House File 747 as follows:
- 2 1. Page 16, by inserting after line 7 the
- 3 following:
- 4 "Sec._____. Section 22.7, Code 1985, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 19. Names of persons under
- 7 preliminary consideration for the position of a
- 8 president of a board of regents institution or head of
- 9 a state department or institution. However, at least
- 10 five persons shall be included in the final selection
- 11 process and the names of these persons shall be public
- 12 record."

Buhr of Polk rose on a point of order that amendment H-3952 was not germane.

The Speaker ruled the point well taken and amendment H-3952 not germane.

Connors of Polk moved that the rules be suspended to consider amendment H-3952.

A non-record roll call was requested.

The ayes were 52, nays 37.

The motion prevailed and the rules were suspended to consider amendment H-3952.

Baxter of Des Moines in the chair at 5:30 p.m.

Connors of Polk moved the adoption of amendment H-3952.

Roll call was requested by Sturgeon of Woodbury and Buhr of Polk.

Rule 75 was invoked.

On the question "Shall amendment H—3952 be adopted?"

The ayes were, 52:

Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Clark
Cochran	Connors	Cooper	Corey
Daggett	Diemer	Fogarty	Grandia
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Jay
Jochum	Knapp	Koenigs	Kremer
Lageschulte	Maulsby	Metcalf	Muhlbauer
Norland	Paulin	Pavich	Pellett
Platt	Poncy	Renaud	Renken
Royer	Running	Spear	Stromer
Sturgeon	Sullivan	Swearingen	Tabor
Van Maanen	Woods	Zimmerman	Madam Speaker (Baxter)

The nays were, 44:

Arnould	Avenson	Beatty	Brammer
Carter	Chapman	Connolly	De Groot
Doderer	Fey	Groninga	Groth
Gruhn	Halvorson, R. A.	Hammond	Holveck
Hughes	Hummel	Johnson	Lloyd-Jones
Loneragan	McIntee	McKean	Miller
O'Kane	Ollie	Osterberg	Oxley
Parker	Peick	Peterson	Rensink
Rosenberg	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Stueland
Teaford	Torrence	Van Camp	Varn

Absent or not voting, 4:

Hermann	Mullins	Swartz	Welden
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Amendment H—3952 was adopted.

Carter of Henry offered the following amendment H—3945 filed by him and moved its adoption:

H—3945

- 1 Amend House File 747 as follows:
- 2 1. Page 17, by striking lines 20 through 24 and
- 3 inserting the following: "The rules shall provide that
- 4 loans not be granted to teachers for the purpose of

5 improving their knowledge of subject content or
6 teaching skills in order to teach courses in subject
7 matter areas for which they possess approval granted
8 by the board of educational examiners. The rules shall
9 also".

A non-record roll call was requested.

The ayes were 44, nays 39.

Amendment H—3945 was adopted.

Poncy of Wapello offered the following amendment H—3972
filed by him from the floor and moved its adoption:

H—3972

- 1 Amend House File 747 as follows:
- 2 1. By striking page 19, line 25 through page 20,
- 3 line 6.
- 4 2. By renumbering sections as necessary.

Amendment H—3972 was adopted.

Spear of Lee asked and received unanimous consent to
withdraw amendment H—3570 filed by him on April 1, 1985.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jay of Appanoose, for the remainder of the day, on request of Groth of Buena
Vista.

Harbor of Mills offered the following amendment H—3943 filed
by him and Halvorson of Clayton:

H—3943

- 1 Amend House File 747 as follows:
- 2 1. Page 21, by inserting after line 13 the
- 3 following new section:
- 4 "Sec. _____. If the governor determines that the
- 5 estimated budget resources for the fiscal year
- 6 beginning July 1, 1985 and ending June 30, 1986 are
- 7 insufficient to pay all appropriations in full for
- 8 that fiscal year and such finding is concurred in by

9 the executive council as provided in section 8.31, the
 10 governor shall reduce the allotments of all funds
 11 appropriated from the general fund of the state and
 12 the reductions shall be uniform and prorated between
 13 all departments, agencies and establishments upon the
 14 basis of their respective appropriations. Any
 15 reduction in funds from the general fund of the state
 16 to a political subdivision of the state shall reduce
 17 the budget of the political subdivision and the
 18 political subdivision shall not replace funds reduced
 19 from the general fund of the state with funds received
 20 from any property taxes levied by the political
 21 subdivision."

22 2. Renumber sections and correct internal
 23 references as necessary in accordance with this
 24 amendment.

Poncy of Wapello rose on a point of order that amendment
 H-3943 was not germane.

The Speaker ruled the point well taken and amendment
 H-3943 not germane.

Harbor of Mills asked for unanimous consent to consider amend-
 ment H-3943.

Objection was raised.

Harbor of Mills moved that the rules be suspended to consider
 amendment H-3943.

Roll call was requested by Harbor of Mills and Halvorson of
 Clayton.

On the question "Shall the rules be suspended to consider
 amendment H-3943?"

The ayes were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist

Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 55:

Arnould	Avenson	Beatty	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Lonergan	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Teaford	Varn
Woods	Zimmerman	Madam Speaker (Baxter)	

Absent or not voting, 6:

Black	Hermann	Jay	Renaud
Swartz	Tabor		

The motion lost.

Welden of Hardin offered the following amendment H-3947 filed by him and moved its adoption:

H-3947

- 1 Amend House File 747 as follows:
- 2 1. Page 21, by inserting after line 13 the
- 3 following new section:
- 4 "Sec. _____. There is appropriated for the
- 5 fiscal year beginning July 1, 1986 and ending June
- 6 30, 1987 to the agencies and for the purposes
- 7 specified in the same amounts that are appropriated
- 8 under this Act for the fiscal year beginning July 1,
- 9 1985 and ending June 30, 1986."

Roll call was requested by Welden of Hardin and Lageschulte of Bremer.

Rule 75 was invoked.

On the question "Shall amendment H-3947 be adopted?"

The ayes were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Groth	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 57:

Arnould	Beatty	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. N.	Hammond
Hatch	Haverland	Holveck	Hughes
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poney	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Madam Speaker (Baxter)			

Absent or not voting, 4:

Avenson	Hermann	Jay	Stromer
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Amendment H—3947 lost.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—3954 filed by him on April 22, 1985.

Jochum of Dubuque offered the following amendment H—3971 filed by him from the floor and moved its adoption:

H—3971

- 1 Amend House File 747 as follows:
- 2 1. Page 1, line 12, by striking the figure
- 3 "533,667" and inserting the figure "528,114".

- 4 2. Page 1, line 21, by striking the figure
- 5 "1,421,672" and inserting the figure "1,409,957".
- 6 3. Page 1, line 23, by striking the figure
- 7 "7,700" and inserting the figure "6,690".
- 8 4. Page 1, line 28, by striking the figure
- 9 "1,206,278" and inserting the figure "1,201,448".
- 10 5. Page 1, line 35, by striking the figure
- 11 "6,315,737" and inserting the figure "6,196,900".
- 12 6. Page 2, line 13, by striking the figure
- 13 "447,789" and inserting the figure "443,601".
- 14 7. Page 4, line 6, by striking the figure
- 15 "4,154,675" and inserting the figure "4,109,062".
- 16 8. Page 4, line 25, by striking the figure
- 17 "885,940" and inserting the figure "878,320".
- 18 9. Page 5, line 7, by striking the figure
- 19 "60,000" and inserting the figure "57,915".
- 20 10. Page 10, line 10, by striking the figure
- 21 "466,304" and inserting the figure "459,581".

Amendment H—3971 was adopted.

Carpenter of Polk asked and received unanimous consent to withdraw amendment H—3974 filed by her from the floor on April 23, 1985.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, for the remainder of the day, on request of Torrence of Muscatine.

Muhlbauer of Crawford in the chair at 6:42 p.m.

Sturgeon of Woodbury called up for consideration the motion to reconsider amendment H—3952 filed by him from the floor and moved to reconsider the vote by which amendment H—3952 was adopted by the House on April 23, 1985.

Roll call was requested by Chapman of Linn and Buhr of Polk.

Rule 75 was invoked.

On the question "Shall amendment H—3952 be reconsidered?"

The ayes were, 59:

Buhr	Carter	Chapman	Connolly
Cooper	Corey	Doderer	Fey
Grandia	Groninga	Gruhn	Hammond
Hatch	Holveck	Hughes	Hummel
Johnson	Knapp	Kremer	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Metcalf	Miller	Mullins	O'Kane
Ollie	Osterberg	Parker	Peick
Peterson	Platt	Rensink	Rosenberg
Schnekloth	Shoultz	Siegrist	Skow
Spear	Stueland	Sturgeon	Swartz
Teaford	Torrence	Van Camp	Varn
Zimmerman			

The nays were, 43:

Baxter	Bennett	Black	Blanshan
Branstad	Carl	Carpenter	Cochran
Connors	Daggett	De Groot	Diemer
Fogarty	Groth	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Haverland
Hester	Jochum	Koenigs	Maulsby
Norland	Oxley	Paulin	Pavich
Pellett	Poncy	Renaud	Renken
Royer	Running	Shoning	Stromer
Sullivan	Swearingen	Taber	Van Maanen
Welden	Woods	Mr. Speaker (Muhlbauer)	

Absent or not voting, 4:

Clark	Hermann	Jay	Sherzan
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The motion prevailed and the House reconsidered amendment H—3952, placing out of order the motion to reconsider amendment H—3952 filed by Buhr of Polk from the floor.

Connors of Polk moved the adoption of amendment H—3952.

A non-record roll call was requested.

The ayes were 38, nays 57.

Amendment H—3952 lost.

Speaker Avenson in the chair at 6:55 p.m.

Norland of Worth asked and received unanimous consent that House File 747 be deferred and that the bill retain its place on the calendar.

Appropriations Calendar

Senate File 409, a bill for an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the Act effective upon publication, with report of committee recommending passage was taken up for consideration.

Lloyd-Jones of Johnson in the chair at 7:23 p.m.

Carpenter of Polk offered the following amendment H—3991 filed by her from the floor:

H—3991

- 1 Amend Senate File 409 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 25 by striking the word "may" and
- 4 inserting the word "shall".

Speaker Avenson in the chair at 7:41 p.m.

Carpenter of Polk moved the adoption of amendment H—3991.

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H—3991 lost.

Halvorson of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 409)

The ayes were, 59:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groniha	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Harbor	Hatch

Haverland	Holveck	Hughes	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Mullins
Norland	Ollie	Parker	Paulin
Pavich	Peterson	Poncy	Renaud
Rosenberg	Running	Shoultz	Siegrist
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, 34:

Bennett	Branstad	Carpenter	Corey
Daggett	De Groot	Diemer	Grandia
Handorf	Hanson	Hester	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	O'Kane	Osterberg
Oxley	Peick	Pellet	Platt
Renken	Rensink	Royer	Schnekloth
Shoning	Stueland	Swearingen	Torrence
Van Camp	Van Maanen		

Absent or not voting, 7:

Carter	Clark	Hermann	Jay
Sherzan	Stromer	Woods	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sherzan of Polk, until his return, on request of Poncy of Wapello.

Unfinished Business Calendar

The House resumed consideration of **House File 747**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state, previously deferred.

Carl of Poweshiek in the chair at 7:55 p.m.

Jochum of Dubuque offered the following amendment H-3985 filed by him from the floor and moved its adoption:

H-3985

1 Amend House File 747 as follows:

2 1. Page 16, by inserting after line 7, the
3 following:

4 "Sec._____. NEW SECTION. REVENUE FROM CONTRACTS.

5 The board shall retain for its use revenues
6 generated through contracts with nonprofit
7 organizations or their affiliated organizations from
8 the use of the educational radio and television
9 facility and other educational communications
10 services."

Amendment H-3985 was adopted.

Jochum of Dubuque offered the following amendment H-3986
filed by him from the floor and moved its adoption:

H-3986

1 Amend House File 747 as follows:

2 1. Page 21, by inserting after line 13 the
3 following new section:

4 "Sec._____. The state comptroller shall recover one
5 hundred ninety-seven thousand five hundred twenty-five
6 (197,525) dollars from the amounts budgeted for new
7 car purchases under section 10 of this Act. From the
8 amount appropriated under section 10, subsection 2,
9 paragraph "a" of this Act, the state comptroller shall
10 recover one hundred thousand seven hundred twenty-five
11 (100,725) dollars. From the amount appropriated under
12 section 10, subsection 3, paragraph "a" of this Act,
13 the state comptroller shall recover seventy-one
14 thousand three hundred (71,300) dollars. From the
15 amount appropriated under section 10, subsection 4 of
16 this Act, the state comptroller shall recover twenty-
17 five thousand five hundred (25,500) dollars."

18 2. Renumber sections and correct internal
19 references as are necessary in accordance with this
20 amendment.

Amendment H-3986 was adopted.

Pony of Wapello moved that the bill be read a last time now and
placed upon its passage which motion prevailed and the bill was
read a last time.

On the question "Shall the bill pass?" (H.F. 747)

The ayes were, 89:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Chapman	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Madam Speaker (Carl)			

The nays were, 6:

Branstad	Maulsby	McIntee	O'Kane
Parker	Welden		

Absent or not voting, 5:

Carter	Clark	Hermann	Jay
Sherzan			

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

SENATE AMENDMENT CONSIDERED

Varn of Johnson called up for consideration **House File 642**, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date, amended by the Senate amendment H-3857 as follows:

H-3857

- 1 Amend House File 642, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, by inserting after line 1 the
- 4 following new section:
- 5 "Sec. _____. There is appropriated from the general
- 6 fund of the state to the Iowa lottery agency for the
- 7 fiscal period beginning on the effective date of this
- 8 Act and ending June 30, 1986 the sum of three million
- 9 six hundred thousand (3,600,000) dollars, or so much
- 10 thereof as is necessary, for salaries, support,
- 11 maintenance and other operational purposes of the Iowa
- 12 lottery agency."
- 13 2. Amend the title, line 3, by inserting after
- 14 the word "services," the words "the Iowa lottery
- 15 agency,".
- 16 3. Renumber sections and correct internal
- 17 references as necessary in accordance with this
- 18 amendment.

Varn of Johnson offered the following amendment H-3983, to the Senate amendment H-3857, filed by him from the floor and moved its adoption:

H-3983

- 1 Amend the Senate amendment H-3857 to House File 642
- 2 as amended, passed, and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking line 9 and inserting the
- 5 following: "one hundred fifty-nine thousand seven
- 6 hundred (3,159,700) dollars, or so much".
- 7 2. Page 1, by striking line 12 and inserting the
- 8 following: "lottery agency. All proposals for the
- 9 operations of the Iowa lottery agency shall be
- 10 reviewed by the legislative council. The Iowa lottery
- 11 agency shall submit a budget to the legislative
- 12 council covering the period beginning August 1, 1985
- 13 and ending January 31, 1986 and a budget to the
- 14 general assembly for the period beginning February 1,
- 15 1986 through June 30, 1986 and for the 1986-1987
- 16 fiscal year.
- 17 Sec. 9. Section 99E.10, subsection 1, unnumbered
- 18 paragraph 1, 1985 Acts, House File 225, section 110,
- 19 as amended by 1985 Iowa Acts, Senate File 395, section
- 20 114, is amended to read as follows:
- 21 1. Upon receipt of any revenue, the commissioner
- 22 shall deposit the moneys in the lottery fund created
- 23 pursuant to section 99E.20. As nearly as is

24 practicable, fifty percent of the projected annual
 25 revenue, after deduction of the amount of the sales
 26 tax and repayment to the general fund of the loan for
 27 start-up purposes of the Iowa lottery, computed on a
 28 year-round average basis for each type of lottery game
 29 accruing from the sale of tickets or shares is
 30 appropriated for payment of prizes to the holders of
 31 winning tickets. After the payment of prizes, all of
 32 the following shall be deducted from lottery revenue
 33 prior to disbursement:

34 Sec. 10. 1985 Iowa Acts, House File 225, section
 35 301, paragraph d, is amended to read as follows:

36 d. Before the treasurer makes the allotments under
 37 paragraphs "a", "b", and "c", the treasurer shall
 38 repay to the general fund the loan for start-up
 39 purposes of the Iowa lottery, shall repay to the
 40 general fund the sum of one million twenty thousand
 41 dollars which was appropriated for the fiscal year
 42 beginning July 1, 1985 from the general fund to the
 43 department of general services for capitol building
 44 restoration and major repairs, and shall repay to the
 45 general fund the sum of five million two hundred fifty
 46 thousand dollars which was appropriated for the fiscal
 47 period beginning July 1, 1985 and ending June 30, 1989
 48 from the general fund to the department of general
 49 services for the engineering, planning and
 50 construction of a new state historical building under

Page 2

1 1984 Iowa Acts, chapter 1316, section 4."

Amendment H—3983 was adopted.

**Jochum of Dubuque offered the following amendment H—3930,
 to the Senate amendment H—3857, filed by him and moved its adop-
 tion:**

H—3930

1 Amend the Senate amendment, H—3857, to House File
 2 642, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 12 the
 5 following:
 6 "_____. Page 3, by inserting after line 1 the
 7 following new section:
 8 "Sec._____. There is appropriated from the general
 9 fund of the state to the Iowa development commission
 10 for the fiscal period beginning on the effective date

11 of this Act and ending June 30, 1985 the sum of two
 12 hundred thousand (200,000) dollars, or so much thereof
 13 as is necessary, for its advertising and tourism
 14 budget. The Iowa development commission shall
 15 transfer from any other funds received for its
 16 advertising and tourism budget an amount up to or
 17 equal to two hundred thousand (200,000) dollars
 18 received during the fiscal year beginning July 1, 1985
 19 and ending June 30, 1986 which funds shall be
 20 transferred to the general fund of the state not later
 21 than June 30, 1986 to replace those funds received
 22 under this section for the fiscal period beginning on
 23 the effective date of this Act and ending June 30,
 24 1985." "

25 2. Page 1, line 15, by inserting after the word
 26 "agency," the words "the Iowa development
 27 commission,".

Amendment H—3930 was adopted.

Groninga of Cerro Gordo offered the following amendment
 H—3941, to the Senate amendment H—3857, filed by him and
 moved its adoption:

H—3941

1 Amend the Senate amendment H—3857 to House File 642
 2 as amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 1, by inserting after line 12 the
 5 following:
 6 "_____. Page 3, by inserting after line 1 the
 7 following:
 8 "Sec._____. 1985 Iowa Acts, House File 225, section
 9 303, is amended to read as follows:
 10 Sec. 303. For each of the fiscal years beginning
 11 July 1, 1986, July 1, 1987, July 1, 1988, and July 1,
 12 1989, the Iowa partnership for economic progress
 13 advisory committee established under division IV of
 14 this Act development commission shall submit to the
 15 general assembly by March 1 preceding the beginning of
 16 the fiscal year planned expenditures from the
 17 allotment to be made for that fiscal year to the
 18 community economic betterment account, the jobs now
 19 account, and the education and agriculture research
 20 and development account to each of the funds,
 21 agencies, boards or commissions for the purposes
 22 specified in subsections 2, 3, and 4 of section 302 of
 23 this Act. The Iowa partnership for economic progress
 24 development commission shall include a description of

25 planned expenditures to be made of the moneys in the
26 surplus account.

27 Plans may provide for increased or decreased
28 expenditures if the allotment available for those
29 appropriations is greater than or less than the
30 allotment specified in subsection 1 of section 302 of
31 this Act. In order to enable the Iowa partnership for
32 economic progress development commission to prepare
33 its plans for future expenditures, it has authority to
34 review applications and uses of the moneys
35 appropriated from each allotment. However, this
36 authorized review does not authorize the Iowa
37 partnership for economic progress development
38 commission to veto or deny any application or use and
39 such review shall not cause any delay in the approval
40 of an application or use.

41 Sec. _____. 1985 Iowa Acts, House File 225, section
42 602, subsection 2, unnumbered paragraph 1, is amended
43 to read as follows:

44 2. To aid in fulfilling the purpose of the primary
45 research and marketing center for business and
46 international trade, the commission may provide grants
47 to establish satellite centers throughout the state.
48 To facilitate establishment of satellite centers, the
49 state is divided up into fifteen regional economic
50 delivery areas which have the same area boundaries as

Page 2

1 merged areas, as defined in section 280A.2, in
2 existence on the effective date of this section. Each
3 regional delivery area wishing to receive a grant from
4 the commission to establish a satellite center in its
5 area shall create a regional coordinating council
6 which shall develop a plan for the area to coordinate
7 all federal, state, and local economic development
8 services within the area. After developing this plan,
9 the council may seek a grant for a satellite center by
10 submitting the coordinating plan and an application
11 for a grant to the Iowa development commission. A
12 grant shall not be awarded within the regional
13 economic delivery area without the approval of the
14 regional coordinating plan by the Iowa partnership for
15 economic progress created in division IV of this Act
16 development commission. The Iowa partnership for
17 economic progress development commission may rescind
18 its approval of a regional coordinating plan upon
19 thirty days notice, if the Iowa partnership for
20 economic progress development commission determines
21 that the stated purpose of the plan is not being
22 carried out. The Iowa partnership for economic

23 progress development commission may then accept an
 24 alternative proposal for a regional coordinating plan.
 25 If a regional coordinating council is awarded a grant
 26 for a satellite center, it shall employ a center
 27 director at the satellite center. The center
 28 director's duties and responsibilities include the
 29 following:" "

De Groot of Lyon rose on a point of order that amendment H—3941 was not germane to the Senate amendment H—3857.

The Speaker ruled the point well taken and amendment H—3941 not germane.

Groninga of Gerro Gordo asked and received unanimous consent to suspend the rules for the consideration of amendment H—3941.

Groninga of Cerro Gordo moved the adoption of amendment H—3941, to the Senate amendment H—3857.

Roll call was requested by Groninga of Cerro Gordo and Norland of Worth.

On the question "Shall amendment H—3941, to the Senate amendment H—3857, be adopted?"

The ayes were, 72;

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Chapman	Cochran
Connolly	Connors	Cooper	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Holveck	Hughes	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Lonergan
McIntee	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poney	Renaud
Renken	Rosenberg	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Varn
Welden	Woods	Zimmerman	Madam Speaker (Carl)

The nays were, 22:

Branstad	Corey	Daggett	De Groot
Grandia	Handorf	Harbor	Hester
Hummel	Kremer	Lageschulte	Maulsby
McKean	Miller	Oxley	Pellett
Rensink	Royer	Schnekloth	Shoning
Van Camp	Van Maanen		

Absent or not voting, 6:

Carter	Clark	Hermann	Jay
Running	Sherzan		

Amendment H—3941 was adopted.

Halvorson of Clayton offered the following amendment H—3942, to the Senate amendment H—3857, filed by Halvorson, et al., and moved its adoption:

H—3942

1 Amend the Senate amendment H—3857 to House File 642
 2 as amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 1, by inserting after line 12 the
 5 following:
 6 "_____. Page 3, by inserting after line 1 the
 7 following:
 8 "Sec._____. 1985 Iowa Acts, House File 225, section
 9 106, is amended to read as follows:
 10 SEC. 106. NEW SECTION. 99E.6 BOARD
 11 QUALIFICATIONS.
 12 Board members shall be residents of this state. At
 13 Except for the initial appointees, at least one member
 14 of the board shall be a person who has been a law
 15 enforcement officer for not less than five years, one
 16 member shall be an attorney admitted to the practice
 17 of law in Iowa for not less than five years, and one
 18 member shall be a certified public accountant who has
 19 practiced accountancy in Iowa for not less than five
 20 years."

A non-record roll call was requested.

The ayes were 53, nays 19.

Amendment H—3942 was adopted.

On motion by Varn of Johnson, the House concurred in the Senate amendment H—3857, as amended.

Varn of Johnson moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 642)

The ayes were, 78:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carpenter	Chapman	Cochran
Connolly	Connors	Cooper	Daggett
Diemer	Doderer	Fey	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hanson	Harbor	Hatch	Haverland
Hester	Hughes	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rosenberg	Royer	Running	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Varn	Welden	Woods
Zimmerman	Madam Speaker (Carl)		

The nays were, 15:

Branstad	Corey	De Groot	Grandia
Hammond	Handorf	Holveck	Hummel
McIntee	McKean	Renken	Rensink
Schneklath	Stueland	Van Maanen	

Absent or not voting, 7:

Carter	Clark	Fogarty	Hermann
Jay	Maulsby	Sherzan	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Speaker Avenson in the chair at 8:21 p.m.

MOTIONS TO RECONSIDER WITHDRAWN
(Senate File 329)

Peterson of Carroll and Hummel of Benton asked and received unanimous consent to withdraw their motions to reconsider Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization, filed by them on April 16, 1985.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 642 and 747; Senate Files 521, 409, 329 and 547.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 128, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes.

Also: That the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 413, a bill for an act relating to reparations for medical care and counseling under chapter 912 for victims of domestic abuse and sexual assault and for child victims.

Also: That the Senate has on April 23, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 505, a bill for an act relating to an annual review of local human service programs by the county board of social welfare.

Also: That the Senate has on April 23, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 554, a bill for an act relating to security interests in farm products and providing penalties.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 564, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

K. MARIE THAYER, Secretary

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 23, 1985, he approved and transmitted to the Secretary of State the following bills:

Senate File 9, an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

Senate File 200, an act relating to the office of the appellate defender.

Senate File 307, an act relating to the operation of fire vehicles.

Senate File 318, an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 22, 1985. Had I been present, I would have voted "aye" on Senate Files 271, 475 and 524.

VAN CAMP of Scott

I was temporarily absent from the House chamber on April 23, 1985. Had I been present, I would have voted "nay" on Senate File 521.

KREMER of Buchanan

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventy fifth grade students from Willard Elementary School, Des Moines, accompanied by Kellie Morris. By Connors of Polk.

Eighty Camp Fire Girls from Iowa City, accompanied by Paula Spray. By Varn, Doderer and Lloyd-Jones, all of Johnson.

Fifty Camp Fire Girls from Cedar Rapids and Marion, accompanied by Terri Staab, Barb DeMillener, Donna Shorg, Linda Hyde, Jan Torson and Kathy Carl. By Osterberg, Oxley, Chapman, Brammer, Running and Peick, all of Linn; and McKean of Jones.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3975, April 23, 1985.

Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3978, April 23, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 762, a bill for an act to legalize the proceedings for the organization,

establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law.

Fiscal Note is not required.

Recommended Do Pass April 22, 1985.

AMENDMENTS FILED

H-3956	S.F.	424	Arnould of Scott
H-3958	S.F.	424	Hammond of Story
			Mullins of Kossuth
H-3959	H.F.	476	De Groot of Lyon
H-3960	H.F.	196	Senate Amendment
H-3961	H.F.	589	Senate Amendment
H-3962	H.F.	498	Senate Amendment
H-3963	H.F.	643	Senate Amendment
H-3964	H.F.	139	Brammer of Linn
H-3968	H.F.	571	Running of Linn
			Fey of Scott
			Shoultz of Black Hawk
			Woods of Polk
			Oxley of Linn
H-3969	S.F.	434	O'Kane of Woodbury
H-3970	H.F.	462	Brammer of Linn
H-3973	H.F.	730	Jay of Appanoose
H-3975	S.F.	552	Committee on
			Appropriations
H-3976	H.F.	757	Jochum of Dubuque
H-3978	S.F.	562	Committee on
			Appropriations
H-3979	S.F.	552	Sherzan of Polk
H-3980	S.F.	552	McIntee of Black Hawk
H-3981	H.F.	128	Senate Amendment
H-3982	H.F.	413	Senate Amendment
H-3984	H.F.	764	Carpenter of Polk
			Doderer of Johnson
			Schnekloth of Scott
H-3987	S.F.	434	Jochum of Dubuque
H-3988	H.F.	476	Jochum of Dubuque
			Knapp of Dubuque

H—3989	S.F.	552	Black of Jasper Parker of Jasper Skow of Guthrie Beatty of Warren
H—3990	S.F.	434	Pavich of Pottawattamie Jochum of Dubuque
H—3992	H.F.	757	Stromer of Hancock Jochum of Dubuque
H—3993	H.F.	764	Chapman of Linn
H—3994	H.F.	571	Jochum of Dubuque

On motion by Norland of Worth, the House adjourned at 8:22 p.m., until 9:00 a.m., Wednesday, April 24, 1985.

JOURNAL OF THE HOUSE

One Hundred First Calendar Day—Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 24, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father John Hyland, pastor of St. Mary's Catholic Church, Fort Madison.

The Journal of Tuesday, April 23, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sturgeon of Woodbury, until his arrival, on request of Brammer of Linn.

SENATE MESSAGE CONSIDERED

Senate File 564, by committee on ways and means, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 160, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

Also: That the Senate has on April 22, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

Also: That the Senate has on April 22, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 266, a bill for an act relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 359, a bill for an act relating to fees for boiler inspections.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 539, a bill for an act relating to the jurisdiction and control of the great river road.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 541, a bill for an act to provide for the establishment of the Iowa higher education facilities program.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 641, a bill for an act relating to the violation of a custodial order and providing penalties.

Also: That the Senate has on April 22, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 742, a bill for an act relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 746, a bill for an act relating to merged area hospitals.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 178, a bill for an act relating to the handling and preservation of assessment rolls and assessment information.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 349, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 557, a bill for an act relating to the filing of claims for the homestead credit.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 558, a bill for an act exempting the rental of mobile or manufactured housing from the sales, services, and use tax.

Also: That the Senate has on April 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Also: That the Senate has on April 22, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 40, establishing an interim study committee on the final report of the Tax Study Committee.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION

Connors of Polk escorted to the front of the well and presented to the House six athletes and two coaches who represented Iowa in the Third International Winter Special Olympics Games which took place in Park City and Salt Lake City, Utah.

In the cross country skiing were Lynn Hobson and Al Oines; in the speed skating competition were Tiffany Rickers, Darrell Theobald and Bill John; and in the Alpine skiing was Joe Haertjens.

The skating coach is Diana Bishop and the Alpine skiing coach is Judy Grasso.

These athletes were among 800 athletes from the United States and 14 foreign countries participating in the Special Olympics.

The House rose and expressed its appreciation with a standing ovation.

CONSIDERATION OF BILLS (Ways and Means Calendar)

House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, was taken up for consideration.

Rosenberg of Story offered the following amendment H-3946 filed by him:

H-3946

- 1 Amend House File 764 as follows:
- 2 1. Page 3, by inserting after line 28 the
- 3 following:
- 4 "Sec. _____. Section 98.28, Code 1985 is amended to
- 5 read as follows:
- 6 98.28 ASSESSMENT OF TAX BY DEPARTMENT - INTEREST
- 7 - PENALTY.
- 8 If after any audit, examination of records, or
- 9 other investigation the department finds that any
- 10 person has sold cigarettes without stamps affixed
- 11 thereto as required by this division or that any
- 12 person has failed to pay at least ninety percent of
- 13 any tax imposed upon the person, the department shall
- 14 fix and determine the amount of tax due, and shall
- 15 assess the tax against the person, together with a
- 16 penalty of five ten percent of the amount of the tax.
- 17 The taxpayer shall pay interest on the tax or
- 18 additional tax at the rate determined under section
- 19 421.7 counting each fraction of a month as an entire
- 20 month, computed from the date the tax was due. If any
- 21 person fails to furnish evidence satisfactory to the
- 22 director showing purchases of sufficient stamps to
- 23 stamp unstamped cigarettes purchased by the person,
- 24 the presumption shall be that the cigarettes were sold
- 25 without the proper stamps affixed thereto. Within two

26 years after the return is filed or within two years
27 after the return became due, whichever is later, the
28 department shall examine it and determine the correct
29 amount of tax."

30 2. Page 4, by inserting after line 15 the
31 following:

32 "Sec._____. Section 98.46, subsection 6, Code 1985
33 is amended to read as follows:

34 6. The director in issuing the final assessment
35 pursuant to subsection 3 shall add to the amount of
36 tax found due and unpaid a penalty of ~~five ten~~ percent
37 of the tax if less than ninety percent of the tax has
38 been paid, except that, if the director finds that the
39 taxpayer has made a false and fraudulent return with
40 intent to evade the tax imposed by this division, the
41 penalty shall be fifty percent of the entire tax as
42 shown by the return as corrected. The director in
43 assessing a tax on the basis of a return made pursuant
44 to subsection 4 shall add to the amount of tax found
45 due and unpaid a penalty of fifty percent of the tax.
46 The penalty imposed under this subsection is not
47 subject to waiver."

48 3. Page 4, by inserting after line 30 the
49 following:

50 "Sec._____. Section 324.65, unnumbered paragraph 1,

Page 2

1 Code 1985, is amended to read as follows:

2 If a licensee or other person fails to remit at
3 least ninety percent of the tax due with the filing of
4 the return on or before the due date or pays less than
5 ninety percent of any tax required to be shown on the
6 return, there shall be added to the tax a penalty of
7 ~~five ten~~ percent of the amount of the tax due. The
8 penalty imposed under this section is not subject to
9 waiver. The taxpayer shall also pay interest on the
10 tax or additional tax at the rate in effect under
11 section 421.7 counting each fraction of a month as an
12 entire month, computed from the date the return was
13 required to be filed."

14 4. Page 7, by inserting after line 8 the
15 following:

16 "Sec._____. Section 422.16, subsection 10,
17 paragraph b, unnumbered paragraph 1, Code 1985, is
18 amended to read as follows:

19 If any person or withholding agent fails to remit
20 at least ninety percent of the tax due with the filing
21 of the semimonthly, monthly, or quarterly deposit form
22 on or before the due date, or pays less than ninety
23 percent of any tax required to be shown on the

24 semimonthly, monthly, or quarterly deposit form, there
25 shall be added to the tax a penalty of ten twenty
26 percent of the amount of the tax due."

27 5. Page 7, by inserting after line 27 the
28 following:

29 "Sec. _____. Section 422.25, subsection 2, Code
30 1985, is amended to read as follows:

31 2. In addition to the tax or additional tax
32 determined by the department under subsection 1, the
33 taxpayer shall pay interest on the tax or additional
34 tax at the rate in effect under section 421.7 for each
35 month counting each fraction of a month as an entire
36 month, computed from the date the return was required
37 to be filed. If any person fails to remit at least
38 ninety percent of the tax due with the filing of the
39 return on or before the due date, or pays less than
40 ninety percent of any tax required to be shown on the
41 return, there shall be added to the tax a penalty of
42 five ten percent of the tax due. In case of willful
43 failure to file a return with intent to evade tax, or
44 in case of willfully filing a false return with intent
45 to evade tax, in lieu of the penalty otherwise
46 provided in this subsection, there shall be added to
47 the amount required to be shown as tax on the return
48 fifty percent of the amount of the tax. The penalty
49 imposed under this subsection is not subject to
50 waiver."

Page 3

1 6. Page 11, by inserting after line 10 the
2 following:

3 "Sec. _____. Section 422.58, subsection 1, Code
4 1985, is amended to read as follows:

5 1. If a person or permit holder fails to remit at
6 least ninety percent of the tax due with the filing of
7 the semimonthly or monthly tax deposit form or return
8 on or before the due date, or pays less than ninety
9 percent of any tax required to be shown on the return,
10 excepting the period between the completion of an
11 examination of the books and records of a taxpayer and
12 the giving of notice to the taxpayer that a tax or
13 additional tax is due, there shall be added to the tax
14 a penalty of ten twenty percent of the amount of the
15 tax due. In case of willful failure to file a
16 semimonthly or monthly tax deposit form or return,
17 willful filing of a false semimonthly or monthly tax
18 deposit form or return or willful filing of a false or
19 fraudulent semimonthly or monthly tax deposit form or
20 return with intent to evade tax, in lieu of the
21 penalty otherwise provided in this subsection, there

22 shall be added to the amount required to be shown as
23 tax on the semimonthly or monthly tax deposit form or
24 return fifty percent of the amount of the tax. The
25 taxpayer shall also pay interest on the tax or
26 additional tax at the rate in effect under section
27 421.7 for each month counting each fraction of a month
28 as an entire month, computed from the date the
29 semimonthly or monthly tax deposit form or return was
30 required to be filed. The penalty and interest shall
31 be paid to the department and disposed of in the same
32 manner as other receipts under this division. Unpaid
33 penalties and interest may be enforced in the same
34 manner as the tax imposed by this division. The
35 penalty imposed under this subsection is not subject
36 to waiver."

37 7. Page 13, by inserting after line 19 the
38 following:

39 "Sec. _____ Section 423.18, subsection 1, Code
40 1985, is amended to read as follows:

41 1. If a person or permit holder fails to remit at
42 least ninety percent of the tax due with the filing of
43 the monthly deposit form or return on or before the
44 due date, or pays less than ninety percent of any tax
45 required to be shown on the monthly deposit form or
46 return, excepting the period between the completion of
47 an examination of the books and records of a taxpayer
48 and the giving of notice to the taxpayer that a tax or
49 additional tax is due, there shall be added to the tax
50 a penalty of five ten percent of the tax due. For tax

Page 4

1 due under section 423.9, the penalty shall be ten
2 percent. In case of willful failure to file a monthly
3 deposit form or return, willfully filing a false
4 monthly deposit form or return, or willfully filing a
5 false or fraudulent monthly deposit form or return
6 with intent to evade tax, in lieu of the penalty
7 otherwise provided in this subsection, there shall be
8 added to the amount required to be shown as tax on the
9 monthly deposit form or return fifty percent of the
10 amount of the tax. The taxpayer shall also pay
11 interest on the tax or additional tax at the rate in
12 effect under section 421.7, for each month counting
13 each fraction of a month as an entire month, computed
14 from the date the monthly deposit form or return was
15 required to be filed. The penalty and interest shall
16 be paid to the department and disposed of in the same
17 manner as other receipts under this chapter. Unpaid
18 penalties and interest may be collected in the same
19 manner as the tax imposed by this chapter. The

20 penalty imposed under this subsection is not subject
21 to waiver."

22 8. Page 14, by inserting after line 14 the
23 following:

24 "Sec._____. Section 435.5, Code 1985, is amended to
25 read as follows:

26 435.5 PENALTY.

27 If any person fails to remit at least ninety
28 percent of the tax due with the filing of the return
29 on or before the due date, or pays less than ninety
30 percent of the total amount of the tax due as shown on
31 the return, there shall be added to the tax a penalty
32 of five ten percent of the tax due. In case of
33 willful failure to file a return with intent to evade
34 tax, or in case of willfully filing a false return
35 with intent to evade tax, in lieu of the penalty above
36 provided, there shall be added to the amount required
37 to be shown as tax on the return fifty percent of the
38 amount of the tax. The penalty imposed under this
39 section is not subject to waiver.

40 Sec._____. Section 450.63, subsection 2, Code 1985,
41 is amended to read as follows:

42 2. If a person liable for the payment of tax as
43 stated in section 450.5 fails to remit at least ninety
44 percent of the tax due with the filing of the return
45 on or before the due date or pays less than ninety
46 percent of any tax required to be shown on the return,
47 there shall be added to the tax a penalty of five ten
48 percent of the amount of the tax due. The penalty
49 imposed under this subsection is not subject to
50 waiver."

Page 5

1 9. By renumbering as necessary.

Rosenberg of Story offered the following amendment H-3997,
to amendment H-3946, filed by him from the floor and moved its
adoption:

H-3997

1 Amend amendment H-3946 to House File 764 as follows:

2 1. Page 2, line 48, by striking the word "fifty" and
3 inserting the word "seventy-five".

4 2. Page 3, line 24, by striking the word "fifty" and
5 inserting the word "seventy-five".

6 3. Page 4, line 9, by striking the word "fifty" and
7 inserting the word "seventy-five".

8 4. Page 4, line 37, by striking the word "fifty" and
9 inserting the word "seventy-five".

Amendment H—3997 was adopted.

On motion by Rosenberg of Story, amendment H—3946, as amended, was adopted.

Carpenter of Polk offered the following amendment H—3984 filed by Carpenter, et al., and moved its adoption:

H—3984

- 1 Amend House File 764 as follows:
- 2 1. Page 7, line 6, by striking the word "may" and
- 3 inserting the following: "shall".
- 4 2. Page 7, line 7, by inserting after the word
- 5 "bond" the following: "in an amount established by
- 6 the hearing officer, but not in excess of all tax,
- 7 interest, and penalty."

Amendment H—3984 was adopted.

Chapman of Linn offered the following amendment H—3993 filed by her and moved its adoption:

H—3993

- 1 Amend House File 764 as follows:
- 2 1. Page 7, by inserting after line 8 the
- 3 following:
- 4 "The director shall adopt rules establishing
- 5 procedures for payment of taxes under protest. If it
- 6 is finally determined that the tax is not due in whole
- 7 or in part, the department shall refund the part of
- 8 the tax payment which is determined not to be due
- 9 together with interest on the amount of the refund at
- 10 the rate as determined under section 421.7."

Amendment H—3993 was adopted.

Doderer of Johnson offered the following amendment H—4000 filed by her from the floor:

H—4000

- 1 Amend House File 764 as follows:
- 2 1. Page 15, line 9, by inserting after the word
- 3 "Act." the following: "The first amounts received
- 4 from taxes due and interest penalties as a direct
- 5 result of the tax amnesty program specified under
- 6 sections 1 through 3 of this Act shall be credited to
- 7 the general fund of the state to reimburse the amount
- 8 of this appropriation used by the department to
- 9 administer this Act."

Norland of Worth asked and received unanimous consent that House File 764 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H—4000 pending.)

CONSIDERATION OF SENATE
CONCURRENT RESOLUTION 34

Groth of Buena Vista called up for consideration Senate Concurrent Resolution 34, to exempt Senate File 492 (a plan for revising the state school aid formula) from Joint Rule 20.

Bennett of Ida offered the following amendment H—4005 filed by him from the floor:

H—4005

- 1 Amend Senate Concurrent Resolution 34 as adopted
- 2 by the Senate as follows:
- 3 1. Page 1, by striking line 4 and inserting the
- 4 following: "Files 492 and 516 from Joint Rule 20."
- 5 2. Page 1, by inserting after line 12 the fol-
- 6 lowing:
- 7 "Whereas, drunk driving is a vital concern to
- 8 the citizens of Iowa; and".
- 9 3. Page 1, by striking line 18 and inserting
- 10 the following: "That Senate Files 492 and 516 are
- 11 exempt from Joint Rule 20 and".

Running of Linn rose on a point of order that amendment H—4005 was not germane.

The Speaker ruled the point well taken and amendment H—4005 not germane.

Norland of Worth asked for unanimous consent that Senate Concurrent Resolution 34 be deferred.

Objection was raised.

Norland of Worth moved that Senate Concurrent Resolution 34 be deferred.

A non-record roll call was requested.

The ayes were 42, nays 31.

The motion prevailed and Senate Concurrent Resolution 34 was deferred.

On motion by Norland of Worth, the House was recessed at 11:01 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 17, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty.

Also: That the Senate has on April 24, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 103, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 178, by Rodgers, a bill for an act relating to the handling and preservation of assessment rolls and assessment information.

Read first time and referred to committee on **ways and means**.

Senate File 349, by Hultman, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles.

Read first time and referred to committee on **ways and means**.

Senate File 557, by committee on ways and means, a bill for an act relating to the filing of claims for the homestead credit.

Read first time and referred to committee on **ways and means**.

Senate File 558, by committee on ways and means, a bill for an act exempting the rental of mobile or manufactured housing from the sales, services, and use tax.

Read first time and referred to committee on **ways and means**.

Senate File 560, by committee on ways and means, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Read first time and referred to committee on **ways and means**.

CONSIDERATION OF BILLS Ways and Means Calendar

The House resumed consideration of **House File 764**, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, and amendment H—4000, temporarily deferred.

On motion by Doderer of Johnson, amendment H—4000 was adopted.

Dpderer of Johnson offered the following amendment H—4002 filed by her from the floor and moved its adoption:

H—4002

- 1 Amend House File 764 as follows:
- 2 1. Page 3, line 3, by striking the word "officer,"
- 3 and inserting the words "officer or".
- 4 2. Page 3, by striking line 4, and inserting the
- 5 following: "member of the board of directors having a
- 6 substantial legal".
- 7 3. Page 4, by striking line 28, and inserting
- 8 the following: "any officer or member of the board of
- 9 directors having".
- 10 4. Page 10, line 30, by striking the word "officer."

- 11 and inserting the words "officer or".
 12 5. Page 10, by striking line 31, and inserting the
 13 following: "member of the board of directors having a
 14 sub-"
 15 6. Page 12, by striking line 20, and inserting the
 16 following: "any officer or member of the board of
 17 directors".

Amendment H—4002 was adopted.

Doderer of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 764)

The ayes were, 63:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Hammond	Hanson	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Renaud	Rosenberg
Sherzan	Shoultz	Siegrist	Spear
Stromer	Sullivan	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 36:

Bennett	Black	Branstad	Carter
Corey	Daggett	De Groot	Grandia
Halvorson, R. N.	Handorf	Harbor	Hermann
Hester	Hummel	Kremer	Lageschulte
Maulsby	McIntee	Metcalf	Miller
Mullins	O'Kane	Pellet	Poncy
Renken	Rensink	Royer	Running
Schneklöth	Shoning	Skow	Stueland
Sturgeon	Swartz	Van Maanen	Welden

Absent or not voting, 1:

Connors

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

SENATE FILE 81 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 81 be deferred and that the bill retain its place on the calendar.

Appropriations Calendar

Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered amendment H—3955 filed by the committee on appropriations and requested division as follows:

H—3955

- 1 Amend Senate File 434, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H—3955A

- 3 1. By striking page 1, line 31, through
- 4 page 2, line 3.

H—3955B

- 5 2. Page 2, by striking lines 21 through 26.

H—3955C

- 6 3. By striking page 4, lines 16 through 17.

H—3955D

- 7 4. Page 9, by inserting after line 13 the fol-
- 8 lowing:
- 9 "Sec. _____ COMPARABLE WORTH PAY ADJUSTMENTS.
- 10 There is appropriated from the general fund of the

H-3955D

11 state to the salary adjustment fund established in
12 section 8.43 for the fiscal year beginning July 1,
13 1985 and ending June 30, 1986, the sum of nineteen
14 million (19,000,000) dollars, or so much thereof as is
15 necessary, to be distributed to the various
16 departments to supplement other general fund moneys
17 appropriated by the general assembly to provide salary
18 adjustments resulting from implementing actions taken
19 under 1984 Iowa Acts, chapter 1314 including plans
20 developed for agencies with positions which are exempt
21 or partially exempt from the state merit system
22 pursuant to 1984 Iowa Acts, chapter 1314, section 8."

H-3955E

23 5. Page 9, line 25, by striking the figure
24 "18,863,000" and inserting in lieu thereof the
25 figure "18,563,000".

H-3955F

26 6. By striking page 10, lines 25 through 29.

The House stood at ease at 2:55 p.m., until the fall of the gavel.

The House resumed session and consideration of the committee amendment H-3955A to Senate File 434 at 4:25 p.m., Speaker Avenson in the chair.

On motion by Jochum of Dubuque, the committee amendment H-3955A was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw the committee amendment H-3955B.

Jochum of Dubuque asked and received unanimous consent to withdraw the committee amendment H-3955C.

On motion by Jochum of Dubuque, the committee amendment H-3955D was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw the committee amendment H-3955E.

The House resumed consideration of the committee amendment H-3955F.

Maulsby of Calhoun offered the following amendment H—4014, to the committee amendment H—3955F, filed by him and Van Maanen of Mahaska from the floor and moved its adoption:

H—4014

- 1 Amend the Committee on Appropriations amendment, H—
- 2 3955 to Senate File 434 as amended, passed and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 1, by striking line 26 and inserting the
- 5 following:
- 6 "_____. Page 10, line 29, by inserting after the
- 7 figure "1986." the following: "Any salary adjustments
- 8 for employees of an agency for the fiscal year
- 9 beginning July 1, 1986 shall be paid pursuant to the
- 10 collective bargaining agreement from the funds
- 11 appropriated to that agency."

Roll call was requested by Maulsby of Calhoun and Stueland of Clinton.

On the question "Shall amendment H—4014, to the committee amendment H—3955F be adopted?"

The ayes were, 38:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	Metcalf
Miller	Paulin	Peick	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 61:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	De Groot	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Muhlbauer
Mullins	Norland	O'Kane	Ollie

Osterberg	Oxley	Pavich	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 1:

Parker

Amendment H—4014 lost.

On motion by Jochum of Dubuque, the committee amendment H—3955F was adopted.

Jochum of Dubuque offered amendment H—3987 filed by him and requested division as follows:

H—3987

- 1 Amend Senate File 434 as amended, passed and
- 2 reprinted by the Senate as follows:

H—3987A

- 3 1. Page 1, line 14, by striking the figure
- 4 "63,394" and inserting the following: "63,229".
- 5 2. Page 1, line 20, by striking the figure
- 6 "3,000" and inserting the following: "2,756".
- 7 3. Page 1, line 30, by striking the figure
- 8 "1,703,964" and inserting the following: "1,697,016".
- 9 4. Page 1, by inserting after line 30 the
- 10 following:
- 11 "It is the intent of the general assembly that the
- 12 individual budgets of state agencies have been reduced
- 13 two million five hundred thousand (2,500,000) dollars
- 14 for travel, two million (2,000,000) dollars for
- 15 equipment purchases, and one million (1,000,000)
- 16 dollars for motor vehicle depreciation from the
- 17 governor's recommended budget."
- 18 5. Page 2, line 8, by striking the figure
- 19 "6,485,960" and inserting the figure "6,480,229".
- 20 6. Page 2, line 20, by striking the figure
- 21 "1,524,877" and inserting the figure "1,497,438".
- 22 7. Page 2, line 32, by striking the figure
- 23 "3,207,705" and inserting the figure "3,193,091".
- 24 8. Page 3, line 8, by striking the figure
- 25 "121,921" and inserting the following: "120,676".

H-3987A

26 9. Page 3, line 15, by striking the figure
 27 "161,129" and inserting the following: "160,960".
 28 10. Page 3, line 35, by striking the figure
 29 "5,003,081" and inserting the figure "4,957,680".

H-3987B

30 11. Page 9, by inserting after line 13 the
 31 following:
 32 "Sec. _____. 1983 Iowa Acts, chapter 195, section
 33 13, as amended by 1984 Iowa Acts, chapter 1316,
 34 section 4, is amended to read as follows:
 35 SEC. 13. There is appropriated from the general
 36 fund of the state to the department of general
 37 services for the fiscal periods beginning July 1, 1984
 38 and July 1, 1985 and ending June 30, 1984 and June 30,
 39 1989, respectively, the following amounts, or so much
 40 thereof as necessary, to be used for the purposes
 41 designated:

	<u>1984-1988</u>	<u>1985-1989</u>
	<u>Fiscal Period</u>	<u>Fiscal Period</u>
44 For the engineering, 45 planning and construction 46 of a new state historical 47 building	\$ 4,750,000	\$ 5,250,000

48 Funds appropriated by this section are provided as
 49 a state match of two dollars of state match for each
 50 one dollar of nonstate funds actually acquired

Page 2

1 excluding the Herrick bequest. Funds appropriated by
 2 this section shall not be committed or expended
 3 without the prior written approval of the director of
 4 the department of general services.
 5 Sec. _____. Section 301, subsection 1, paragraph d,
 6 1985 Iowa Acts, House File 225, is amended to read as
 7 follows:
 8 d. Before the treasurer makes the allotments under
 9 paragraphs "a", "b", and "c", the treasurer shall
 10 repay to the general fund the loan for start-up
 11 purposes of the Iowa lottery, shall repay to the
 12 general fund appropriate the sum of one million twenty
 13 thousand dollars which was appropriated for the fiscal
 14 year beginning July 1, 1985 from the general fund to
 15 the department of general services for capitol
 16 building restoration and major repairs, and shall
 17 repay to the general fund appropriate the sum of five
 18 million two hundred fifty thousand dollars which was
 19 appropriated for the fiscal period beginning July 1,
 20 1985 and ending June 30, 1989 from the general fund to

H-3987B

21 the department of general services for the
 22 engineering, planning and construction of a new state
 23 historical building under 1984 Iowa Acts, chapter
 24 1316, section 4."

H-3987C

25 12. Page 9, by striking lines 14 through 28 and
 26 inserting the following:
 27 "Sec. _____. Senate File 269, enacted by the
 28 Seventy-first General Assembly, 1985 Session, section
 29 1, subsections 1 through 9, are amended to read as
 30 follows:

31 1. BOARD OF ARCHITECTURAL
 32 EXAMINERS

33 For salaries, support, main-
 34 tenance, and other operational
 35 purposes \$ 30,000
 36 36,791

37 2. BOARD OF LANDSCAPE ARCHI-
 38 TECTURAL EXAMINERS

39 For salaries, support, main-
 40 tenance, and other operational
 41 purposes \$ 10,000
 42 9,770

43 3. BOARD OF ACCOUNTANCY

44 For salaries, support, main-
 45 tenance, and other operational
 46 purposes \$ 256,000
 47 251,440

48 4. STATE BOARD OF ENGINEER-
 49 ING EXAMINERS

50 For salaries, support, main-

Page 3

1 tenance, and other operational
 2 purposes \$ 124,000
 3 120,568

4 5. IOWA REAL ESTATE COM-
 5 MISSION

6 For salaries, support, main-
 7 tenance, and other operational
 8 purposes \$ 323,000
 9 301,894

10 6. BOARD OF MEDICAL
 11 EXAMINERS

12 For salaries, support,
 13 maintenance, and miscel-
 14 laneous purposes \$ 630,000
 15 620,497

H-3987C

16	7. BOARD OF NURSE EXAMINERS		
17	For salaries, support,		
18	maintenance, and miscel-		
19	laneous purposes	\$	558,000
20			<u>550,520</u>
21	8. BOARD OF PHARMACY		
22	EXAMINERS		
23	For salaries, support,		
24	maintenance, and miscel-		
25	laneous purposes	\$	367,000
26			<u>345,974</u>
27	9. BOARD OF DENTAL		
28	EXAMINERS		
29	For salaries, support,		
30	maintenance, and miscel-		
31	laneous purposes	\$	112,000
32			<u>106,733</u>
33	Sec. Senate File 269, enacted by the Seventy-		
34	first General Assembly, 1985 Session, section 2,		
35	subsections 1 through 10, are amended to read as		
36	follows:		
37	1. AUDITOR OF STATE		
38	For salaries, support, main-		
39	tenance, and other operational		
40	purposes	\$	2,011,000
41			<u>1,980,803</u>
42	2. DEPARTMENT OF BANKING		
43	For salaries, support, main-		
44	tenance, and other operational		
45	purposes	\$	3,804,000
46			<u>3,687,250</u>
47	The department of banking may expend additional		
48	funds, if those additional expenditures are actual		
49	expenses which exceed the funds budgeted for banking		
50	institution examinations and directly result from		

Page 4

1 examinations of banking institutions. Before the
2 department expends or encumbers an amount in excess of
3 the funds budgeted for examinations, the state
4 comptroller shall approve the expenditure or
5 encumbrance. Before approval is given, the state
6 comptroller shall determine that the examination
7 expenses exceed the funds budgeted by the general
8 assembly to the department and that the department
9 does not have other funds from which examination
10 expenses can be paid. Upon approval of the state
11 comptroller the department may expend and encumber

H-3987C

12 funds for excess examination expenses. The amounts
 13 necessary to fund for excess examination expenses
 14 shall be collected from those banking institutions
 15 being examined which caused the excess expenditures
 16 and the collections shall be treated as repayment
 17 receipts as defined in section 8.2, subsection 5.

18 3. IOWA BEER AND LIQUOR

19 CONTROL DEPARTMENT

20 For salaries, support, main-
 21 tenance, and other operational
 22 purposes which includes one
 23 hundred ninety-three thousand
 24 dollars for the establishment
 25 of ministores

\$ 19,363,000
18,074,000

26
 27 Any amount of the one hundred ninety-three thousand
 28 dollars for the establishment of ministores that
 29 remain unobligated on June 30, 1986 shall revert to
 30 the general fund of the state.

31 4. CAMPAIGN FINANCE DIS-
 32 CLOSURE COMMISSION

33 For salaries, support, main-
 34 tenance, and other operational
 35 purposes

\$ 137,034
133,035

36
 37 5. CREDIT UNION DEPARTMENT

38 For salaries, support, main-
 39 tenance, and other operational
 40 purposes

\$ 560,000
546,500

41
 42 6. INSURANCE DEPARTMENT
 43 OF IOWA

44 For salaries, support, main-
 45 tenance, and other operational
 46 purposes

\$ 2,937,000
2,873,456

47
 48 The insurance department may expend additional
 49 funds, if those additional expenditures are actual
 50 expenses which exceed the funds budgeted for insurance

Page 5

1 company examinations and directly result from
 2 examinations of insurance companies. Before the
 3 department expends or encumbers an amount in excess of
 4 the funds budgeted for examinations, the state
 5 comptroller shall approve the expenditure or
 6 encumbrance. Before approval is given, the state
 7 comptroller shall determine that the examination

H—3987C

8	expenses exceed the funds budgeted by the general		
9	assembly to the department and that the department		
10	does not have other funds from which examination		
11	expenses can be paid. Upon approval of the state		
12	comptroller the department may expend and encumber		
13	funds for excess examination expenses. The amounts		
14	necessary to fund the excess examination expenses.		
15	shall be collected from those insurance companies		
16	being examined which caused the excess expenditures		
17	and the collections shall be treated as repayment		
18	receipts as defined in section 8.2, subsection 5.		
19	7. BUREAU OF LABOR		
20	For salaries, support, main-		
21	tenance, and other operational		
22	purposes	\$	1,582,422
23			<u>1,521,667</u>
24	8. OCCUPATIONAL SAFETY		
25	AND HEALTH REVIEW COMMISSION		
26	For salaries, support, main-		
27	tenance, and other operational		
28	purposes	\$	49,606
29			<u>48,203</u>
30	9. PUBLIC EMPLOYMENT RE-		
31	LATIONS BOARD		
32	For salaries, support, main-		
33	tenance, and other operational		
34	purposes	\$	564,000
35			<u>554,746</u>
36	10. SECRETARY OF STATE		
37	For salaries, support, main-		
38	tenance, and other operational		
39	purposes	\$	1,134,000
40			<u>1,128,851"</u>
41	13. Renumber sections as necessary.		

On motion by Jochum of Dubuque, amendment H—3987A was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—3987B.

O'Kane of Woodbury offered the following amendment H—3969 filed by him and moved its adoption:

H—3969

- 1 Amend Senate File 434 as amended, passed and
- 2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 4, the
4 following:
5 "It is the intent of the General Assembly that
6 the Adjutant General of the Iowa National Guard
7 present to the members of the State Government
8 Appropriations Subcommittee a detailed report out-
9 lining the conditions under which the Selective
10 Retention Program was utilized during the previous
11 year. Such report shall include but not be limited
12 to the ages, ranks and years of service of the guard
13 personnel retained or dismissed."

Amendment H—3969 was adopted.

Pavich of Pottawattamie offered the following amendment H—3990 filed by him and Jochum of Dubuque and moved its adoption:

H—3990

1 Amend Senate File 434, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 4 the
4 following:
5 "Notwithstanding section 29A.57, the proceeds from
6 the sale of the armory in Dubuque shall revert to the
7 general fund of the state and not to the national
8 guard facilities improvement fund."

Amendment H—3990 was adopted.

Jochum of Dubuque offered the following amendment H—4019 filed by him from the floor and moved its adoption:

H—4019

1 Amend Senate File 434, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, line 21, by striking the figure
4 "683,711" and inserting the figure "702,769".

Amendment H—4019 was adopted.

The House resumed consideration of amendment H—3987C.

Jochum of Dubuque offered the following amendment H—4007, to amendment H—3987C, filed by him from the floor and moved its adoption:

H—4007

- 1 Amend the amendment, H—3987, to Senate File 434, as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, by striking line 9 and inserting the
- 5 figure "312,447".

Amendment H—4007 was adopted.

Jochum of Dubuque offered the following amendment H—4020, to amendment H—3987C, filed by him from the floor and moved its adoption:

H—4020

- 1 Amend the amendment H—3987 to Senate File 434 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 4, line 25, by inserting after the word
- 5 "of" the following: "agency stores and".
- 6 2. Page 4, line 28, by inserting after the word
- 7 "of" the following: "agency stores and".

Amendment H—4020 was adopted.

Black of Jasper offered the following amendment H—4031, to amendment H—3987C, filed by him from the floor and moved its adoption:

H—4031

- 1 Amend the amendment, H—3987, to Senate 434, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 2, line 27 through page 3,
- 5 line 33, and inserting the following:
- 6 "Sec. _____, Senate File 269, enacted by the
- 7 Seventy."

Amendment H—4031 lost.

Norland of Worth asked and received unanimous consent that Senate File 434 be deferred and that the bill retain its place on the calendar.

(Amendment H—3987C, as amended, pending.)

ADOPTION OF SENATE CONCURRENT RESOLUTION 34

The House resumed consideration of Senate Concurrent Resolution 34, to exempt Senate File 492 (a plan for revising the state school aid formula) from Joint Rule 20, previously deferred.

Stromer of Hancock asked and received unanimous consent to consider amendment H-4005, (found on page 1794 of the House Journal) previously ruled not germane.

Objection was raised.

Stromer of Hancock moved that the rules be suspended to consider amendment H-4005.

Roll call was requested by Maulsby of Calhoun and Carpenter of Polk.

On the question "Shall the rules be suspended to consider amendment H-4005?"

The ayes were, 41:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hester	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Varn
Welden			

The nays were, 59:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	C Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Loneragan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy

Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, none.

The motion lost.

Carpenter of Polk offered the following amendment H-4010 filed by her from the floor:

H-4010

- 1 Amend Senate Concurrent Resolution 34 as adopted by
- 2 the Senate as follows:
- 3 1. Page 1, by striking line 4 and inserting the
- 4 following: "Files 492 and 499 from Joint Rule 20."
- 5 2. Page 1, by inserting after line 12 the
- 6 following:
- 7 "Whereas, the safety of vehicle operators and
- 8 passengers is of great concern to the citizens of
- 9 Iowa; and"
- 10 3. Page 1, by striking lines 13 through 16 and
- 11 inserting the following:
- 12 "Whereas, Joint Rule 20 requires that Senate Files
- 13 492 and 499 be passed by the Senate and reported out
- 14 of the House Committee to which they had been referred
- 15 by April 12, 1985; Now Therefore,".
- 16 4. Page 1, by striking line 18 and inserting the
- 17 following: "That Senate Files 492 and 499 are exempt
- 18 from Joint Rule 20 and".

Groth of Buena Vista rose on a point of order that amendment H-4010 was not germane.

The Speaker ruled the point well taken and amendment H-4010 not germane.

Groth of Buena Vista moved the adoption of Senate Concurrent Resolution 34.

Roll call was requested by Stromer of Hancock and Halvorson of Clayton.

Rule 75 was invoked.

On the question "Shall the resolution be adopted?" (SCR 34)

The ayes were, 54:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Holveck	Hughes
Jay	Jochum	Knapp	Lloyd-Jones
Loneragan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Shoultz
Skow	Spear	Sullivan	Swartz
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 46:

Bennett	Branstad	Carpenter	Chapman
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Haverland	Hermann
Hester	Hummel	Johnson	Koenigs
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schneklath	Sherzan
Shoning	Siegrist	Stromer	Stueland
Sturgeon	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, none.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(Senate Concurrent Resolution 34)

Norland of Worth asked and received unanimous consent to immediately message Senate Concurrent Resolution 34 to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jay of Appanoose, for the remainder of the day, on request of Speaker Avenson.

Appropriations Calendar

The House resumed consideration of **Senate File 434**, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, and amendment H-3987C, as amended, temporarily deferred.

Van Camp of Scott offered the following amendment H-4035, to amendment H-3987C, filed by him from the floor and moved its adoption:

H-4035

- 1 Amend amendment H-3987 to Senate File 434 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 4, line 1, by inserting after the word
- 5 "institutions" the following: "or those additional
- 6 expenditures are actual operational expenses which
- 7 exceed the funds budgeted for that operational
- 8 purpose".
- 9 2. Page 4, line 3, by inserting after the word
- 10 "examinations" the following: "or an operational
- 11 purpose".
- 12 3. Page 4, line 7, by inserting after the word
- 13 "expenses" the following: "or operational expenses".
- 14 4. Page 4, line 10, by inserting after the word
- 15 "expenses" the following: "or operational expenses".
- 16 5. Page 4, line 12, by inserting after the word
- 17 "expenses" the following: "or operational expenses".
- 18 6. Page 4, by inserting after line 41 the
- 19 following:
- 20 "The credit union department may expend additional
- 21 funds, if those additional expenditures are actual
- 22 expenses which exceed the funds budgeted for credit
- 23 union examinations and directly result from
- 24 examinations of credit union or those additional
- 25 expenditures are actual operational expenses which
- 26 exceed the funds budgeted for that operational
- 27 purpose. Before the department expends or encumbers
- 28 an amount in excess of the funds budgeted for
- 29 examinations or an operational purpose, the state
- 30 comptroller shall approve the expenditure or

31 encumbrance. Before approval is given, the state
 32 comptroller shall determine that the examination
 33 expenses or operational expenses exceed the funds
 34 budgeted by the general assembly to the department and
 35 that the department does not have other funds from
 36 which examination expenses or operational expenses can
 37 be paid. Upon approval of the state comptroller the
 38 department may expend and encumber funds for excess
 39 examination expenses or operational expenses. The
 40 amounts necessary to fund the excess examination
 41 expenses shall be collected from those credit unions
 42 being examined which caused the excess expenditures
 43 and the collections shall be treated as repayment
 44 receipts as defined in section 8.2, subsection 5."
 45 7. Page 5, line 2, by inserting after the word
 46 "companies" the following: "or the additional
 47 expenditures are actual operational expenses which
 48 exceed the fund budgeted for that operational
 49 purpose".
 50 8. Page 5, line 4, by inserting after the word

Page 2

1 "examinations" the following: "or an operational
 2 purpose".
 3 9. Page 5, line 8, by inserting after the word
 4 "expenses" the following: "or operational expenses".
 5 10. Page 5, line 11, by inserting after the word
 6 "expenses" the following: "or operational expenses".
 7 11. Page 5, line 13, by inserting after the word
 8 "expenses" the following: "or operational expenses".

A non-record roll call was requested.

The ayes were 21, nays 43.

Amendment H—4035 lost.

On motion by Jochum of Dubuque, amendment H—3987C, as amended, was adopted.

Baxter of Dés Moines moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 434)

The ayes were, 89:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McKean	Metcalf
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 9:

Bennett	Branstad	Grandia	Maulsby
McIntee	Miller	Renken	Swartz
Van Maanen			

Absent or not voting, 2:

Hummel	Jay
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 562 and 552.

Peick of Linn in the chair at 5:52 p.m.

Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H—3978 filed by the committee on appropriations:

H—3978

- 1 Amend Senate File 562 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 12, by striking the figure
- 4 "6,029,000" and inserting the following: "5,885,720".
- 5 2. Page 1, line 16, by striking the figure
- 6 "915,000" and inserting the following: "909,894".
- 7 3. Page 1, line 20, by striking the figure
- 8 "1,020,537" and inserting the following: "994,023".
- 9 4. Page 2, line 19, by striking the figure
- 10 "590,000" and inserting the following: "580,042".
- 11 5. Page 4, line 17, by striking the figure
- 12 "16,500,000" and inserting the following:
- 13 "16,329,241".
- 14 6. Page 4, line 21, by striking the figure
- 15 "524,658" and inserting the following: "512,295".
- 16 7. Page 4, line 32, by striking the figure
- 17 "422.100." and inserting the following: "422.100.
- 18 The funds allocated under this section shall be used
- 19 exclusively for the support of public transportation
- 20 programs."
- 21 8. Page 5, line 8, by striking the figure
- 22 "4,041,000" and inserting the figure "3,906,425".
- 23 9. By striking page 7, line 16 through page 8,
- 24 line 2.
- 25 10. Page 8, line 14, by striking the figure
- 26 "5,100,000" and inserting the following: "4,947,392".
- 27 11. Page 11, lines 18 and 19, by striking the
- 28 words and figure "eighteen million one hundred ninety-
- 29 one thousand four hundred (18,191,400)" and inserting
- 30 the following: "eighteen million sixty-four thousand
- 31 (18,064,000)".
- 32 12. Page 11, by striking lines 24 through 33.
- 33 13. Page 15, by inserting after line 33 the
- 34 following new section:
- 35 "Sec._____. Section 321E.1, Code 1985, is amended

36 to read as follows:

37 321E.1 PERMITS BY DEPARTMENT.

38 The department and local authorities may in their
39 discretion and upon application and with good cause
40 being shown issue permits for the movement of
41 construction machinery or asphalt repavers being
42 temporarily moved on streets, roads or highways and
43 for vehicles with indivisible loads which exceed the
44 maximum dimensions and weights specified in sections
45 321.452 to 321.466, but not to exceed the limitations
46 imposed in sections 321E.1 to 321E.15 except as
47 provided in sections 321E.29 and 321E.30. Vehicles
48 permitted to transport indivisible loads may exceed
49 the width and length limitations specified in sections
50 321.454 and 321.457 for the purpose of picking up an

Page 2

1 indivisible load or returning from delivery of the
2 indivisible load. Permits issued may be single-trip
3 permits or annual permits. Permits shall be in
4 writing and shall be carried in the cab of the vehicle
5 for which the permit has been issued and shall be
6 available for inspection at all times. The vehicle
7 and load for which the permit has been issued shall be
8 open to inspection by a peace officer or an authorized
9 agent of a permit granting authority. When in the
10 judgment of the issuing local authority in cities and
11 counties the movement of a vehicle with an indivisible
12 load or construction machinery which exceeds the
13 maximum dimensions and weights will be unduly
14 hazardous to public safety or will cause undue damage
15 to streets, avenues, boulevards, thoroughfares,
16 highways, curbs, sidewalks, trees, or other public or
17 private property, the permit shall be denied and the
18 reasons for denial endorsed on the application.
19 Permits issued by local authorities shall designate
20 the days when and routes upon which loads and
21 construction machinery may be moved within the county
22 on other than primary roads."

23 14. Page 16, by striking lines 12 through 26.

24 15. Renumber sections and correct internal
25 references as necessary in accordance with this
26 amendment.

Woods of Polk offered the following amendment H—4025, to the committee amendment H—3978, filed from the floor by Woods, Pavich, O’Kane, Platt, Renaud, Blanshan and Harbor:

H-4025

1 Amend amendment H-3978 to Senate File 562 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting before line 33 the
5 following:

6 "_____. Page 15, by inserting after line 33 the
7 following:

8 "Sec. _____. Section 321.473, unnumbered paragraph
9 2, Code 1985, is amended to read as follows:

10 The department may issue annual special permits for
11 the operation of ~~compacted rubbish~~ compacted-rubbish
12 vehicles and vehicles which transport compacted
13 rubbish from a rubbish collection point to a landfill
14 area, exceeding the weight limitation provisions of
15 section 321.463, but not exceeding a rear axle gross
16 weight for two-axle vehicles of ~~twenty-two~~ twenty-four
17 thousand pounds ~~for the period commencing July 1, 1978~~
18 ~~and ending June 30, 1986 and twenty thousand pounds~~
19 ~~commencing July 1, 1986 and thereafter~~, and for tandem
20 axle vehicles or transferable auxiliary axle vehicles
21 not exceeding a gross weight on the rear axles of
22 ~~thirty-six~~ forty thousand pounds. The maximum gross
23 weight of the vehicle shall not exceed sixty thousand
24 pounds. Annual special permits for the operation on
25 secondary roads shall be approved by the county
26 engineer. Annual special permits for a particular
27 vehicle shall not be issued by the department unless
28 prior approval is given by the county engineer of the
29 county in which the vehicle will be operated. Annual
30 special permits for operation on primary roads shall
31 be approved by the state department of transportation.
32 ~~Compacted rubbish~~ Compacted-rubbish vehicles and
33 vehicles which transport compacted rubbish from a
34 rubbish collection point to a landfill area operated
35 pursuant to an annual special permit shall be operated
36 only over routes designated by the local authority.
37 Annual special permits for a particular vehicle shall
38 not be issued by the department unless approved by the
39 local authority responsible for the roads over which
40 the vehicle will be operated. Annual special permits
41 approved by the issuing authority shall be issued upon
42 payment of an annual fee, in addition to other
43 registration fees imposed, of one hundred dollars to
44 be paid to the department for all nongovernmental
45 vehicles. As used in this section, a compacted-
46 rubbish vehicle includes such vehicles utilizing roll-
47 off systems. If a violation occurs relating to the
48 weight limitations imposed under this paragraph, the
49 weight limitations of section 321.463 shall apply to
50 the vehicle and the fine shall be assessed in

Page 2

- 1 accordance with that section." "
- 2 2. Renumber as necessary.

De Groot of Lyon rose on a point of order that amendment H—4025 was not germane.

The Speaker ruled the point well taken and amendment H—4025 not germane.

Woods of Polk asked for unanimous consent to consider amendment H—4025.

Objection was raised.

Woods of Polk moved that the rules be suspended to consider amendment H—4025.

A non-record roll call was requested.

The ayes were 22, nays 61.

The motion lost.

Division of the committee amendment H—3978 was requested as follows: Page 1, lines 3 through 31, 33 through 50 and all of page 2, amendment H—3978A; Page 1, line 32, amendment H—3978B.

Cooper of Lucas offered the following amendment H—4038, to the committee amendment H—3978A, filed from the floor by Cooper, Platt, Torrence, Muhlbauer, Koenigs, Skow, Renken, Royer, Handorf and Hughes and moved its adoption:

H—4038

- 1 Amend amendment H—3978 to Senate File 562 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 16 through 20.

Roll call was requested by Cooper of Lucas and Branstad of Winnebago.

On the question "Shall amendment H—4038, to amendment H—3978A, be adopted?"

The ayes were, 58:

Beatty	Bennett	Black	Blanshan
Branstad	Carl	Carpenter	Carter
Clark	Cochran	Cooper	Corey
Daggett	De Groot	Grandia	Groninga
Groth	Halvorson, R. A.	Handorf	Hanson
Harbor	Haverland	Hermann	Hester
Hughes	Johnson	Koenigs	Kremer
Lageschulte	Maulsby	McKean	Metcalf
Miller	Muhlbauer	Mullins	Osterberg
Oxley	Paulin	Pellett	Peterson
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Skow	Spear
Stromer	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Welden
Zimmerman	Madam Speaker (Peick)		

The nays were, 38:

Arnould	Avenson	Baxter	Brammer
Buhr	Chapman	Connolly	Connors
Diemer	Fey	Fogarty	Gruhn
Halvorson, R. N.	Hammond	Hatch	Holveck
Jochum	Knapp	Lloyd-Jones	Lonergan
McIntee	Norland	O'Kane	Ollie
Parker	Pavich	Renaud	Rosenberg
Running	Sherzan	Shoultz	Siegrist
Stueland	Sturgeon	Sullivan	Swartz
Teaford	Woods		

Absent or not voting, 4:

Doderer	Hummel	Jay	Poney
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Amendment H—4038 was adopted.

Speaker Avenson in the chair at 6:40 p.m.

Woods of Polk offered the following amendment H—4026, to the committee amendment H—3978A, filed by him from the floor:

H—4026

2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting before line 33 the
5 following:

6 "_____. Page 15, by inserting after line 33 the
7 following:

8 "Sec._____. Section 321.1, subsection 71, Code
9 1985, is amended to read as follows:

10 71. A "special truck" means a motor truck or truck
11 tractor not used for hire with a gross weight
12 registration of six through twenty tons used by a
13 person engaged in farming to transport commodities
14 produced only by the owner, or to transport
15 commodities purchased by the owner for use in the
16 owner's own farming operation or occasional use for
17 charitable purposes. "Special truck" also means a
18 truck tractor which is modified by removal of a fifth
19 wheel and carries the full load on the motor truck and
20 which by reason of its conversion becomes a motor
21 truck.

22 Sec. _____. Section 321.121, Code 1985, is amended
23 to read as follows:

24 321.121 SPECIAL TRUCKS FOR FARM USE.

25 The registration fee for a special truck shall be
26 is eighty dollars for a gross weight of six tons, one
27 hundred dollars for a gross weight of seven tons, one
28 hundred twenty dollars for a gross weight of eight
29 tons, and in addition, fifteen dollars for each ton
30 over eight tons and not exceeding eighteen tons. The
31 registration fee for a special truck with a gross
32 weight registration exceeding eighteen tons but not
33 exceeding nineteen tons shall be is three hundred
34 twenty-five dollars and for a gross weight
35 registration exceeding nineteen tons but not exceeding
36 twenty tons the registration fee shall be is three
37 hundred seventy-five dollars. Any A person convicted
38 of using a truck motor vehicle registered as a special
39 truck for any purpose other than permitted by section
40 321.1, subsection 71, shall, in addition to any other
41 penalty imposed by law, be required to pay regular
42 motor truck registration fees upon such truck for the
43 motor vehicle.

44 Sec._____. Section 321.122, subsection 1,
45 unnumbered paragraph 1, Code 1985, is amended to read
46 as follows:

47 The Except for special trucks, the annual
48 registration fee for truck tractors, road tractors,
49 and motor trucks, except special trucks, shall be is
50 based on the combined gross weight of the vehicle or

Page 2

- 1 combination of vehicles. All The motor trucks, truck
- 2 tractors, or road tractors shall be registered for a
- 3 gross weight equal to or in excess of the unladen
- 4 weight of the vehicle or combination of vehicles. The
- 5 annual registration fee for such the vehicles or
- 6 combination of vehicles shall be is."
- 7 2. Renumber sections as necessary.

Jochum of Dubuque rose on a point of order that amendment H-4026 was not germane.

The Speaker ruled the point well taken and amendment H-4026 not germane.

Woods of Polk asked for unanimous consent to consider amendment H-4026.

Objection was raised.

Woods of Polk moved that the rules be suspended to consider amendment H-4026.

A non-record roll call was requested.

The ayes were 18, nays 41.

The motion lost.

Maulsby of Calhoun offered the following amendment H-4017, to the committee amendment H-3978, filed by him and Van Maanan of Mahaska from the floor and moved its adoption:

H-4017

- 1 Amend the Committee on Appropriations amendment, H-
- 2 3978 to Senate File 562 as amended, passed and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 2 by striking line 23 and inserting the
- 5 following:
- 6 "_____. Page 16, line 26, by inserting after the
- 7 figure "1986." the following: "Any salary adjustments
- 8 for employees of an agency for the fiscal year
- 9 beginning July 1, 1986 shall be paid pursuant to the
- 10 collective bargaining agreement from the funds
- 11 appropriated to that agency."

Roll call was requested by Maulsby of Calhoun and Halvorson of Clayton.

On the question "Shall amendment H—4017, to the committee amendment H—3978A, be adopted?"

The ayes were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Groth	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hester
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Paulin
Peick	Pellett	Platt	Renken
Rensink	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Weiden	

The nays were, 53:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. N.	Hammond
Hatch	Holveck	Hughes	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Skow
Spear	Sturgeon	Sullivan	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 8:

Cooper	Haverland	Hummel	Jay
Mullins	Royer	Shoultz	Swartz

Amendment H—4017 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, until her return, on request of Varn of Johnson.

On motion by Jochum of Dubuque, the committee amendment H-3978A, as amended, was adopted.

Jochum of Dubuque moved the adoption of the committee amendment H-3978B.

Roll call was requested by Connors of Polk and Jochum of Dubuque.

On the question "Shall the committee amendment H-3978B be adopted?"

The ayes were, 54:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Connors	Daggett	Diemer
Fey	Fogarty	Groninga	Gruhn
Halvorson, R. N.	Handorf	Harbor	Hatch
Hester	Holveck	Hughes	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	McIntee	McKean	Norland
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Royer	Running
Sherzan	Siegrist	Spear	Stueland
Sturgeon	Tabor	Teaford	Varn
Zimmerman	Mr. Speaker		

The nays were, 33:

Bennett	Black	Branstad	Cooper
Corey	De Groot	Grandia	Halvorson, R. A.
Hanson	Hermann	Kremer	Lageschulte
Maulsby	Metcalf	Miller	Muhlbauer
Mullins	O'Kane	Paulin	Pellett
Platt	Renken	Rensink	Schnekloth
Shoning	Skow	Stromer	Sullivan
Swearingen	Torrence	Van Camp	Van Maanen
Woods			

Absent or not voting, 13:

Beatty	Clark	Cochran	Connolly
Doderer	Groth	Hammond	Haverland
Hummel	Jay	Shoultz	Swartz
Welden			

The committee amendment H-3978B was adopted.

Welden of Hardin offered the following amendment H-4009 filed by him from the floor and moved its adoption:

H-4009

- 1 Amend Senate File 562 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, line 23, by inserting after the word
- 4 "highways." the following: "However, the unfunded
- 5 liability of the peace officers retirement accident
- 6 and disability system, as of July 1, 1985, shall not
- 7 be considered a liability of the road use tax fund."

Amendment H-4009 was adopted.

Pavich of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 562)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellet	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 7:

Corey	Grandia	Maulsby	McIntee
McKean	Renken	Van Maanen	

Absent or not voting, 6:

Clark
Jay

Groth
Welden

Haverland

Hummel

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

Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H—3975 filed by the committee on appropriations:

H—3975

- 1 Amend Senate File 552 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, line 9, by striking the figure
- 4 "53,710,000" and inserting the figure "53,337,662".
- 5 2. Page 4, by inserting after line 14 the
- 6 following:
- 7 "It is the intent of the general assembly that the
- 8 department of corrections shall not allow the inmates
- 9 of the prison system to sell or otherwise exchange for
- 10 compensation of any form blood or blood products."
- 11 3. Page 4, line 31, by striking the figure
- 12 "1,810,000" and inserting the figure "1,786,378".
- 13 4. Page 7, line 5, by striking the figure
- 14 "233,000" and inserting the figure "231,167".
- 15 5. Page 7, line 7, by striking the figure
- 16 "56,000" and inserting the figure "55,239".
- 17 6. Page 7, line 11, by striking the figure
- 18 "34,000" and inserting the figure "30,769".
- 19 7. Page 7, line 16, by striking the figure
- 20 "3,165,200" and inserting the figure "3,133,582".
- 21 8. Page 9, line 11, by striking the figure
- 22 "91,000" and inserting the figure "89,211".
- 23 9. Page 9, by striking lines 18 and 19.
- 24 10. Page 9, line 24, by striking the figure
- 25 "776,586" and inserting the figure "768,816".
- 26 11. Page 9, line 28, by striking the figure
- 27 "470,000" and inserting the figure "461,804".
- 28 12. Page 10, by striking lines 25 through 30 and
- 29 inserting the following:
- 30 "commission, maintenance, equipment

- 31 and miscellaneous purposes, including
- 32 implementation of court reorganization
- 33 according to provisions of 1983 Iowa
- 34 Acts, chapter 186, section 10301 \$31,500,000".
- 35 13. Page 11, line 18, by striking the figure
- 36 "4,700,000" and inserting the figure "4,637,711".
- 37 14. Page 12, line 14, by striking the figure
- 38 "1,140,000" and inserting the figure "1,090,409".
- 39 15. Page 12, line 19, by striking the figure
- 40 "760,000" and inserting the figure "726,939".
- 41 16. Page 13, line 1, by striking the figure
- 42 "5,140,000" and inserting the figure "4,883,462".
- 43 17. Page 14, line 6, by striking the figure
- 44 "18,191,400" and inserting the figure "18,064,000".
- 45 18. Page 15, by striking lines 6 through 10.
- 46 19. Renumber sections and correct internal
- 47 references as necessary.

McIntee of Black Hawk offered the following amendment H—3980, to the committee amendment H—3975, filed by him:

H—3980

- 1 Amend the amendment, H—3975 to Senate File 552 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 and 4 and
- 5 inserting the following:
- 6 "_____. By striking page 1, line 12 through page 4,
- 7 line 9 and inserting the following:
- 8 "purposes \$53,337,662"."

Hammond of Story in the chair at 7:38 p.m.

McIntee of Black Hawk moved the adoption of amendment H—3980, to the committee amendment H—3975.

Roll call was requested by Lageschulte of Bremer and Stueland of Clinton.

On the question "Shall amendment H—3980, to the committee amendment H—3975, be adopted?"

The ayes were, 41:

- | | | | |
|----------|---------|---------|----------|
| Baxter | Bennett | Black | Branstad |
| Cochran | Connors | Corey | Daggett |
| De Groot | Diemer | Grandia | Gruhn |

Halvorson, R. N.	Handorf	Hermann	Hester
Kremer	Lageschulte	Maulsby	McIntee
Metcalf	Miller	Oxley	Paulin
Pellett	Platt	Renaud	Renken
Rensink	Royer	Schnekloth	Shoning
Skow	Stueland	Sullivan	Swartz
Swearingen	Torrence	Van Camp	Van Maanen
Woods			

The nays were, 56:

Arnould	Avenson	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Connolly	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Halvorson, R. A.	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lonergan	McKean	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Peterson	Poncy	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Spear
Strømer	Sturgeon	Tabor	Teaford
Varn	Welden	Zimmerman	Madam Speaker (Hammond)

Absent or not voting, 3:

Clark	Hummel	Jay
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Amendment H—3980 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hughes of Union, for the remainder of the evening, on request of Skow of Guthrie.

Corey of Louisa offered the following amendment H—4011, to the committee amendment H—3975, filed by him from the floor and moved its adoption:

H—4011

- 1 Amend amendment H—3975 to Senate File 552 as amended,
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 5 through 10.

Amendment H—4011 was adopted.

Peterson of Carroll offered the following amendment H-4022, to the committee amendment H-3975, filed from the floor by Peterson, Hammond, Halvorson of Webster, Chapman, Rosenberg, Clark and Carpenter and moved its adoption:

H-4022

- 1 Amend the amendment, H-3975, to Senate File 552 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking line 23.

A non-record roll call was requested.

The ayes were 50, nays 33.

Amendment H-4022 was adopted.

Speaker Avenson in the chair at 8:41 p.m.

Black of Jasper offered the following amendment H-3989, to the committee amendment H-3975, filed by Black, et al., and moved its adoption:

H-3989

- 1 Amend the amendment, H-3975, to Senate File 552, as
- 2 amended, passed, and reprinted by the Senate, as fol-
- 3 lows:
- 4 1. Page 1, line '34, by striking the figure
- 5 "31,500,000" and inserting the figure "31,615,987".
- 6 2. Page 1, by inserting after line 34 the
- 7 following:
- 8 "_____. Page 11, by inserting after line 3 the
- 9 following:
- 10 "Sec._____. Section 602.6201, subsection 10, Code
- 11 1985, is amended to read as follows:
- 12 10. Notwithstanding the formula for determining
- 13 the number of judgeships in this section, the number
- 14 of district judges shall not exceed ninety-nine during
- 15 the period commencing July 1, 1983 and ending as the
- 16 general assembly shall specify one hundred."

Amendment H-3989 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott, for the remainder of the evening, on request of Renken of Grundy.

Diemer of Black Hawk offered the following amendment H-4027, to the committee amendment H-3975 filed by him and Jochum of Dubuque from the floor and moved its adoption:

H-4027

- 1 Amend the amendment H-3975 to Senate File 552 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 42, by striking the figure
- 5 "4,883,462" and inserting the following: "5,003,818".

Amendment H-4027 was adopted.

On motion by Jochum of Dubuque, the committee amendment H-3975, as amended, was adopted.

Sherzan of Polk offered the following amendment H-3979 filed by him:

H-3979

- 1 Amend Senate File 552, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 6, by inserting after line 2 the fol-
- 4 lowing:
- 5 "The department of corrections shall report to the
- 6 general assembly not later than January 15, 1987,
- 7 relating to the department's progress toward
- 8 establishing a compensation range for the staff of the
- 9 district departments of correctional services pursuant
- 10 to section 905.4, subsection 2."

Sherzan of Polk offered the following amendment H-3999, to amendment H-3979, filed by him from the floor and moved its adoption:

H-3999

- 1 Amend amendment H-3979 to Senate File 552 as amended,

- 2 passed and reprinted by the Senate as follows:
 3 1. Page 1, line 6, by striking the numeral "1987"
 4 and inserting the numeral "1986".

Amendment H—3999 was adopted.

On motion by Sherzan of Polk, amendment H—3979, as amended, was adopted.

Tabor of Jackson offered the following amendment H—4028 filed from the floor by Jay, Sullivan, Maulsby, Tabor, Platt and Hermann:

H—4028

- 1 Amend Senate File 552 as amended, passed, and
 2, reprinted by the Senate, as follows:
 3 1. Page 14, by inserting after line 34 the
 4 following:
 5 "Sec. _____. IN-CAR BREATHALIZER PILOT PROJECT —
 6 APPROPRIATION.
 7 1. The department of public safety, after
 8 consultation and subject to rules of the supreme
 9 court, shall conduct a pilot project study of an in-
 10 car breathalyzer device. The department shall provide
 11 for the selection of the jurisdiction or jurisdictions
 12 in consultation with the supreme court in which the
 13 pilot project is to be conducted, establish criteria
 14 for operation and completion of the study, and
 15 authorize persons to serve as installers and
 16 inspectors of the in-car breathalyzer devices. The
 17 department shall establish a schedule of fees which
 18 may be charged by installers and inspectors of the
 19 breathalyzer devices. In lieu of conduct of the pilot
 20 project study by the department, the department may
 21 contract for its conduct.
 22 2. The pilot project shall be completed by
 23 February 1, 1986 and the results of the pilot project
 24 reported by the department to the legislative council
 25 not later than March 1, 1986. The report shall
 26 include to the extent applicable data indicating the
 27 effectiveness of the breathalyzer device in reducing
 28 the operation of a motor vehicle while intoxicated and
 29 statistical comparisons of the study jurisdiction and
 30 other jurisdictions during the same time period and
 31 preceding years. Comparative statistics may include,
 32 but are not limited to, OMVUI fatalities, injuries,
 33 and repeat offenses while the breathalyzer devices are
 34 utilized.

35 3. To facilitate the pilot project study provided
36 for under subsection 1, the supreme court may issue
37 rules authorizing judges in the selected jurisdictions
38 to require the installation of breathalizers in
39 conjunction with other sanctions, as a substitute for
40 other sanctions, or in conjunction with the issuance
41 of work permits for persons who plead guilty or are
42 convicted of violations of sections 321.281. The
43 costs of the breathalyzer device and its installation
44 shall be paid by the offender, but the rules may
45 provide for reduction of specified fines imposed by
46 law for violations of section 321.281 to displace the
47 cost of the device and its installation."

McIntee of Black Hawk offered the following amendment
H-4040, to amendment H-4028, filed by him from the floor:

H-4040

- 1 Amend the amendment, H-4028, to Senate File 552 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, lines 5 and 6, by striking the
- 5 following: "- APPROPRIATION".
- 6 2. Page 1, line 16, by inserting after the word
- 7 "devices." the following: "The breathalyzer devices
- 8 shall be set to react when a person has an alcohol
- 9 concentration of ten hundredths or more."

The following amendment H-4044, to amendment H-4040, to
amendment H-4028, filed by McIntee of Black Hawk from the floor
was adopted by unanimous consent:

H-4044

- 1 Amend amendment H-4040 to Senate File 552 as amended,
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 8 and 9, and inserting
- 4 the following: "shall not be set to react when a person
- 5 has an alcohol concentration of more than ten hundredths."

On motion by McIntee of Black Hawk, amendment H-4040, as
amended, was adopted.

Tabor of Jackson offered the following amendment H-4039, to
amendment H-4028, filed by him from the floor and moved its
adoption:

H—4039

- 1 Amend the amendment, H—4028, to Senate File 552 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 10, by inserting after the word
 5 "device" the following: "if federal funds or other
 6 funds are available for that purpose".
 7 2. Page 1, by striking lines 22 through 25 and
 8 inserting the following:
 9 "2. If the pilot study is conducted, the
 10 department shall report its findings to the
 11 legislative council. The report shall".

Amendment H—4039 was adopted.

Miller of Cherokee rose on a point of order that amendment H—4028 was not germane.

The Speaker ruled the point not well taken and amendment H—4028 germane.

On motion by Tabor of Jackson, amendment H—4028, as amended, was adopted.

Maulsby of Calhoun asked and received unanimous consent to withdraw amendment H—4016 filed by him and Van Maanen of Mahaska from the floor on April 24, 1985.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 552)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hester	Holveck	Jochum	Johnson

Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Haverland	Hermann	Hughes	Hummel
Jay			

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House File 764 and Senate Files 562 and 552.

INTRODUCTION OF BILLS

House File 768, by committee on ways and means, a bill for an act relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes.

Read first time and placed on the **ways and means calendar**.

House File 769, by committee on ways and means, a bill for an act relating to pari-mutuel betting by providing that persons licensed to conduct dog races are eligible for the tax credit to assist in retiring the annual debt on the cost of construction of the licensed facility and providing that the state racing commission shall include a statement in its annual report describing the degree to which all

segments of the Iowa economy and all geographic regions of the state have been served by the commission.

Read first time and placed on the **ways and means calendar**.

House File 770, by committee on ways and means, a bill for an act relating to inventors and inventions at board of regents' institutions.

Read first time and placed on the **ways and means calendar**.

House File 771, by committee on appropriations, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 451, a bill for an act relating to child protection and providing penalties.

Also: That the Senate has on April 24, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 696, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability.

K. MARIE THAYER, Secretary

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 23, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 85, an act relating to the application for and issuance of search warrants.

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, your committee on rules and administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Secretary II	Marian S. Swearingen	13-1 + 1 to 15-1 + 1		4/5/85
Administrative Assistant II	Mary E. Brandsgard	13-1 to 15-1		3/22/85
Administrative Assistant II	Christopher B. Morton	13-1 + 1 to 15-1		3/22/85

TOM FEY, Chair

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Ninety sixth grade students from Parkview Elementary School, Ankeny, accompanied by Margret Law. By Haverland of Polk.

Fifteen Seniors from Bridgewater Fontanelle, Fontanelle, accompanied by Darrell Burmeister. By Hughes of Union.

A group of students from Ellsworth Community College, Iowa Falls, accompanied by Daniel Brown. By Welden of Hardin.

Thirty ninth grade students from Oelwein Junior High School, Oelwein, accompanied by Bruce Willemsen, Mitch Murphy and Carl Heller. By Avenson of Fayette.

Thirty-three fourth and fifth grade students from Scranton Elementary School, Scranton, accompanied by Ken Morlan and Donna Walton. By Blanshan of Greene.

Seventeen Boy Scouts from Blaiirstown, accompanied by Scoutmaster Frank McArthur. By Hummel of Benton.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House Concurrent Resolution 30, a concurrent resolution relating to the board of regents ten-year building program.

Fiscal Note is not required.

Committee Action **Failed to Pass** April 24, 1985.

Committee Bill, relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 24, 1985.

COMMITTEE ON WAYS AND MEANS

Senate File 561, a bill for an act relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; making technical corrections to the individual and corporate income tax concerning the credit for increasing research activities in the state; eliminating the requirement that the election campaign fund and fish and game protection fund checkoffs be on the face of the return immediately above the signature line; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-4030**, April 24, 1985.

Committee Bill (Formerly House File 233), relating to pari-mutuel betting by providing that persons licensed to conduct dog races are eligible for the tax credit to assist in retiring the annual debt on the cost of construction of the licensed facility and providing that the state racing commission shall include a statement in its annual report describing the degree to which all segments of the Iowa economy and all geographic regions of the state have been served by the commission.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 24, 1985.

Committee Bill (Formerly House File 679), relating to a deduction from the state individual income tax for income from the production in Iowa of new products on which the taxpayer has pending or received a patent, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 24, 1985.

Committee Bill (Formerly Study Bill 397), relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 24, 1985.

RESOLUTIONS FILED

HCR 35, by Fogarty, a concurrent resolution memorializing the United States postmaster general to issue a commemorative stamp for fairs and expositions.

Laid over under **Rule 25**.

SCR 40, by committee on ways and means, a concurrent resolution proposing a legislative study of the final report of the tax study committee.

Referred to committee on **ways and means**.

AMENDMENTS FILED

H—3995	H.F.	505	Senate Amendment
H—3996	H.F.	554	Senate Amendment

H-3998	S.F.	564	Fey of Scott Groninga of Cerro Gordo De Groot of Lyon Holveck of Polk Connolly of Dubuque
H-4003	S.F.	103	Senate Amendment
H-4004	H.F.	740	Senate Amendment
H-4006	H.F.	231	Senate Amendment
H-4008	H.F.	266	Senate Amendment
H-4021	H.F.	757	Jochum of Dubuque Lonergan of Boone
H-4023	H.F.	540	Senate Amendment
H-4029	H.F.	696	Senate Amendment
H-4030	S.F.	561	Committee on Ways and Means
H-4034	H.F.	767	Corey of Louisa
H-4036	H.F.	231	Royer of Page Harbor of Mills
H-4037	H.F.	757	Black of Jasper Stromer of Hancock Jochum of Dubuque
H-4041	H.F.	451	Senate Amendment
H-4042	H.F.	771	Mullins of Kossuth Carl of Poweshiek Varn of Johnson Welden of Hardin Jochum of Dubuque
H-4043	H.F.	771	Van Maanen of Mahaska Welden of Hardin
H-4045	S.F.	502	Brammer of Linn

On motion by Norland of Worth, the House adjourned at 9:00 p.m., until 9:00 a.m., Thursday, April 25, 1985.

JOURNAL OF THE HOUSE

One Hundred Second Calendar Day—Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 25, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Carl Leveling, pastor of St. Paul's Catholic Church, Burlington.

The Journal of Wednesday, April 24, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Poncy of Wapello on request of Woods of Polk; Jay of Appanoose on request of Zimmerman of Dallas; Sullivan of Van Buren on request of Rosenberg of Story, all until their arrival.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 555, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 157, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 328, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 387, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child, of the person, or by operation of law upon inheritance, devise or bequest, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 433, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 480, a bill for an act relating to time lines for requiring a certified school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

Also: That the Senate has on April 23, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 539, a bill for an act relating to motor vehicle fuel.

K. MARIE THAYER, Secretary

HOUSE FILE 757 DEFERRED

Norland of Worth asked and received unanimous consent that House File 757 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 714, a bill for an act relating to the filing of a protest because of a clerical or mathematical error having been made in the assessment of a person's property was taken up for consideration.

Tabor of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 714)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochrane	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Carter	Connolly	Fey	Jay
Jochum	Poncy	Sullivan	Van Camp
Welden			

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

House File 717, a bill for an act relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, and providing penalties, was taken up for consideration.

Rosenberg of Story offered the following amendment H—3541 filed by him and moved its adoption:

H—3541

- 1 Amend House File 717 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "means" the following: "Iowa".
- 4 2. Page 1, line 4, by striking the figure
- 5 "601J.1" and inserting the following: "324.57,
- 6 subsection 9".
- 7 3. Page 1, line 6, by striking the figure
- 8 "601J.1" and inserting the following: "324.57,
- 9 subsection 11".
- 10 4. Page 2, by inserting after line 23 the
- 11 following:
- 12 "Sec. _____, Section 324.33, Code 1985, is amended
- 13 by adding the following new subsection:
- 14 NEW SUBSECTION. 9. "Urban transit system" means
- 15 Iowa urban transit system as defined in section
- 16 324.57, subsection 9.
- 17 NEW SUBSECTION. 10. "Regional transit system"
- 18 means regional transit system as defined in section
- 19 324.57, subsection 11."
- 20 5. By renumbering sections as necessary.

Amendment H—3541 was adopted.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 717)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf

Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Connolly	Jay	Jochum	Poncy
Welden			

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

Senate File 509, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive, with report of committee recommending passage was taken up for consideration.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 509)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf

Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Connolly	Jay	Jochum	Poney
Siegrist			

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

HOUSE FILE 755 WITHDRAWN

Brammer of Linn asked and received unanimous consent to withdraw House File 755 from further consideration by the House.

House File 761, a bill for an act relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 761)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Renaud	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Handorf	Maulsby	Renken
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Absent or not voting, 6:

Connolly	Jay	Jochum	Knapp
Poney	Spear		

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

RULES SUSPENDED

Norland of Worth asked for unanimous consent to suspend the rules for the immediate consideration of House File 771.

Objection was raised.

Norland of Worth moved that the rules be suspended for the immediate consideration of House File 771.

A non-record roll call was requested.

The ayes were 54, nays 38.

The motion prevailed.

Appropriations Calendar

House File 771, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986, was taken up for consideration.

The House stood at ease at 9:39 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 771 at 10:57 a.m., Speaker Avenson in the chair.

Jochum of Dubuque offered the following amendment H-4050 filed by him from the floor and moved its adoption:

H-4050

- 1 Amend House File 771 as follows:
- 2 1. Page 1, line 11, by striking the figure
- 3 "7,960,000" and inserting the following: "7,809,250".
- 4 2. Page 2, line 2, by striking the figure
- 5 "22,800,000" and inserting the following:
- 6 "22,319,495".
- 7 3. Page 6, line 7, by striking the figure
- 8 "1,000,000" and inserting the following: "996,123".
- 9 4. Page 7, line 11, by striking the figure
- 10 "25,175,000" and inserting the following:
- 11 "24,846,288".
- 12 5. Page 10, line 14, by striking the figure
- 13 "8,080,000" and inserting the following: "8,024,145".
- 14 6. Page 10, line 29, by striking the figure
- 15 "19,430,000" and inserting the following:
- 16 "19,304,550".
- 17 7. Page 11, line 30, by striking the figure
- 18 "33,200,000" and inserting the following:
- 19 "33,045,782".
- 20 8. Page 13, line 8, by striking the figure
- 21 "50,100,000" and inserting the following:
- 22 "49,645,014".

- 23 9. Page 19, line 5, by striking the figure
24 "141,000" and inserting the following: "136,065".
25 10. Page 19, line 17, by striking the figure
26 "100,000" and inserting the following: "98,002".

Amendment H—4050 was adopted.

Carl of Poweshiek offered the following amendment H—4046 filed by her from the floor and moved its adoption:

H—4046

- 1 Amend House File 771 as follows:
2 1. Page 2, lines 18 and 19, by striking the words
3 "level of grant payments" and inserting the following:
4 "schedule of basic needs".

Amendment H—4046 was adopted.

Grandia of Marion offered the following amendment H—4048 filed by him from the floor:

H—4048

- 1 Amend House File 771 as follows:
2 1. Page 3, by striking lines 3 through 6.

Grandia of Marion asked and received unanimous consent to temporarily defer action on amendment H—4048.

Mullins of Kossuth offered the following amendment H—4042 filed by Mullins, et al., and moved its adoption:

H—4042

- 1 Amend House File 771 as follows:
2 1. Page 5, by inserting after line 10 the
3 following:
4 "In addition, the department, the university of
5 Iowa hospitals and clinics, representatives of health
6 provider organizations, the state department of
7 health, and the Iowa state association of counties
8 shall cooperate in a study of the applicability of the
9 state of Colorado's medically indigent program to the
10 state of Iowa. The study shall include consideration
11 of all potential funding sources to defray the costs
12 of a comprehensive perinatal services and obstetrical
13 access program if such a program is proven to be

14 economically feasible for the state of Iowa. The
15 department shall present the results of the study to
16 the chairpersons of the general assembly's human
17 services and education appropriations subcommittees by
18 January 15, 1986."

Amendment H—4042 was adopted.

Carter of Henry offered the following amendment H—4049 filed from the floor by Carter, Corey, Spear, Baxter and Sullivan and moved its adoption:

H—4049

1 Amend House File 771 as follows:
2 1. Page 12, by inserting after line 26 the
3 following:
4 "_____. As long as there is a demonstrated need,
5 the department of human services shall continue to
6 operate a geriatric program at the state mental health
7 institute at Mount Pleasant. A reduction in the
8 patient population at the institute necessary as a
9 result of the correctional addition at the institute
10 shall not be achieved by eliminating a specific
11 program, unless the institute's citizens' advisory
12 board or the general assembly determines that there is
13 no longer a demonstrable need for the specific
14 program. If the department decides to reduce the
15 catchment area for Mount Pleasant mental health
16 institute, they shall consider the reduction temporary
17 until further population trends are clarified."

Amendment H—4049 was adopted.

Van Maanen of Mahaska asked and received unanimous consent to temporarily defer action on amendment H—4043.

Renaud of Polk in the chair at 11:21 a.m.

Van Maanen of Mahaska offered the following amendment H—4051 filed by him and Welden of Hardin from the floor:

H—4051

1 Amend House File 771 as follows:
2 1. Page 2, by striking lines 17 through 28 and
3 inserting the following:

4 "a. As a condition of the appropriation, effective
5 July 1, 1985, the department shall establish the
6 schedule of basic needs for one person at one hundred
7 fifty-nine dollars, for two persons at three hundred
8 fourteen dollars, for three persons at three hundred
9 seventy dollars, for four persons at four hundred
10 thirty-one dollars, for five persons at four hundred
11 seventy-seven dollars, for six persons at five hundred
12 thirty dollars, for seven persons at five hundred
13 eighty-three dollars, for eight persons at six hundred
14 thirty-five dollars, for nine persons at six hundred
15 eighty-eight dollars, for ten persons at seven hundred
16 fifty-two dollars, and for each additional person at
17 seventy-five dollars."

(House File 771 and amendment H—4051 pending at recess.)

On motion by Norland of Worth, the House was recessed at 11:48 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

BUSINESS PENDING AT RECESS Appropriations Calendar

The House resumed consideration of **House File 771**, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986, and amendment H—4051.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-six members present, twenty-four absent.

Holveck of Polk in the chair at 1:44 p.m.

Connors of Polk in the chair at 1:56 p.m.

Van Maanen of Mahaska moved the adoption of amendment H—4051.

Roll call was requested by Van Maanen of Mahaska and De Groot of Lyon.

On the question "Shall amendment H—4051 be adopted?"

The ayes were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 60:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Cochran
Connolly	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker (Connors)

Absent or not voting, 1:

Hester

Amendment H—4051 lost.

Speaker Avenson in the chair at 2:47 p.m.

Van Maanen of Mahaska offered the following amendment H—4052 filed by him and Welden of Hardin from the floor:

H—4052

- 1 Amend House File 771 as follows:
- 2 1. Page 7, line 25, by striking the figure
- 3 "2,485,000" and inserting the following: "2,335,000".
- 4 2. Page 7, by striking lines 30 and 31 and
- 5 inserting the following:
- 6 "b. Of the funds appropriated by this subsection,
- 7 three hundred thousand (300,000) dollars, or so much
- 8 thereof as".

Van Maanen of Mahaska asked and received unanimous consent to temporarily defer action on amendment H—4052.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Muhlbauer of Crawford, until his return, on request of Pavich of Pottawattamie.

Woods of Polk in the chair at 3:04 p.m.

Haverland of Polk offered the following amendment H—4053 filed by him from the floor and moved its adoption:

H—4053

- 1 Amend House File 771 as follows:
- 2 1. Page 14, lines 11 through 13, by striking the
- 3 words "The funds appropriated by this section shall be
- 4 allocated to the counties pursuant to the rules of the
- 5 department in effect on January 1, 1985." and
- 6 inserting the following: "The funds appropriated by
- 7 this section and the federal social services block
- 8 grant funds which the state funds appropriated by this
- 9 section supplement, shall be distributed to the
- 10 counties based equally on the following factors: the
- 11 county's proportion of the state's population; the
- 12 county's proportion of the state's poverty population;
- 13 and the county's proportion of the previous fiscal
- 14 year's local purchase state allocation."

Roll call was requested by Haverland of Polk and Sherzan of Polk.

Rule 75 was invoked.

On the question "Shall amendment H—4053 be adopted?"

The ayes were, 47:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carpenter	Carter
Chapman	Cochran	Connolly	Connors
Diemer	Doderer	Fey	Gruhn
Halvorson, R. N.	Hammond	Handorf	Hatch
Haverland	Hermann	Holveck	Jochum
Knapp	Lloyd-Jones	McIntee	Metcalf
Ollie	Osterberg	Oxley	Pavich
Peick	Platt	Renaud	Rosenberg
Running	Schneklath	Sherzan	Shoultz
Spear	Stueland	Swartz	Teaford
Torrence	Van Camp	Mr. Speaker (Woods)	

The nays were, 52:

Avenson	Bennett	Blanshan	Branstad
Carl	Clark	Cooper	Corey
Daggett	De Groot	Fogarty	Grandia
Groninga	Groth	Halvorson, R. A.	Hanson
Harbor	Hester	Hughes	Hummel
Jay	Johnson	Koenigs	Kremer
Lageschulte	Loneragan	Maulsby	McKean
Miller	Mullins	Norland	O'Kane
Parker	Paulin	Pellet	Peterson
Poncy	Renken	Rensink	Royer
Shoning	Siegrist	Skow	Stromer
Sturgeon	Sullivan	Swearingen	Tabor
Van Maanen	Yarn	Welden	Zimmerman

Absent or not voting, 1:

Muhlbauer

Amendment H—4053 lost.

The House resumed consideration of amendment H—4048, temporarily deferred.

Clark of Cerro Gordo offered the following amendment H—4057, to amendment H—4048, filed by her from the floor and moved its adoption:

H-4057

- 1 Amend the amendment, H-4048, to House File 771 as
- 2 follows:
- 3 1. Page 1, by striking line 2 and inserting the
- 4 following:
- 5 "_____. Page 3, line 6, by inserting after the word
- 6 "program" the following: "which are either set by the
- 7 school or for which program recipients have no choice
- 8 in the amount of the expenses"."

Amendment H-4057 lost.

Grandia of Marion moved the adoption of amendment H-4048.

Amendment H-4048 lost.

The House resumed consideration of amendment H-4052, temporarily deferred.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H-4052 filed by him and Welden of Hardin from the floor on April 25, 1985.

Van Maanen of Mahaska offered the following amendment H-4043 (temporarily deferred) filed by him and Welden of Hardin and moved its adoption:

H-4043

- 1 Amend House File 771 as follows:
- 2 1. Page 14, line 10, by striking the figure
- 3 "3,340,000" and inserting the figure "3,190,000".
- 4 2. Page 14, line 22, by striking the words "four
- 5 hundred" and inserting the following: "two hundred
- 6 fifty".
- 7 3. Page 14, line 23, by striking the figure
- 8 "400,000" and inserting the following: "250,000".

Amendment H-4043 lost.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 771)

The ayes were, 89:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Dodgerer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Pellet	Peterson	Platt
Poney	Renaud	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Zimmerman
Mr. Speaker (Woods)			

The nays were, 9:

Branstad	Grandia	Handorf	Kremer
Maulsby	Renken	Rensink	Van Maanen
Welden			

Absent or not voting, 2:

Muhlbauer	Parker
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED

Lonergan of Boone called up for consideration **House File 571**, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986, amended by the Senate amendment H-3932 as follows:

H-3932

1 Amend House File 571 as amended, passed, and
2 reprinted by the House as follows:

- 3 1. Page 4, by striking lines 1 through 7.
- 4 2. Page 5, by inserting after line 2 the
- 5 following:

6 "It is the intent of the general assembly that the
7 administrative duties presently performed by the
8 office of the board of cosmetology examiners and the
9 office of the board of barber examiners be
10 consolidated."

11 3. Page 5, line 9, by striking the figure
12 "1,242,427" and inserting the figure "1,314,427".

13 4. Page 5, line 23, by striking the figure
14 "252,000" and inserting the figure "324,000".

15 5. Page 5, by inserting after line 32 the
16 following new paragraph:

17 "Of the funds allocated to the mobile and regional
18 child health speciality clinics under subparagraph one
19 of this paragraph, seventy-two thousand (72,000)
20 dollars shall be used for a specialized medical home
21 care program providing care planning and coordination
22 of community support services for children who require
23 technical medical care in the home."

24 6. Page 6, line 15, by striking the word "thirty-
25 seven" and inserting the following: "thirty-eight".

26 7. Page 6, line 19, by striking the figure
27 "1,834,852" and inserting the following: "1,859,852".

28 8. Page 8, line 32, by striking the word "ten"
29 and inserting the following: "fifteen".

30 9. Page 11, line 8, by striking the word "ten"
31 and inserting the following: "fifteen".

32 10. Page 13, by inserting after line 19 the
33 following:

34 "3. For a chemical
35 exposure reporting program \$ 34,593".

36 11. Page 14, by inserting after line 17 the
37 following:

38 "Sec._____. The amount of the funds appropriated
39 under section 1, except section 1, subsections 3, 4,
40 and 8, and sections 2 and 3 of this Act for the fiscal
41 year beginning July 1, 1985 and ending June 30, 1986
42 shall be reduced by one percent, rounded to the
43 nearest whole dollar, and the provisions of this
44 section shall prevail over any other provisions of
45 this Act."

46 12. Page 14, by inserting after line 17 the
47 following:

48 "Sec._____. There is appropriated for the fiscal
49 year beginning July 1, 1986 and ending June 30, 1987
50 to the agencies and for the purposes specified the

Page 2

- 1 same amounts that are appropriated under this Act for
- 2 the fiscal year beginning July 1, 1985 and ending June
- 3 30, 1986."
- 4 13. By renumbering, relettering, or redesignating
- 5 and correcting internal references as necessary.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—3994, to the Senate amendment H—3932, filed by him on April 23, 1985.

Speaker Avenson in the chair at 4:01 p.m.

Jochum of Dubuque offered the following amendment H—4059, to the Senate amendment H—3932, filed by him from the floor and moved its adoption:

H—4059

- 1 Amend the Senate amendment H—3932 to House File 571
- 2 as amended, passed, and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 " _____. Page 1, line 13, by striking the figure
- 7 "267,520" and inserting the figure "260,117".
- 8 _____. Page 2, line 5, by striking the figure
- 9 "1,091,931" and inserting the figure "1,080,534".
- 10 _____. Page 2, line 18, by striking the figure
- 11 "793,054" and inserting the figure "776,260".
- 12 _____. Page 2, line 32, by striking the figure
- 13 "131,719" and inserting the figure "128,051".
- 14 _____. Page 3, line 4, by striking the figure
- 15 "100,847" and inserting the figure "98,685".
- 16 _____. Page 3, line 13, by striking the figure
- 17 "2,736,741" and inserting the figure "2,723,317".
- 18 _____. Page 3, line 28, by striking the figure
- 19 "962,678" and inserting the figure "940,503".
- 20 _____. Page 3, line 35, by striking the figure
- 21 "750,153" and inserting the figure "728,895".
- 22 2. Page 1, by inserting after line 3 the
- 23 following:
- 24 " _____. Page 4, line 17, by striking the figure
- 25 "264,110" and inserting the figure "255,951".
- 26 _____. Page 4, line 24, by striking the figure
- 27 "1,226,434" and inserting the figure "1,197,589".
- 28 _____. Page 4, line 30, by striking the figure
- 29 "640,109" and inserting the figure "604,108"."

30 3. Page 1, line 12, by striking the figure
31 "1,314,427" and inserting the following: "1,311,431".

32 4. Page 1, by striking lines 24 through 27 and
33 inserting the following:

34 "_____. Page 6, line 19, by striking the figure
35 "1,834,852" and inserting the following:
36 "1,816,897"."

37 5. Page 1, by inserting after line 31 the
38 following:

39 "_____. Page 13, line 17, by striking the figure
40 "115,963" and inserting the following: "114,866"."

41 6. Page 1, by striking lines 32 through 35.

42 7. Page 1, by inserting before line 36 the
43 following:

44 "_____. Page 13, line 32, by striking the figure
45 "396,863" and inserting the figure "385,129"."

46 8. Page 1, by striking lines 38 through 45 and
47 inserting the following:

48 "Sec._____. The amount of the funds appropriated
49 under sections 1, 2, 3, and 4 of this Act for the
50 fiscal year beginning July 1, 1985 and ending June 30,

Page 2

1 1986 shall be reduced by one percent, rounded to the
2 nearest whole dollar, and the provisions of this
3 section shall prevail over any other provisions of
4 this Act. However, the funds appropriated in section
5 1, subsection 3, shall not be so reduced."

6 9. By striking page 1, line 46 through page 2,
7 line 3.

Amendment H—4059 was adopted.

Running of Linn offered the following amendment H—3968, to the Senate amendment H—3932, filed by Running, et al., and moved its adoption:

H—3968

1 Amend Senate amendment H—3932 to House File 571 as
2 amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 4 through 10.

Amendment H—3968 was adopted.

On motion by Lonergan of Boone, the House concurred in the Senate amendment H—3932, as amended.

Loneragan of Boone moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 571)

The ayes were, 93:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	McIntee
McKean	Metcalf	Miller	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 6:

Bennett	Branstad	Carpenter	Grandia
Maulsby	Van Maanen		

Absent or not voting, 1:

Muhlbauer

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

Knapp of Dubuque called up for consideration **House File 476**, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, amended by the Senate amendment H-3933 as follows:

H-3933

- 1 Amend House File 476 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 15, by inserting before the word
- 4 "There" the figure "1."
- 5 2. Page 2, line 18, by striking the words "fifty
- 6 thousand (50,000)" and inserting the words "seventy-
- 7 five thousand (75,000)".
- 8 3. Page 2, by inserting after line 24 the
- 9 following:
- 10 "2. A county board of supervisors desiring a share
- 11 of the appropriation shall, in conjunction with the
- 12 county weed commissioner and the county soil
- 13 conservation district commissioners, develop a plan to
- 14 combat severe infestations of multiflora rose on
- 15 privately-owned land within the county. The plan
- 16 shall be based upon partial reimbursement of
- 17 individual landowner's costs for the purchase of
- 18 herbicide from both state and county appropriations,
- 19 however the share of costs reimbursed by state funds
- 20 shall not exceed one-fourth. The plan shall be
- 21 submitted to the secretary of agriculture for approval
- 22 or recommendations for modification.
- 23 3. A landowner or tenant whose agricultural land
- 24 is severely infested by multiflora roses may apply to
- 25 the soil conservation district commissioners of the
- 26 county for partial reimbursement, according to the
- 27 approved plan, of the cost of herbicide for
- 28 controlling or eradicating the multiflora rose on the
- 29 agricultural land. The county weed commissioner shall
- 30 assist the soil conservation district commissioners in
- 31 investigating the application and determining if the
- 32 infestation is severe. The soil conservation district
- 33 commissioners shall review and approve each
- 34 application for partial cost reimbursement if the
- 35 infestation is severe on the applicant's agricultural
- 36 land. If the soil conservation district commissioners
- 37 find the amount of reimbursement claimed to be
- 38 excessive, the district commissioners may approve a
- 39 lesser amount. The reasons for disapproval of an
- 40 application or reduction of the amount of
- 41 reimbursement shall be sent in writing to the

42 applicant. The amount of reimbursement certified by
43 the secretary shall be paid by warrant issued by the
44 state comptroller.

45 4. Federal lands and federal land tenants are not
46 eligible for reimbursement under this section."

47 4. Page 9, by inserting after line 20 the
48 following:

49 "f. Not more than twenty thousand (20,000) dollars
50 may be used for reimbursement of out of pocket

Page 2

1 expenses of fencing authorized by House File 266 if
2 enacted by the Seventy-first General Assembly, 1985
3 session."

4 5. Page 10, by inserting after line 10 the
5 following: "During the fiscal year for which funds
6 are appropriated by this section the department of
7 water, air and waste management shall not require the
8 installation or use of equipment to control the
9 emission of dust or other particulate matter on
10 facilities for the storage of grain which are located
11 within the ambient air quality attainment areas for
12 suspended particulates."

13 6. Page 10, by inserting after line 21 the
14 following:

15 "Notwithstanding the provisions of unnumbered
16 paragraph 1, of this subsection, not more than ten
17 thousand (10,000) dollars of the funds appropriated by
18 this subsection may be used for payments to governing
19 bodies of local governments to reimburse up to fifty
20 percent of expenses incurred since January 1, 1985 for
21 alternative solid waste disposal projects."

22 7. Page 10, by inserting after line 26 the
23 following:

24 "5. It is the intention of the general assembly in
25 adopting the appropriation under subsection 1 and this
26 subsection to cease funding for the department's
27 implementation of the federal Resource Conservation
28 and Recovery Act permit program for hazardous waste
29 facilities in this state. Section 455B.411,
30 subsections 5, 8 and 9, section 455B.412, subsections
31 2 through 4, and sections 455B.413 through 455B.421
32 are suspended and do not apply as they pertain to that
33 permit program, but are not suspended and do apply as
34 they pertain to abandoned and uncontrolled sites, used
35 oil and site licensing under chapter 455B, division
36 IV, part 6. The suspension provided by this
37 subsection begins July 1, 1985 and ends July 1, 1987."

38 8. Page 10, by inserting after line 33 the
39 following:

40 "Sec. _____. The amount of the funds appropriated
 41 under section 1, subsection 1, paragraph "a",
 42 subsection 2, and subsection 3, paragraph "a" of this
 43 Act for the fiscal year beginning July 1, 1985 and
 44 ending June 30, 1986 shall be reduced by one percent,
 45 rounded to the nearest whole dollar, and the
 46 provisions of this section shall prevail over any
 47 other provisions of this Act.

48 The amount of the funds appropriated under section
 49 3, subsection 1, and subsections 3 and 4 of this Act
 50 for the fiscal year beginning on July 1, 1985 and

Page 3

1 ending June 30, 1986 shall be reduced by one percent,
 2 rounded to the nearest whole dollar, and the
 3 provisions of this section shall prevail over any
 4 other provisions of this Act.

5 The amount of the funds appropriated under sections
 6 2, 6, 7, 8, 9, 10, 11, 12, and 13 of this Act for the
 7 fiscal year beginning July 1, 1985 and ending June 30,
 8 1986 shall be reduced by one percent, rounded to the
 9 nearest whole dollar, and the provisions of this
 10 section shall prevail over any other provisions of
 11 this Act."

12 9. Page 10, by inserting after line 33 the
 13 following:

14 "Sec. _____. There is appropriated for the fiscal
 15 year beginning July 1, 1986 and ending June 30, 1987
 16 to the agencies and for the purposes specified in
 17 the same amounts that are appropriated under this Act for
 18 the fiscal year beginning July 1, 1985 and ending June
 19 30, 1986."

20 10. By renumbering, relettering, or redesignating
 21 and correcting internal references as necessary.

Jochum of Dubuque offered the following amendment H—3988,
 to the Senate amendment H—3933, filed by him and Knapp of
 Dubuque and moved its adoption:

H—3988

1 Amend the Senate amendment H—3933 to House File 476
 2 as amended, passed and reprinted by the House as
 3 follows:

4 1. Page 1, by inserting after line 2 the
 5 following:

6 "_____. Page 1, line 12, by striking the figure
 7 "1,469,313" and inserting the figure "1,451,354".

8 _____. Page 1, line 32, by striking the figure

- 9 "3,421,746" and inserting the figure "3,254,778".
 10 _____. Page 2, line 6, by striking the figure
 11 "638,701" and inserting the figure "625,804".
 12 2. Page 1, by inserting after line 46 the
 13 following:
 14 "_____. Page 3, line 12, by striking the figure
 15 "6,461,683" and inserting the figure "6,146,816".
 16 _____. Page 4, line 24, by striking the figure
 17 "52,169" and inserting the figure "50,416".
 18 _____. Page 6, line 33, by striking the figure
 19 "376,620" and inserting the figure "371,186".
 20 _____. Page 7, line 16, by striking the figure
 21 "1,233,454" and inserting the figure "1,209,297".
 22 _____. Page 8, line 3, by striking the figure
 23 "16,400" and inserting the figure "14,990".
 24 _____. Page 8, line 14, by striking the figure
 25 "3,879,966" and inserting the figure "3,804,553".
 26 _____. Page 8, line 31, by striking the figure
 27 "8,728,521" and inserting the figure "9,028,521".
 28 3. Page 2, by inserting after line 3 the
 29 following:
 30 "_____. Page 9, line 35, by striking the figure
 31 "2,682,324" and inserting the figure "2,643,188".
 32 4. Page 3, by striking lines 12 through 19.

Amendment H—3988 was adopted.

De Groot of Lyon offered the following amendment H—3959, to the Senate amendment H—3933, filed by him:

H—3959

- 1 Amend the Senate amendment H—3933 to House File 476
 2 as amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 1, by inserting after line 46 the
 5 following:
 6 "_____. Page 7, by inserting after line 6 the
 7 following:
 8 "By January 2, 1986 the energy policy council shall
 9 file with the chief clerk of the house of
 10 representatives and the secretary of the senate a
 11 report of the expenditures made under the
 12 institutional conservation program and the state
 13 buildings energy management program during the fiscal
 14 year beginning July 1, 1984 and ending June 30, 1985
 15 and the energy savings realized by virtue of those
 16 expenditures during that fiscal year." "

The following amendment H—4065, to amendment H—3959, to the Senate amendment H—3933, filed by De Groot of Lyon from the floor was adopted by unanimous consent:

H—4065

- 1 Amend amendment H—3959 to House File 476 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by striking line 14, and inserting the
- 4 following: "year beginning July 1, 1983 and ending
- 5 June 30, 1984".

On motion by De Groot of Lyon amendment H—3959, as amended, was adopted.

Tabor of Jackson offered the following amendment H—4063 to the Senate amendment H—3933, filed from the floor by Tabor, Hanson and Knapp and moved its adoption:

H—4063

- 1 Amend amendment H—3933 to House File 476 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 2, by striking line 3 and inserting the
- 4 following: "session.
- 5 g. The financial incentive payments may be used in
- 6 combination with other public funds.""

Amendment H—4063 was adopted.

On motion by Knapp of Dubuque, the House concurred in the Senate amendment H—3933, as amended.

Knapp of Dubuque moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 476)

The ayes were, 92:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper

Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Metcalf	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 6:

Branstad	Corey	Grandia	Hummel
Maulsby	Van Maanen		

Absent or not voting, 2:

Bennett	Muhlbauer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER PREVAILED (Senate File 434)

Jochum of Dubuque moved to reconsider the vote by which Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, passed the House and was placed on its last reading on April 24, 1985.

A non-record roll call was requested.

The ayes were 61, nays none.

The motion prevailed and the House reconsidered Senate File 434.

Jochum of Dubuque asked and received unanimous consent to reconsider the vote by which amendment H—3987A (found on page 1801 of the House Journal) was adopted by the House on April 24, 1985.

Jochum of Dubuque offered the following amendment H—4066, to amendment H—3987A, filed by him from the floor and moved its adoption:

H—4066

- 1 Amend the amendment, H—3987 to Senate File 434 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking line 17 and inserting the
- 5 following: "governor's recommended budget.
- 6 It is the further intent of the general assembly
- 7 that the state comptroller may authorize reallocations
- 8 within an appropriated fund for vehicle depreciation
- 9 as necessary for an agency to carry out its assigned
- 10 functions."

Amendment H—4066 was adopted.

On motion by Jochum of Dubuque, amendment H—3987A, as amended, was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 434)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Daggett	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean

Metcalf	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 9:

Branstad	Corey	De Groot	Grandia
Maulsby	Renken	Royer	Swartz
Van Maanen			

Absent or not voting, 2:

Carter Muhlbauer

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 771 and 571, and Senate File 434.

SENATE FILE 110 AND HOUSE FILE 547 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 110 and House File 547 be deferred and that the bills retain their place on the calendar.

Unfinished Business Calendar

The House resumed consideration of **House File 757**, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication, temporarily deferred.

Jochum of Dubuque offered the following amendment H-3976 filed by him and moved its adoption:

H-3976

1 Amend House File 757 as follows:

2 1. Page 1, by striking lines 9 through 11 and
 3 inserting the following:
 4 "For capital improvements,
 5 including engineering analysis
 6 and design of mechanical and
 7 electrical system improvements,
 8 at the various institutions
 9 under the control of the
 10 department \$ 1,000,000".
 11 2. Page 1, by inserting after line 19 the
 12 following:
 13 "3. DEPARTMENT OF CORRECTIONS
 14 For capital improvements at the
 15 various institutions under the con-
 16 trol of the department \$ 500,000
 17 4. STATE CONSERVATION COMMISSION
 18 For general maintenance capi-
 19 tals \$ 500,000
 20 5. DEPARTMENT OF GENERAL SERVICES
 21 For renovation of the Robert
 22 Lucas building \$ 200,000
 23 3. Renumber sections and correct internal
 24 references as necessary in accordance with this
 25 amendment.

Amendment H—3976 was adopted.

Jochum of Dubuque offered the following amendment H—4021 filed by him and Lonergan of Boone and moved its adoption:

H—4021

1 Amend House File 757 as follows:
 2 1. Page 1, by inserting after line 19 the
 3 following:
 4 "_____ COMMISSION FOR THE BLIND
 5 For beginning the installation
 6 of a fire sprinkler system \$ 63,000".
 7 2. Renumber sections and correct internal
 8 references as necessary in accordance with this amendment.

Amendment H—4021 was adopted.

Stromer of Hancock offered the following amendment H—3992 filed by him and Jochum of Dubuque:

H—3992

1 Amend House File 757 as follows:
 2 1. Page 1, by inserting after line 26 the

3 following:

4 "Sec. 3. Section 455.50, unnumbered paragraphs 3
5 and 4, Code 1985, are amended to read as follows:

6 When any state-owned lands under the jurisdiction
7 of the state conservation commission are situated
8 within a levee or drainage district, the commissioners
9 to assess benefits shall ascertain and return in their
10 report the amount of benefits and the apportionment of
11 costs and expenses to such lands and the board of
12 supervisors shall assess the same against such lands.
13 However, costs or expenses shall not be assessed
14 against any state sovereign lands.

15 Such ~~The~~ assessments against lands used by the fish
16 and game division under the jurisdiction of the state
17 conservation commission shall be paid by the state
18 conservation commission from the state fish and game
19 protection fund executive council on due certification
20 of the amount by the county treasurer to said
21 commission, and against lands used by the division of
22 lands and waters from the state conservation funds.
23 There is appropriated from any funds in the general
24 fund not otherwise appropriated amounts sufficient to
25 pay the certified assessments."

26 2. Page 1, line 27, by adding after the word
27 "importance," the words "except section 3 which takes
28 effect July 1 following enactment,".

Black of Jasper offered the following amendment H-4037, to amendment H-3992, filed by Black, et al., and moved its adoption:

H-4037

1 Amend amendment H-3992 to House File 757 as
2 follows:

3 1. Page 1, by striking lines 13 and 14 and
4 inserting the following: "However, the commissioners
5 shall not assess benefits to property below the
6 ordinary high water mark in a sovereign state-owned
7 lake, marsh or stream under the jurisdiction of the
8 state conservation commission."

Amendment H-4037 was adopted. ε

Running of Linn in the chair at 5:07 p.m.

Norland of Worth asked and received unanimous consent that House File 757 be deferred and that the bill retain its place on the calendar.

(Amendment H-3992, as amended, pending.)

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Black of Jasper, for the balance of the day and April 26, 1985, on request of Koenigs of Mitchell.

The House resumed consideration of **Senate File 461**, a bill for an act requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, deferred and placed on the unfinished business calendar on April 19, 1985 and deferred April 23, 1985.

Sherzan of Polk offered the following amendment H—3776 filed by the committee on small business and commerce:

H—3776

- 1 Amend Senate File 461 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 2, by inserting after the word
- 4 "chapter" the following: "and in sections 3 through 5
- 5 of this Act".
- 6 2. Page 1, by striking lines 5 through 14.
- 7 3. By striking page 1, line 20 through page 2,
- 8 line 8.
- 9 4. Page 2, by striking lines 19 through 32.
- 10 5. Page 3, by striking lines 1 through 3 and
- 11 inserting the following: "chemical dependency
- 12 treatment or for treatment for mental disorders by a
- 13 physician or other designee of the third-party payor,
- 14 and which".
- 15 6. By striking page 3, line 6 through page 4,
- 16 line 27.
- 17 7. By striking page 5, line 7 through page 6,
- 18 line 15 and inserting the following:
- 19 "Sec. 3. Section 509.3, Code 1985, is amended by
- 20 adding the following new subsection:
- 21 **NEW SUBSECTION. 7.** A provision which offers and
- 22 makes available to the policyholder under a policy
- 23 providing hospital and medical coverage on an expense
- 24 incurred basis, benefits for the necessary care and
- 25 treatment of chemical dependency and mental disorders.
- 26 However, the policyholder may reject the coverage, or
- 27 select alternative coverage offered by or negotiated
- 28 with the insurer. Benefits provided for care and
- 29 treatment of chemical dependency in a facility, as
- 30 defined in section 125.2, subsection 2, other than a

31 hospital, are payable as if the care and treatment is
32 provided in a hospital, if the care and treatment is
33 determined to be necessary and is provided pursuant to
34 a written treatment plan. Benefits for the necessary
35 care and treatment of mental disorders shall cover the
36 mental health services which are medically or
37 psychologically necessary or which are necessary to
38 restore a person's capacity for social or biological
39 functioning, and which are provided pursuant to a
40 written treatment plan. However, this subsection does
41 not apply to a blanket, short-term travel, accident
42 only, limited or specified disease, or individual or
43 group conversion policy, or to a policy designed only
44 for issuance to policyholders eligible for medicare
45 coverage under Title XVIII of the federal Social
46 Security Act.

47 Sec. 4. Section 514.5, Code 1985, is amended by
48 adding the following new unnumbered paragraph after
49 the second unnumbered paragraph:

50 NEW UNNUMBERED PARAGRAPH. A hospital service

Page 2

1 corporation or medical service corporation shall offer
2 and make available to subscribers under a group
3 subscriber contract providing hospital or medical and
4 surgical coverage on an expense incurred basis,
5 benefits for the necessary care and treatment of
6 chemical dependency and mental disorders. However,
7 the group may reject the coverage, or select
8 alternative coverage offered by or negotiated with the
9 corporation. Benefits provided for care and treatment
10 of chemical dependency in a facility, as defined in
11 section 125.2, subsection 2, other than a hospital,
12 are payable as if the care and treatment is provided
13 in a hospital, if the care and treatment is determined
14 to be necessary and is provided pursuant to a written
15 treatment plan. Benefits for the necessary care and
16 treatment of mental disorders shall cover the mental
17 health services which are medically or psychologically
18 necessary or which are necessary to restore a person's
19 capacity for social or biological functioning, and
20 which are provided pursuant to a written treatment
21 plan. However, this paragraph does not apply to a
22 contract designed only for issuance to subscribers
23 eligible for medicare coverage under Title XVIII of
24 the federal Social Security Act.

25 Sec. 5. Section 514B.5, Code 1985, is amended by
26 adding the following new subsection after subsection 3
27 and renumbering the subsequent subsections:

28 NEW SUBSECTION. 4. The health maintenance

29 organization offers to provide to groups of enrollees
30 and makes available to groups of enrollees the
31 provision of the necessary care and treatment of
32 chemical dependency and mental disorders. However,
33 the enrollees may reject the coverage, or select
34 alternative coverage offered by or negotiated with the
35 organization. Care and treatment of chemical
36 dependency provided in a facility, as defined in
37 section 125.2, subsection 2, other than a hospital,
38 shall be provided as if the care and treatment is
39 provided in a hospital, if the care and treatment is
40 determined to be necessary and is provided pursuant to
41 a written treatment plan. Benefits for the necessary
42 care and treatment of mental disorders shall cover the
43 mental health services which are medically or
44 psychologically necessary or which are necessary to
45 restore a person's capacity for social or biological
46 functioning, and which are provided pursuant to a
47 written treatment plan. However, this subsection does
48 not apply to coverages designed only for issuance to
49 enrollees eligible for medicare coverage under Title
50 XVIII of the federal Social Security Act."

Page 3

- 1 8. Page 6, line 16, by striking the words
- 2 "individual and".
- 3 9. Page 6, by striking lines 23 through 30.
- 4 10. Title page, by striking lines 1 through 9,
- 5 and inserting the following: "An Act requiring group
- 6 health insurance policies, group nonprofit hospital
- 7 and medical service contracts, and health maintenance
- 8 organizations to offer and make available coverage for
- 9 the care and treatment of chemical dependency and
- 10 mental disorders."
- 11 11. By renumbering as necessary.

Speaker Avenson in the chair at 6:40 p.m.

Sherzan of Polk moved the adoption of the committee amendment H—3776.

A non-record roll call was requested.

The ayes were 66, nays 20.

The committee amendment H—3776 was adopted, placing out of order amendment H—3873 filed by Hanson of Delaware on April 17, 1985.

Welden of Hardin offered the following amendment H—3902 filed by him and moved its adoption:

H—3902

- 1 Amend Senate File 461 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking page 6, line 31 through page 7,
- 4 line 20.

Amendment H—3902 lost.

Sturgeon of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 461)

The ayes were, 75:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Daggett
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Hatch	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rosenberg	Royer	Running	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Van Camp
Varn	Zimmerman	Mr. Speaker	

The nays were, 23:

Bennett	Branstad	Corey	De Groot
Diemer	Grandia	Handorf	Harbor
Hermann	Kremer	Maulsby	Miller
Paulin	Pellett	Renken	Rensink
Schnekloth	Stueland	Swearingen	Torrence
Van Maanen	Welden	Woods	

Absent or not voting, 2:

Black

Haverland

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House resumed consideration of **Senate File 424**, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty, deferred and placed on the unfinished business calendar on April 18, 1985, deferred and retained on April 22, 1985 and temporarily deferred April 23, 1985.

Arnould of Scott offered the following amendment H—3755 filed by the committee on human resources and moved its adoption:

H—3755

- 1 Amend Senate File 424 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 1 and 2 and
- 4 inserting the following: "department. Upon".

The committee amendment H—3755 was adopted.

Arnould of Scott asked and received unanimous consent to withdraw amendment H—3879 filed by Arnould, et al., on April 17, 1985.

Arnould of Scott offered the following amendment H—3951 filed by Arnould, et al.:

H—3951

- 1 Amend Senate File 424, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. NEW SECTION. 218.34 EMPLOYEE
- 6 CRIMINAL RECORD CHECKS.
- 7 1. A person shall not be newly employed on or
- 8 after July 1, 1985 as a staff member with direct
- 9 responsibility for providing care to children of a
- 10 state hospital-school, a state mental health
- 11 institute, the state training school, or the Iowa

12 juvenile home if any of the following applies:

13 a. The person has been convicted more than once
14 under a law of any state of a crime involving
15 mistreatment of a child or violence against a person.

16 b. The person has been convicted once under a law
17 of any state of a crime involving mistreatment of a
18 child or violence against a person, unless the
19 commissioner of human services, after considering the
20 nature and number of offenses committed, the time
21 elapsed since commission, and the activities of the
22 person since conviction, such as employment,
23 education, participation in therapy, or other
24 activities which would indicate rehabilitation,
25 determines that the person is not a threat to
26 children.

27 2. The department shall inform all applicants for
28 such employment of the requirement of fingerprinting
29 and submission to a federal criminal record check as a
30 condition of employment. The department shall
31 initiate and pay for the cost of federal criminal
32 record checks on those persons who accept such
33 employment. The department may conditionally employ
34 persons prior to completion of the record checks. The
35 department shall at all times confidentially maintain
36 in its central office the only information relating to
37 the record checks, shall receive information from the
38 department of public safety only relating to crimes
39 involving mistreatment of a child or violence against
40 a person, shall make the decision regarding
41 prohibition of employment in its central office, and
42 shall destroy the information after the department has
43 made its final employment decision and after any
44 applicable appeal period has ended. The department
45 shall notify a person in writing of a denial of
46 employment which relates to a federal criminal record
47 check and the specific reason for the denial. The
48 person is entitled to the procedural remedies provided
49 in chapter 17A for adverse administrative action."

50 2. By striking page 1, line 4 through page 2,

Page 2

1 line 17 and inserting the following:

2 "1. All personnel in licensed or registered
3 facilities shall have good health as evidenced by a
4 report following a pre-employment physical examination
5 taken within six months prior to beginning employment,
6 including communicable disease tests by a licensed
7 physician as defined in section 135C.1, at the time of
8 initial employment and every three years thereafter
9 after initial employment. No staff member of a

10 licensed center or registered group home or a family
11 day care home registered pursuant to section 237A.3,
12 subsection 1, with direct responsibility for child
13 care and no person living in such registered group or
14 family day care home shall have a conviction by any
15 law of any state of a crime involving mistreatment of
16 a child, or violence against a person, or shall have a
17 record of substantiated child sexual abuse or a record
18 of any other type of child abuse substantiated within
19 three years prior to the check of the child abuse
20 registry made by the department pursuant to this
21 chapter.

22 2. A person shall not own or operate, be employed
23 as a staff member with direct responsibility for child
24 care of, or live in a licensed center, a registered
25 group home, or a family day care home registered
26 pursuant to section 237A.3, subsection 1 if any of the
27 following applies:

28 a. The person has been convicted under a law of
29 any state of a crime involving mistreatment of a child
30 or violence against a person.

31 b. The person has a record of founded child sexual
32 abuse.

33 c. The person has a record of multiple incidents
34 of founded child abuse other than child sexual abuse.

35 d. The person has a record of a single incident of
36 founded child abuse other than child sexual abuse,
37 unless the commissioner of human services, after
38 considering the nature and number of abuses committed,
39 the time elapsed since the latest commission, and the
40 activities of the person since the latest commission,
41 such as employment, education, participation in
42 therapy, or other activities which would indicate
43 rehabilitation, determines that the person is not a
44 threat to children.

45 3. If the commissioner of human services
46 determines that a person is not a threat to children
47 pursuant to subsection 2, paragraph "d", the
48 commissioner shall notify the owner or operator of a
49 licensed center, registered group home, or registered
50 family day care home of the single incident of founded

Page 3

1 child abuse other than sexual abuse and the reason for
2 determining that the person is not a threat to
3 children.

4 4. If a person is denied employment pursuant to
5 subsection 2, the department shall notify the person
6 in writing of the denial and of the reason for the
7 denial. The person is entitled to the procedural

8 remedies provided in chapter 17A for adverse
 9 administrative action."

10 3. Page 2, line 22, by inserting after the word
 11 "a" the following: "registered".

12 4. Page 2, by inserting after line 27 the
 13 following:

14 "Sec. _____. NEW SECTION. 262.71 EMPLOYEE CRIMINAL
 15 RECORDS.

16 1. A person shall not be newly employed on or
 17 after July 1, 1985 as a staff member with direct
 18 responsibility for providing care to children of the
 19 Iowa braille and sight-saving school or the state
 20 school for the deaf, if any of the following applies:

21 a. The person has been convicted more than once
 22 under a law of any state of a crime involving
 23 mistreatment of a child or violence against a person.

24 b. The person has been convicted once under a law
 25 of any state of a crime involving mistreatment of a
 26 child or violence against a person, unless the state
 27 board of regents, after considering the nature and
 28 number of offenses committed, the time elapsed since
 29 commission, and the activities of the person since
 30 conviction, such as employment, education,
 31 participation in therapy, or other activities which
 32 would indicate rehabilitation, determines that the
 33 person is not a threat to children.

34 2. The state board of regents shall inform all
 35 applicants for such employment of the requirement of
 36 fingerprinting and submission to a federal criminal
 37 record check as a condition of employment. The state
 38 board shall initiate and pay for the cost of federal
 39 criminal record checks on those persons who accept
 40 such employment. The state board may conditionally
 41 employ persons prior to completion of the record
 42 checks. The state board shall at all times
 43 confidentially maintain in its central office the only
 44 information relating to the record checks, shall
 45 receive information from the department of public
 46 safety only relating to crimes involving mistreatment
 47 of a child or violence against a person, shall make
 48 the decision regarding prohibition of employment in
 49 its central office, and shall destroy the information
 50 after the state board has made its final employment

Page 4

1 decision and after any applicable appeal period has
 2 ended. The state board shall notify a person in
 3 writing of a denial of employment which relates to a
 4 federal criminal record check and the specific reason
 5 for the denial. The person is entitled to the

- 6 procedural remedies provided in chapter 17A for
7 adverse administrative action.
8 3. The state board of regents shall adopt rules
9 pursuant to chapter 17A to implement this section."
10 5. Page 2, by striking line 28.
11 6. Title page, line 3, by inserting after the
12 word "homes," the following: "employment by state
13 institutions providing care to children,".
14 7. By renumbering as necessary.

Arnould of Scott offered the following amendment H—3956, to amendment H—3951, filed by him and moved its adoption:

H—3956

- 1 Amend the amendment, H—3951, to Senate File 424, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 35, by inserting after the word
5 "maintain" the following: "only".
6 2. Page 1, line 36, by striking the word "only".
7 3. Page 3, line 43, by inserting after the word
8 "maintain" the following: "only".
9 4. Page 3, line 43, by striking the words "the
10 only" and inserting the following: "the".

Amendment H—3956 was adopted.

Hammond of Story rose on a point of order that amendment H—3951 was not germane.

The Speaker ruled the point well taken and amendment H—3951 not germane.

Carl of Poweshiek moved that the rules be suspended to consider amendment H—3951.

A non-record roll call was requested.

The ayes were 19, nays 49.

The motion lost.

Hammond of Story offered the following amendment H—3958 filed by her and Mullins of Kossuth and moved its adoption:

H—3958

1 Amend Senate File 424 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 27, by inserting after the word
4 "chapter." the following: "However, such a person
5 qualifies to own or operate, be employed as a staff
6 member of, or live in such a facility if the
7 commissioner of human services, after considering the
8 nature and number of offenses or abuses committed, the
9 time elapsed since the latest commission, and the
10 activities of the person since the latest commission,
11 such as employment, education, participation in
12 therapy, or other activities which would indicate
13 rehabilitation, determines that the person is not a
14 threat to children."

15 2. Page 2, line 11, by inserting after the word
16 "abuse" the following: "if the commissioner of human
17 services, on the basis of the record, determines that
18 the person is a potential threat to children".

19 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 42, nays 47.

Amendment H—3958 lost.

Arnould of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ((S.F. 424)

The ayes were, 87:

Arnould	Baxter	Bennett	Blanshan
Brammer	Branstad	Carl	Carpenter
Carter	Chapman	Cochran	Cannolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Hatch	Hermann
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Koenigs	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley

Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rensink	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 10:

Beatty	Buhr	Clark	Hammond
Hester	Kremer	Lonergan	Mullins
Rosenberg	Welden		

Absent or not voting, 3:

Black	Haverland	Knapp
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 406 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 406 be deferred and that the bill retain its place on the calendar.

The House resumed consideration of **Senate File 374**, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty, deferred and placed on the unfinished business calendar on April 18, 1985.

Peick of Linn offered the following amendment H—3760 filed by her and moved its adoption:

H—3760

- 1 Amend Senate File 374 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 5, by striking the words
- 4 "donation or" and inserting the word "plasma".
- 5 2. Page 1, line 6, by striking the words "or to
- 6 blood-taking" and inserting the words "to blood plasma
- 7 taking".
- 8 3. Title page, by striking line 2, and inserting
- 9 the following: "plasma sale application to blood
- 10 plasma taking personnel".

Amendment H—3760 was adopted.

Jay of Appanoose offered the following amendment H—3882 filed by him and moved its adoption:

H—3882

- 1 Amend Senate File 374 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 7, by striking the words "an
- 4 aggravated" and inserting the words "a serious".

Amendment H—3882 was adopted.

Peick of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ((S.F. 374)

The ayes were, 87:

Arnould	Baxter	Beatty	Blanshan
Brammer	Branstad	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 10:

Bennett	Buhr	Hammond	Mullins
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O'Kane	Renken	Teaford	Torrence
Van Camp	Welden		

Absent or not voting, 3:

Black	Haverland	Parker
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House resumed consideration of **Senate File 452**, a bill for an act authorizing conversion of certain real property to a mobile home, deferred and placed on the unfinished business calendar on April 18, 1985.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ((S.F. 452))

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Black

Haverland

Welden

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

MOTION TO RECONSIDER PREVAILED

(House File 476)

Knapp of Dubuque called up for consideration the motion to reconsider House File 476, filed by him from the floor, and moved to reconsider the vote by which House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, passed the House and was placed on its last reading on April 25, 1985.

A non-record roll call was requested.

The ayes were 56, nays 10.

The motion prevailed and the House reconsidered House File 476.

Knapp of Dubuque asked and received unanimous consent to reconsider the vote by which the House concurred in the Senate amendment H-3933 (found on pages 1859 through 1861 of the House Journal) on April 25, 1985.

Tabor of Jackson asked and received unanimous consent to reconsider the vote by which amendment H-4063 was adopted by the House on April 25, 1985.

Tabor of Jackson asked and received unanimous consent to withdraw amendment H-4063 filed by him on April 25, 1985.

Tabor of Jackson offered the following amendment H-4074, to the Senate amendment, H-3933, filed from the floor by Tabor, Hanson, Knapp, Hummel and Pellett and moved its adoption:

H-4074

- 1 Amend amendment H-3933 to House File-476 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 2, by striking line 3 and inserting the
- 4 following: "session.
- 5 g. The financial incentive payments may be used in
- 6 combination with state conservation commission
- 7 funds." "

Amendment H-4074 was adopted.

On motion by Knapp of Dubuque, the House concurred in the Senate amendment H-3933, as amended.

Knapp of Dubuque moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 476)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen

Tabor
Varn
Mr. Speaker

Teaford
Welden

Torrence
Woods

Van Camp
Zimmerman

The nays were, 5:

Branstad
Van Maanen

Cooper

Grandia

Maulsby

Absent or not voting, 2:

Black

Haverland

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Haverland of Polk, for the remainder of the day, on request of Connors of Polk.

The House resumed consideration of **House File 547**, a bill for an act relating to the adoption and termination of parental rights and providing penalties, deferred April 22, 1985.

Daggett of Taylor in the chair at 7:52 p.m.

Zimmerman of Dallas asked and received unanimous consent to withdraw amendment H-3485 filed by her on March 26, 1985.

Carl of Poweshiek offered the following amendment H-3477 filed by Haverland of Polk and moved its adoption:

H-3477

- 1 Amend House File 547 as follows:
- 2 1. Page 23, by striking line 31 and inserting the
- 3 following: "week after the child is born".

Amendment H-3477 was adopted.

The House resumed consideration of amendment H-3460D (found on page 1568 of the House Journal).

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H-3460D.

The House resumed consideration of amendment H-3460E (found on page 1568 of the House Journal).

Schneklath of Scott moved the adoption of amendment H-3460E.

A non-record roll call was requested.

The ayes were 42, nays 44.

Amendment H-3460E lost.

The House resumed consideration of amendment H-3370B (found on page 1223 of the House Journal).

Carl of Poweshiek asked and received unanimous consent to withdraw amendment H-3631, to amendment H-3370B, filed by her on April 3, 1985.

On motion by Ollie of Clinton, amendment H-3370B was adopted.

The House resumed consideration of amendment H-3667B (found on page 1737 of the House Journal).

Speaker Avenson in the chair at 8:47 p.m.

Schneklath of Scott moved the adoption of amendment H-3667B.

Roll call was requested by Carl of Poweshiek and De Groot of Lyon.

Rule 75 was invoked.

On the question "Shall amendment H-3667B be adopted?"

The ayes were, 53:

Baxter	Bennett	Branstad	Buhr
Connolly	Connors	Corey	Daggett
De Groot	Doderer	Grandia	Groninga
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hermann	Hummel

Jochum	Knapp	Koenigs	Kremer
Lageschulte	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	O'Kane	Ollie	Paulin
Pavich	Pellett	Peterson	Platt
Poncy	Renken	Rensink	Royer
Schneklath	Skow	Stromer	Stueland
Swearingen	Tabor	Torrence	Van Camp
Van Maanen			

The nays were, 44:

Arnould	Beatty	Blanshan	Brammer
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Cooper	Diemer
Fey	Fogarty	Halvorson, R. N.	Hatch
Hester	Holveck	Hughes	Jay
Johnson	Lloyd-Jones	Norland	Osterberg
Oxley	Parker	Peick	Renaud
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Spear	Sturgeon
Sullivan	Swartz	Teaford	Varn
Welden	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 3:

Black	Groth	Haverland
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Amendment H—3667B was adopted.

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the calendar.

SENATE AMENDMENTS CONSIDERED

Chapman of Linn called up for consideration **House File 484**, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general, amended by the Senate amendment H—3890 as follows:

H—3890

- 1 Amend House File 484 as passed by the House as
- 2 follows:

- 3 1. By striking page 17, line 1 through page 18,
 4 line 4 and inserting the following:
 5 "A person engaged in the business or occupation of
 6 selling time-share intervals for a fee or a commission
 7 shall obtain a real estate license pursuant to chapter
 8 117."

Chapman of Linn offered the following amendment H—3922, to the Senate amendment H—3890, filed by her and moved its adoption:

H—3922

- 1 Amend amendment H—3890 to House File 484 as passed
 2 by the House as follows:
 3 1. Page 1, by inserting after line 2 the
 4 following:
 5 "_____. Page 10, by striking lines 33 through 35
 6 and inserting the following:
 7 "3. The developer shall pay a filing fee in an
 8 amount set by rule by the commission when filing the
 9 property report required in subsection 1 or 2." "
 10 2. Page 1, line 6, by striking the words
 11 "intervals" and inserting the following: "estates".

Amendment H—3922 was adopted.

On motion by Chapman of Linn, the House concurred in the Senate amendment H—3890, as amended.

Chapman of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 484)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes

Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Black	Blanshan	Groth	Halvorson, R. N.
Haverland	Sherzan	Torrence	

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

O'Kane of Woodbury called up for consideration **House File 523**, a bill for an act related to the right of cities to lease or lease-purchase real and personal property, amended by the Senate amendment H—3790 as follows:

H—3790

- 1 Amend House File 523 as amended and passed by the
- 2 House as follows:
- 3 1. Page 1, by inserting before line 1, the
- 4 following:
- 5 "Section 1. Section 331.430, subsection 2, Code
- 6 1985, is amended by adding the following new lettered
- 7 paragraph:
- 8 c. Payments required to be made from the debt
- 9 service fund under a lease or lease-purchase
- 10 agreement."
- 11 2. Page 2, by inserting after line 20 the
- 12 following:
- 13 "Sec. _____. Section 384.4, Code 1985, is amended by
- 14 adding the following new subsection:
- 15 NEW SUBSECTION. 3. Payments required to be made
- 16 from the debt service fund under a lease or lease-

17 purchase agreement.”

18 3. Page 2, by inserting after line 20 the
19 following:

20 “Sec. 2. Section 331.301, Code 1985, is amended by
21 adding the following new subsection:

22 NEW SUBSECTION. 10. A county may enter into
23 leases or lease-purchase contracts for real and
24 personal property in accordance with the terms and
25 procedures set forth in section 364.4, subsection 4,
26 provided that the references to cities shall be to
27 counties, the reference to section 384.26 shall be to
28 section 331.442, the reference to section 384.25 shall
29 be to section 331.443, the reference to section
30 384.95, subsection 1 shall be to section 331.341,
31 subsection 1, the reference to division VI of chapter
32 384 shall be to part 3 of chapter 331, and reference
33 to the council shall be to the board.

34 Sec. 3. This Act, being deemed of immediate
35 importance, takes effect from and after its
36 publication in The Clinton Herald, a newspaper
37 published in Clinton, Iowa, and in The Dubuque Leader,
38 a newspaper published in Dubuque, Iowa.”

39 4. Title page, line 1, by inserting after the
40 word “cities” the words “and counties”.

41 5. By renumbering, relettering, or redesignating
42 and correcting internal references as necessary.

O’Kane of Woodbury offered the following amendment H—4056,
to the Senate amendment H—3790, filed by him from the floor and
moved its adoption:

H—4056

1 Amend the Senate amendment, H—3790 to House File
2 523 as amended, and passed by the House as follows:

3 1. Page 1, by inserting after line 10 the
4 following:

5 “_____. Page 1, by striking lines 19 through 33 and
6 inserting the following:

7 “d. The governing body must follow substantially
8 the same authorization procedure required for the
9 issuance of general obligation bonds issued for the
10 same purpose to authorize a lease or a lease-purchase
11 agreement made payable from the debt service fund, or
12 to authorize any lease or lease-purchase contract
13 which would result in the total of annual lease and
14 lease-purchase payments of the city due from the
15 general fund of the city in any future year for lease
16 or lease-purchase contracts in force on the date of
17 the authorization, excluding payments to exercise

- 18 purchase options or to pay the expenses of operation
 19 or ownership of the property, to exceed ten percent of
 20 the last certified general fund budget amount. In all
 21 other cases, the authorization procedures of section
 22 384.25 shall apply. Chapter 75 shall not be
 23 applicable. A city utility is a separate entity under
 24 the provisions of this section whether it is governed
 25 by the council or another governing body.””
 26 2. By renumbering as necessary.

Amendment H—4056 was adopted.

On motion by O’Kane of Woodbury, the House concurred in the Senate amendment H—3790, as amended.

O’Kane of Woodbury moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (H.F. 523)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O’Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Black
Torrence

Groth

Haverland

Swartz

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE REFUSED TO CONCUR

Cooper of Lucas called up for consideration **House File 589**, a bill for an act relating to fees collected by county officers, amended by the Senate, and moved that the House concur in the following Senate amendment H—3961:

H—3961

- 1 Amend House File 589, as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 331.401, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 4. Except as otherwise provided by
- 8 law, the amount of each fee collected by a county
- 9 officer under this chapter shall be determined by
- 10 ordinance of the board. In determining the amount of
- 11 a fee, the board shall determine the cost of providing
- 12 the service for which a fee is charged and set the fee
- 13 at an amount which will recover the cost of service."
- 14 2. Page 1, by striking lines 1 and 2 and
- 15 inserting the following:
- 16 "Sec. 2. Section 331.507, subsection 2, paragraphs
- 17 a and b, Code 1985, are amended to read as follows:
- 18 a. For a transfer of property made in the transfer
- 19 records, five dollars a fee for each separate platted
- 20 lot and five dollars for each separate parcel of
- 21 contiguous land lying within one unplatted section and
- 22 described in one instrument of transfer as determined
- 23 under section 331.401, subsection 4. However, the fee
- 24 shall not exceed fifty dollars for a transfer of
- 25 platted or unplatted property which is described in
- 26 one instrument of transfer and which is contiguous or
- 27 separated only by a public street or highway.
- 28 b. For indexing a change of name for each parcel
- 29 of real estate owned in the county, three dollars as
- 30 determined under section 331.401, subsection 4."

31 3. Page 1, line 4, by striking the words "three
32 five dollars" and inserting the following: "three
33 dollars a fee determined by the board under section
34 331.401, subsection 4".

35 4. Page 1, by inserting after line 4 the
36 following:

37 "Sec._____, Section 331.552, subsection 23, Code
38 1985, is amended to read as follows:

39 23. Collect a fee of three dollars as determined
40 under section 331.401, subsection 4, for issuing a
41 certificate for land sold for nonpayment of taxes or a
42 certificate of redemption of land sold for taxes.

43 Sec._____, Section 331.604, Code 1985, is amended
44 to read as follows:

45 331.604 GENERAL RECORDING AND FILING FEE.

46 Except as otherwise provided by state law or
47 section 331.605, the recorder shall collect a fee of
48 five dollars as determined under section 331.401,
49 subsection 4, for each page or fraction of a page of
50 an instrument which is filed or recorded in the

Page 2

1 recorder's office."

2 5. Page 1, by inserting after line 6 the
3 following:

4 "Sec._____, Section 331.655, subsection 1, Code
5 1985, is amended to read as follows:

6 1. ~~The~~ Except as otherwise provided, the sheriff
7 shall collect the following fees determined under
8 section 331.401, subsection 4, for performing the
9 following services:

10 a. For serving a notice and returning it, for the
11 ~~first person served, six dollars, and each additional~~
12 ~~person, six dollars except the fee for serving~~
13 ~~additional persons in the same household shall be~~
14 ~~three dollars for each additional service, a fee~~ or if
15 the service of notice cannot be made or several
16 attempts are necessary, the repayment of all necessary
17 expenses actually incurred by the sheriff while
18 attempting in good faith to serve the notice.

19 b. For each warrant served, ~~six dollars, a fee~~ and
20 the repayment of necessary expenses incurred in
21 executing the warrant, as sworn to by the sheriff, or
22 if service of the warrant cannot be made, the
23 repayment of all necessary expenses actually incurred
24 by the sheriff while attempting in good faith to serve
25 the warrant.

26 c. For serving and returning a subpoena, for each
27 ~~person served, six dollars, a fee~~ and the necessary
28 expenses incurred while serving subpoenas in criminal

- 29 cases or relating to the mentally ill process.
- 30 d. For summoning a grand or trial jury, all
31 necessary and actual expenses incurred by the sheriff.
- 32 e. For summoning a jury to assess the damages to
33 the owners of lands taken for works of internal
34 improvement, and attending them, thirty dollars per
35 day, a fee or per diem and necessary expenses
36 incurred. This subsection does not allow a sheriff to
37 make separate charges for different assessments which
38 can be made by the same jury and completed in one day
39 of ten hours.
- 40 f. For serving an execution, attachment, order for
41 the delivery of personal property, injunction, or any
42 order of court, and returning it; five dollars.
- 43 g. For making and executing a certificate or deed
44 for lands sold on execution, or a bill of sale for
45 personal property sold; five dollars.
- 46 h. For the time necessarily employed in making an
47 inventory of personal property attached or levied
48 upon; three dollars per hour.
- 49 i. For a copy of any paper required by law, made
50 by the sheriff; twenty-five cents.

Page 3

- 1 j. Mileage at the rate specified in section 79.9
2 in all cases required by law, going and returning.
3 Mileage fees do apply where provision is made for
4 expenses, and both mileage and expenses shall not be
5 allowed for the same services and for the same trip.
6 If the sheriff transports one or more persons by auto
7 to a state institution or any other destination
8 required by law or if one or more legal papers are
9 served on the same trip, the sheriff is entitled to
10 one mileage, the mileage cost of which shall be
11 prorated to the persons transported or papers served.
12 However, in serving original notices in civil cases
13 and in serving and returning a subpoena, the sheriff
14 shall be allowed mileage in each action where the
15 original notice or subpoena is served, with a minimum
16 mileage of one dollar fee for each service. The
17 sheriff may refuse to serve original notices in civil
18 cases until the fees and estimated mileage for service
19 have been paid.
- 20 k. For each day attending sale of property; three
21 dollars.
- 22 l. For conveying one or more persons to a state,
23 county, or private institution by order of court or
24 commission, necessary expenses for the sheriff and the
25 person conveyed and three dollars per hour an hourly
26 rate for the time necessarily employed in going to and

27 from the institution, the expenses and hourly rate to
 28 be charged and accounted for as fees. If the sheriff
 29 needs assistance in taking a person to an institution,
 30 the assistance shall be furnished at the expense of
 31 the county.

32 m. For serving a warrant for the seizure of
 33 intoxicating liquors, one dollar a fee; for the
 34 removal and custody of the liquor, actual expenses;
 35 for the destruction of the liquor under the order of
 36 the court, one dollar a fee and actual expenses; for
 37 posting and leaving notices in these cases, one dollar
 38 a fee and actual expenses.

39 n. For each operator's, motorized bicycle or
 40 chauffeur's license issued by the sheriff, the fee
 41 specified in section 321.192.

42 o. For posting a notice or advertisement, the fee
 43 provided in section 618.12.

44 p. For delivering prisoners under a change of
 45 venue, the fee authorized under section 815.8."

46 6. Page 1, line 30, by striking the words "in the
 47 amount specified" and inserting the following: "as
 48 provided".

49 7. Page 2, line 10, by striking the words "in
 50 the amount specified" and inserting the following:

Page 4

1 "as provided".

2 8. Page 2, lines 26 and 27, by striking the words
 3 "in the amount specified" and inserting the following:

4 "as provided".

5 9. Page 3, line 10, by striking the words "in the
 6 amount specified" and inserting the following: "as
 7 provided".

8 10. Page 4, line 8, by striking the words "in the
 9 amounts specified" and inserting the following: "as
 10 provided".

11 11. Page 4, by inserting after line 10 the
 12 following:

13 "Sec. _____. This Act takes effect January 1, 1986."

14 12. By renumbering sections as necessary.

The motion lost and the House refused to concur in the Senate amendment H—3961.

SENATE AMENDMENT CONSIDERED

Brammer of Linn called up for consideration **House File 139**, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty, amended by the Senate amendment H—3935 as follows:

H-3935

- 1 Amend House File 139 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 709.12, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 4. Solicit a child to engage in
- 8 any act prohibited under section 709.8."
- 9 2. Title page, line 1, by striking the words
- 10 "crime of" and inserting the following: "crimes of
- 11 indecent contact and".

Brammer of Linn offered the following amendment H-3964, to the Senate amendment H-3935, filed by him and moved its adoption:

H-3964

- 1 Amend the amendment H-3935 to House File 139 as
- 2 amended, passed, and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking line 5 and inserting the
- 5 following:
- 6 "Section 1. Section 709.8, subsection 2, Code
- 7 1985, is amended to read as follows:
- 8 2. Permit or cause a child to fondle or touch the
- 9 person's genitals or pubes.
- 10 Sec. 2. Section 709.12, Code 1985, is amended".
- 11 2. Page 1, line 8, by inserting after the figure
- 12 "709.8" the following: ", subsections 1, 2, or 4".
- 13 3. By renumbering as necessary.

Amendment H-3964 was adopted.

On motion by Brammer of Linn, the House concurred in the Senate amendment H-3935, as amended.

Brammer of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 139)

The ayes were, 95:

Arnould

Baxter

Beatty

Bennett

Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Black	Groth	Haverland	Swartz
Torrence			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Royer of Page called up for consideration **House File 231**, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts, amended by the Senate amendment H-4006 as follows:

H-4006

- 1 Amend House File 231 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 1 through 19, and
- 4 inserting the following:
- 5 "Section 1. Section 461.2, Code 1985, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. However, the board of
- 8 supervisors may install a temporary portable pumping

9 station to remove flood waters in an emergency. For
10 the purpose of this paragraph an emergency occurs when
11 ponded or standing water does not freely flow to the
12 outlet ditch and the capacity of the outlet ditch is
13 not fully used."

Royer of Page offered the following amendment H—4062, to the Senate amendment H—4006, filed by him and Harbor of Mills from the floor and moved its adoption:

H—4062

1 Amend Senate amendment H—4006 to House File 231 as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 3 through 13 and
5 inserting the following:
6 "_____. Page 1, by striking lines 1 through 19 and
7 inserting the following:
8 "Section 1. Section 461.2, Code 1985, is amended
9 by adding the following new unnumbered paragraph:
10 NEW UNNUMBERED PARAGRAPH. However, the board of
11 supervisors may install a temporary portable pumping
12 station to remove flood waters in an emergency. The
13 board of supervisors shall levy and collect the cost
14 of the purchase, operation and maintenance of the
15 pumping station from the lands in the district
16 benefited by the pumping station in the same manner as
17 provided for in the construction and maintenance of a
18 drainage or levee district. For the purpose of this
19 paragraph an emergency occurs when ponded or standing
20 water does not freely flow to the outlet ditch and the
21 capacity of the outlet ditch is not fully used." "

Amendment H—4062 was adopted, placing out of order amendment H—4036 filed by Royer of Page and Harbor of Mills on April 24, 1985.

On motion by Royer of Page, the House concurred in the Senate amendment H—4006, as amended.

Royer of Page moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 231)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sullivan	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Black	Blanshan	Groth	Haverland
Sturgeon	Swartz	Torrence	

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

HOUSE REFUSED TO CONCUR

Teaford of Black Hawk called up for consideration **House File 730**, a bill for an act relating to the licensure of dietitians and nutritionists, amended by the Senate amendment H-3903 as follows:

H-3903

- 1 Amend House File 730 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 10, by striking the word
- 4 "nutritionist".

- 5 2. Page 1, by striking line 17 and inserting the
6 following: "science, ~~or~~ social work or dietetics."
7 3. Page 1, line 26, by striking the word
8 "nutrition".
9 4. Page 2, line 8, by striking the words "work,
10 dietetics, or nutrition" and inserting the following:
11 "work or dietetics".
12 5. Page 2, line 27, by striking the words "and
13 nutrition".
14 6. Page 2, line 32, by striking the words "or
15 licensed nutritionist".
16 7. Page 2, line 35, by striking the words "or
17 licensed nutritionist".
18 8. Page 3, line 2, by striking the words "or
19 licensed nutritionists".
20 9. Page 3, line 13, by striking the words "and
21 nutrition".
22 10. By striking page 3, line 35 through page 4,
23 line 2.
24 11. Page 5, line 29, by striking the words "hold
25 themselves out to be" and inserting the following:
26 "call themselves".
27 12. Page 5, line 30, by striking the words "or
28 nutritionists".
29 13. Page 5, line 34, by striking the word
30 "normal".
31 14. Page 5, line 35, by striking the word
32 "routine".
33 15. Page 6, line 1, by striking the word
34 "normal".
35 16. Title page, lines 1 and 2, by striking the
36 words "and nutritionists".
37 17. By renumbering as necessary.

Jay of Appanoose offered the following amendment H—3973, to the Senate amendment H—3903, filed by him and moved its adoption:

H—3973

- 1 Amend amendment H—3903 to House File 730 as passed
2 by the House as follows:
3 1. Page 1, by inserting after line 21 the
4 following:
5 "_____. Page 3, lines 24 and 25, by striking the
6 words "or nutrition"."
7 2. Page 1, by inserting after line 23 the
8 following:
9 "_____. Page 4, by striking lines 19 through 30.
10 _____. Page 5, line 16, by striking the words "or

- 11 nutritionists.”
 12 3. By renumbering as necessary.

Amendment H—3973 was adopted.

On motion by Teaford of Black Hawk, the House refused to concur in the Senate amendment H—3903, as amended.

HOUSE REFUSED TO CONCUR

Osterberg of Linn called up for consideration **House File 643**, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, amended by the Senate amendment H—3963 as follows:

H—3963

- 1 Amend House File 643, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, by striking lines 4 through 29 and
 4 inserting the following:
 5 “f. Specifying an adequate monitoring system to
 6 detect the presence of a leaking underground storage
 7 tank and to provide for protection of the groundwater
 8 resources. In adopting the rules, the commission may
 9 delay the adoption until the United States
 10 environmental protection agency has published final
 11 regulations.”
 12 2. Page 8, by striking lines 11 through 27 and
 13 inserting the following:
 14 “d. Rules adopted by the commission shall specify
 15 adequate monitoring systems to detect the presence of
 16 a leaking underground storage tank and to provide for
 17 protection of the groundwater resources. In adopting
 18 such rules, the commission may delay the adoption or
 19 effective date of the rules until the United States
 20 environmental protection agency has published final
 21 regulations for the same facilities.”
 22 3. Page 9, by striking lines 18 through 20 and
 23 inserting the following: “underground storage tanks.”

Knapp of Dubuque in the chair at 9:35 p.m.

Speaker Avenson in the chair at 9:49 p.m.

Osterberg of Linn moved that the House concur in the Senate amendment H—3963.

Roll call was requested by Welden of Hardin and Stromer of Hancock.

Rule 75 was invoked.

On the question "Shall the House concur in the Senate amendment H—3963?"

The ayes were, 42:

Baxter	Bennett	Blanshan	Branstad
Carpenter	Clark	Cooper	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Halvorson, R. A.	Handorf	Harbor
Hermann	Hester	Hummel	Jay
Kremer	Maulsby	McIntee	Metcalf
Miller	Paulin	Pellett	Peterson
Renaud	Renken	Rensink	Royer
Schneklath	Shoning	Spear	Stromer
Stueland	Swearingen	Van Camp	Van Maanen
Welden	Woods		

The nays were, 52:

Arnould	Beatty	Brammer	Buhr
Carter	Chapman	Cochran	Connolly
Connors	Doderer	Fey	Groninga
Gruhn	Halvorson, R. N.	Hammond	Hanson
Hatch	Holveck	Hughes	Jochum
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Lonergan	McKean	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Platt	Poncy	Rosenberg
Running	Sherzan	Shultz	Siegrist
Skow	Sturgeon	Sullivan	Tabor
Teaford	Varn	Zimmerman	Mr. Speaker

Absent or not voting, 6:

Black	Carl	Groth	Haverland
Swartz	Torrence		

The motion lost and the House refused to concur in the Senate amendment H—3963.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 476, 714, 717, 484, 523, 589, 139, 231, 730 and 643, and Senate Files 461, 424, 374, 452 and 509.

**MOTION TO RECONSIDER
(Amendment H—3667B to House File 547)**

I move to reconsider the vote by which amendment H—3667B to House File 547 passed the House on April 25, 1985.

O'KANE of Woodbury

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication.

Also: That the Senate has on April 25, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 495, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders and the recording of income tax refund or rebate payments by the clerk.

Also: That the Senate has on April 25, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 552, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers.

Also: That the Senate has on April 25, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 618, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

Also: That the Senate has on April 25, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current practices, omissions and inaccuracies and to update provisions relating to court reorganization.

Also: That the Senate has on April 25, 1985, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill.

K. MARIE THAYER, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 25th day of April, 1985: House Files 338, 419 and 553.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 25, 1985, he approved and transmitted to the Secretary of State the following bills:

Senate File 70, an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

Senate File 168, an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Senate File 183, an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Senate File 213, an act relating to the imposition of mandatory minimum sentences.

Senate File 266, an act relating to veteran preference in public employment and providing an effective date.

Senate File 291, an act relating to the authority of the Department of Water, Air and Waste Management over used oil.

Senate File 342, an act relating to bees by making certain acts unlawful, and providing penalties.

Senate File 375, an act providing for forms of certain acknowledgments of conveyances of real estate.

Senate File 391, an act exempting fire trucks and other fire apparatus from meeting air quality standards.

Senate File 392, an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

Senate File 414, an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

EXPLANATIONS OF VOTE

I was temporarily absent from the House chamber on April 24, 1985. Had I been present, I would have voted "aye" on Senate File 552.

HERMANN of Scott

I was necessarily absent from the House chamber on the morning of April 25, 1985. Had I been present I would have voted "aye" on House Files 714, 717 and 761; and Senate File 509.

PONCY of Wapello

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-one eighth grade students from Trinity St. Paul Lutheran School, Boone. By Lonergan of Boone.

Twenty-two students from Gilmore City Bradgate Community School District, Gilmore City, accompanied by Ron Warren, Tammy Siefken, Lori Lanning, Dennis Geitzenauer, and Mr. Troyer. By Mullins of Kossuth.

Fifty eighth grade students from Williamsburg Junior High School, Williamsburg, accompanied by Dave Doerencamp. By Varn of Johnson.

Fourteen fourth grade students from Southeast Elementary School, Waverly, accompanied by Elaine Kosbou and John Orloske. By Lageschulte of Bremer.

Thirty-one fifth and sixth grade students from Meservey-Thornton Elementary School, Thornton, accompanied by Jeff Tudor, Alice Heitland and Leroy Scharunhorst. By Norland of Worth and Stromer of Hancock.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 767, a bill for an act relating to the base period under the unemployment compensation law for an employee who has received workers' compensation or indemnity insurance benefits.

Fiscal Note is not required.

Recommended **Do Pass** April 25, 1985.

AMENDMENTS FILED

H-4047	S.F.	35	Osterberg of Linn
H-4055	S.F.	564	Lageschulte of Bremer
H-4058	H.F.	554	Koenigs of Mitchell
H-4060	S.F.	502	Chapman of Linn
H-4064	H.F.	750	Woods of Polk
H-4067	S.F.	110	Stromer of Hancock
H-4068	H.F.	702	Chapman of Linn
H-4069	H.F.	552	Senate Amendment
H-4070	H.F.	618	Senate Amendment
H-4071	H.F.	381	Senate Amendment
H-4072	S.F.	329	Senate Amendment
H-4073	H.F.	495	Senate Amendment
H-4075	S.F.	110	Stromer of Hancock

On motion by Norland of Worth, the House adjourned at 9:55 p.m., until 9:30 a.m., Friday, April 26, 1985.

JOURNAL OF THE HOUSE

One Hundred Third Calendar Day — Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 26, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Roy Paslay, Jr., pastor of the First Baptist Church, Boone.

The Journal of Thursday, April 25, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carl of Poweshiek, until her arrival, on request of Jay of Appanoose.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 575, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land.

Also: That the Senate has on April 24, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 649, a bill for an act relating to water wells by providing for regulation of water wells and the registration of water well contractors.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 250, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 377, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 398, a bill for an act relating to school reorganization.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 455, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' or other self-insured workers' compensation plan formed under section 87.4.

Also: That the Senate has on April 24, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 526, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction.

K. MARIE THAYER, Secretary

SENATE AMENDMENTS CONSIDERED

Groth of Buena Vista called up for consideration **House File 66**, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control, amended by the Senate, and moved that the House concur in the following Senate amendment H—3897:

H—3897

- 1 Amend House File 66 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 8 by striking the words "only to"
- 4 and inserting the words "to all".

The motion prevailed and the House concurred in the Senate amendment H—3897.

Groth of Buena Vista moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 66)

The ayes were, 97:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Cannolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan

Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Baxter	Black	Carl
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Cooper of Lucas called up for consideration **House File 378**, a bill for an act exempting road workers from the forty miles per hour minimum speed limit, amended by the Senate, and moved that the House concur in the following Senate amendment H—3855:

H—3855

1 Amend House File 378 as passed by the House as
 2 follows:
 3 1. Page 1, by inserting after line 15 the
 4 following:
 5 "Sec. 2. Section 321.288, Code 1985, is amended to
 6 read as follows:
 7 321.288 CONTROL OF VEHICLE.
 8 1. A person operating a motor vehicle shall have
 9 the same vehicle under control at all times and.
 10 2. A person operating a motor vehicle shall reduce
 11 the speed to a reasonable and proper rate:
 12 1 a. When approaching and passing a person walking
 13 in the traveled portion of the public highway.
 14 2 b. When approaching and passing an animal which
 15 is being led, ridden, or driven upon a public highway.
 16 3 c. When approaching and traversing a crossing or
 17 intersection of public highways, or a bridge, or a
 18 sharp turn, or a curve, or a steep descent, in a
 19 public highway.
 20 4 d. When approaching and passing a fusee, flares,
 21 red reflector electric lanterns, red reflectors or red
 22 flags displayed in accordance with section 321.448, or
 23 an emergency vehicle displaying a revolving or
 24 flashing light.
 25 5 e. When approaching and passing a slow moving
 26 vehicle displaying a reflective device as provided by
 27 section 321.383.

- 28 f. When approaching and passing through a sign
 29 posted construction or maintenance zone upon the
 30 public highway."
 31 2. Amend the title, by striking the title after
 32 the word "Act" in line 1 and inserting the following:
 33 "relating to the safety of road maintenance workers."

The motion prevailed and the House concurred in the Senate amendment H—3855.

Cooper of Lucas moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 378)

The ayes were, 94:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Black	Carl	Connors
Jochum	Siegrist		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order for immediate consideration House File 766 and Senate File 110.

Appropriations Calendar

House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation, was taken up for consideration.

Cooper of Lucas in the chair at 10:10 a.m.

Groninga of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 766)

The ayes were, 77:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Clark
Cochran	Connolly	Connors	Daggett
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hermann	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Running	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stueland

Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Cooper)			

The nays were, 21:

Branstad	Carpenter	Corey	De Groot
Grandia	Halvorson, R. A.	Handorf	Hester
Hummel	Kremer	Loneragan	Maulsby
Metcalf	Miller	Mullins	Pellett
Renken	Royer	Schnekloth	Stromer
Welden			

Absent or not voting, 2:

Black	Parker
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 766)

Norland of Worth asked and received unanimous consent to immediately message House File 766 to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 110**, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties, and amendment H—3911, (found on page 1705 of the House Journal), to amendment H—3908, (found on pages 1704 and 1705 of the House Journal), deferred and placed on the unfinished business calendar April 19, 1985.

The House stood at ease at 10:56 a.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—3911, to amendment H—3908, to Senate File 110 at 11:36 a.m., Connors of Polk in the chair.

(Amendment H—3911, to amendment H—3908, to Senate File 110, pending at recess.)

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for the committees on appropriations and ways and means meetings upon recess.

SPECIAL PRESENTATION

Jochum of Dubuque presented to the House Colleen Melloy Piekenbrock, Joyce Hughes and Erin O'Connell, a group of puppeteers from Dubuque called "The Kids on the Block." The puppeteers visit schools and groups around Iowa to educate people about the realities of being mentally and physically handicapped.

The group, who are here in honor of the Special Olympics which will be held May 13, perform to show that no matter what differences people have in abilities, they all want the same thing and that is to be treated like an equal human being with all the rights and opportunities that our society can offer. These puppets teach handicapped children that they can grow from children into adults with the dignity and respect they deserve.

The House rose and expressed its welcome.

The group performed in the House chamber during recess.

On motion by Norland of Worth, the House was recessed at 11:40 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 1985, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 296, a bill for an act relating to the deposit and investment of public funds.

MARILYN K. MUELLER, Parliamentarian

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth, for the remainder of the day, on request of Miller of Cherokee.

BUSINESS PENDING AT RECESS

The House resumed consideration of **Senate File 110**, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties, and amendment H-3911 (found on page 1705 of the House Journal) to amendment H-3908, (found on pages 1704 and 1705 of the House Journal).

Stromer of Hancock asked and received unanimous consent to withdraw amendment H-3911.

Stromer of Hancock offered the following amendment H-4067, to amendment H-3908, filed by him and moved its adoption:

H-4067

- 1 Amend amendment H-3908 to Senate File 110 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:

4 1. Page 1, line 20, by inserting after the word
5 "system.", the following: "This definition also
6 shall not mean any company that has been a signatory
7 of the Sullivan principles for at least five years
8 and has obtained a performance rating in the top two
9 categories during four of the past five years."

Amendment H—4067 was adopted.

Teaford of Black Hawk offered the following amendment H—3927, to amendment H—3908, filed by her and moved its adoption:

H—3927

1 Amend H—3908 to Senate File 110 as amended, passed,
2 and reprinted by the Senate as follows:
3 1. Page 1, by striking lines 15 through 20 and
4 inserting the following: "the Republic of South
5 Africa."

Amendment H—3927 lost.

Hughes of Union in the chair at 2:35 p.m.

Stromer of Hancock asked and received unanimous consent to withdraw amendment H—4075, to amendment H—3908, filed by him on April 25, 1985.

Blanshan of Greene asked and received unanimous consent to temporarily defer action on amendment H—3908, as amended.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3831 filed by her on April 16, 1985, placing out of order the following amendments to amendment H—3831:

H—3868 filed by Stromer of Hancock on April 17, 1985.

H—3869 filed by Lloyd-Jones of Johnson on April 17, 1985.

H—3885 filed by Teaford of Black Hawk on April 18, 1985.

The following amendments were withdrawn by unanimous consent:

H—3830 filed by Lloyd-Jones of Johnson on April 16, 1985.

H—3805 filed by Teaford of Black Hawk on April 16, 1985.

H—3912 filed by Stromer of Hancock on April 19, 1985.

The House resumed consideration of amendment H—3908, as amended.

McIntee of Black Hawk asked and received unanimous consent to withdraw amendment H—4082, to amendment H—3908, filed by him from the floor April 26, 1985.

Speaker Avenson in the chair at 2:52 p.m.

On motion by Lloyd-Jones of Johnson, amendment H—3908, as amended, was adopted.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 110)

The ayes were, 73:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Renaud	Rensink
Rosenberg	Running	Schneklloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Zimmerman
Mr. Speaker			

The nays were, 25:

Branstad	Corey	Daggett	De Groot
Diemer	Grandia	Handorf	Hanson

Harbor	Hermann	Hester	Kremer
Maulsby	Miller	Muhlbauer	Paulin
Pellett	Platt	Poney	Renken
Royer	Torrence	Van Maanen	Weiden
Woods			

Absent or not voting, 2:

Black Mullins

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

Sullivan of Van Buren in the chair at 3:35 p.m.

SENATE AMENDMENTS CONSIDERED

O'Kane of Woodbury called up for consideration **House File 494**, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project, amended by the Senate, and moved that the House concur in the following Senate amendment H—3861:

H—3861

1 Amend House File 494 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 28, by striking the word
 4 "redevelopment" and inserting the following:
 5 "redevelopment,"
 6 2. Page 2, by striking lines 16 through line 25
 7 and inserting the following:
 8 "Sec. 4. Section 403.7, Code 1985, is amended to
 9 read as follows:
 10 403.7 CONDEMNATION OF PROPERTY.
 11 A municipality shall have the right to acquire by
 12 condemnation any interest in real property, including
 13 a fee simple title thereto, which it may deem
 14 necessary for or in connection with an urban renewal
 15 project under this chapter. A municipality may
 16 exercise the power of eminent domain in the manner
 17 provided in chapter 472, and ~~aets Acts~~ amendatory
 18 ~~thereof to that chapter~~ or supplementary ~~thereto to~~
 19 that chapter, or it may exercise the power of eminent
 20 domain in the manner now or which may be hereafter
 21 provided by any other statutory provisions for the
 22 exercise of the power of eminent domain. Property
 23 already devoted to a public use may be acquired in

24 like manner: Provided, that no. However, real
 25 property belonging to the state, or any political
 26 subdivision thereof of this state, may shall not be
 27 acquired without its consent, provided further that no
 28 and real property or any right or interest therein in
 29 the property owned by any public utility company,
 30 pipeline company, railway or transportation company
 31 vested with the right of eminent domain under the laws
 32 of this state, shall not be acquired without the
 33 consent of such the company, or without first
 34 securing, after due notice to such the company and
 35 after hearing, a certificate authorizing condemnation
 36 of such the property from the board, commission or
 37 body having the authority to grant a certificate
 38 authorizing condemnation. In a condemnation
 39 proceeding, if a municipality proposes to take a part
 40 of a lot or parcel of real property, the municipality
 41 shall also take the remaining part of the lot or
 42 parcel if requested by the owner."
 43 3. Page 4, line 5, by striking the word
 44 "redevelopment" and inserting the following:
 45 "redevelopment,".

The motion prevailed and the House concurred in the Senate amendment H—3861.

O'Kane of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 494)

The ayes were, 96:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland

O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Sullivan)

The nays were, none.

Absent or not voting, 4:

Baxter	Black	Carter	Mullins
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines, until her arrival, on request of Haverland of Polk; Carter of Henry, for the remainder of the day, on request of Gruhn of Dickinson.

Gruhn of Dickinson called up for consideration **House File 678**, a bill for an act relating to drainage and drainage districts, amended by the Senate, and moved that the House concur in the following Senate amendment H—3856:

H—3856

- 1 Amend House File 678 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "inspection." the following: "The owner or lessee
- 5 shall be reimbursed for any crop damages incurred in
- 6 the maintenance, repair, improvement and inspection."
- 7 2. Page 2, line 2, by striking the word
- 8 "September" and inserting the word "first".
- 9 3. Page 2, by striking lines 5 and 6 and
- 10 inserting the words "then outstanding balance plus
- 11 interest accrued to the date of payment. Each".
- 12 4. Page 2, line 24, by striking the word "twenty"
- 13 and inserting the following: "ten".
- 14 5. Page 2, line 30, by inserting after the word
- 15 "the" the word "prior".

- 16 6. By renumbering, relettering, or redesignating
 17 and correcting internal references as necessary:

The motion prevailed and the House concurred in the Senate amendment H—3856.

Gruhn of Dickinson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 678)

The ayes were, 93:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Sullivan)			

The nays were, none.

Absent or not voting, 7:

Baxter	Black	Carter	Kremer
Lonergan	Mullins	Norland	

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

Torrence of Muscatine called up for consideration **House File 398**, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility, amended by the Senate, and moved that the House concur in the following Senate amendment H—3896:

H—3896

- 1 Amend House File 398, as passed by the House as
- 2 follows:
- 3 1. Page 1, line 17, by inserting after the word
- 4 "aide" the following: "as defined in section 249B.32,
- 5 paragraph 3,".

The motion prevailed and the House concurred in the Senate amendment H—3896.

Torrence of Muscatine moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 398)

The ayes were, 95:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poney	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Teaford	Torrence

Van Camp
Woods

Van Maanen
Zimmerman

Varn
Mr. Speaker
(Sullivan)

Welden

The nays were, none.

Absent or not voting, 5:

Baxter
Mullins

Black

Carter

Groninga

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

Brammer of Linn called up for consideration **House File 462**, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties, amended by the Senate amendment H—3891 as follows:

H—3891

1 Amend House File 462 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, lines 5 and 6, by striking the word
4 and figures "3 and 4" and inserting the following:
5 "3, 4, and 5".

6 2. Page 1, by striking lines 7 through 18.

7 3. Page 1, line 30, by striking the words "or
8 negligently allowed to be released".

9 4. Page 3, line 9, by striking the word
10 "ATTENDANTS" and inserting the words "GUARDIAN AD
11 LITEM".

12 5. Page 3, by striking lines 11 through 34, and
13 inserting the following:

14 "A prosecuting witness who is a child, as defined
15 in section 702.5, in a case involving a violation of
16 chapter 709 or section 726.2, 726.3, 726.6, or 728.12,
17 shall have the child's interests represented by a
18 court appointed guardian ad litem in all stages of the
19 proceedings arising out of such violation."

20 6. Page 4, by striking lines 9 through 12, and
21 inserting the following: "guardians. Such a
22 professional shall either provide the initial services
23 or refer the victim to another professional for the
24 provision of initial services."

25 7. Page 4, by inserting after line 15 the
26 following:

27 "Sec. 9. Section 912.4, subsection 1, Code 1985,
28 is amended to read as follows:

29 1. To claim a reparation under the crime victim
30 reparation program, a person shall apply in writing on
31 a form prescribed by the commissioner and file the
32 application with the commissioner within one hundred
33 eighty days after the date of the crime, or of the
34 discovery of the crime, or within one hundred twenty
35 days after the date of death of the victim."

36 8. Page 5, line 13, by striking the word and
37 figures "3 and 4" and inserting the following: "3, 4,
38 and 5".

39 9. By striking page 6, line 35 through page 7,
40 line 6.

41 10. Page 7, by striking lines 12 and 13, and
42 inserting the following: "gation of an oath or
43 affirmation is presumed competent to be a witness."

44 11. Page 7, by striking lines 29 through 33, and
45 inserting the following:

46 "2. Review recorded or nonrecorded evidence."

47 12. By renumbering, relettering, or redesignating
48 and correcting internal references as necessary.

McIntee of Black Hawk offered the following amendment H-4085, to the Senate amendment H-3891, filed by him from the floor and moved its adoption:

H-4085

1 Amend the amendment H-3891 to House File 462 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 1, by striking line 6, and inserting the
4 following:

5 "_____. Page 1, line 10, by striking the word "six"

6 and inserting the following: "four"."

Amendment H-4085 was adopted.

Brammer of Linn offered the following amendment H-3970, to the Senate amendment H-3891, filed by him and moved its adoption:

H-3970

1 Amend amendment H-3891 to House File 462 as
2 amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 17 through 19, and
5 inserting the following: "is entitled to have the
6 witness' interests represented by a guardian ad litem
7 at all stages of the proceedings arising from such

8 violation. The guardian ad litem may but need not be
 9 a practicing attorney and shall be designated by the
 10 court after due consideration is given to the desires
 11 and needs of the child and the compatibility of the
 12 child and the child's interests with the prospective
 13 guardian ad litem. However, a person who is also a
 14 prosecuting witness in the same proceeding shall not
 15 be designated guardian ad litem. The guardian ad
 16 litem shall receive notice of and may attend all
 17 depositions, hearings and trial proceedings to support
 18 the child and advocate for the protection of the child
 19 but shall not be allowed to separately introduce
 20 evidence or to directly examine or cross-examine
 21 witnesses."

22 2. Page 1, by striking lines 20 through 24.

23 3. Page 1, by striking lines 41 through 43 and
 24 inserting the following:

25 "_____. Page 7, by striking lines 14 and 15 and
 26 inserting the following:

27 "However, a child, as defined in section 702.5,
 28 Code 1985, is presumed to be competent. If the
 29 child's competency is questioned the court shall
 30 determine whether the child is mentally capable of
 31 understanding the nature of the questions put to the
 32 child, whether the child is able to formulate
 33 intelligent answers and communicate impressions and
 34 recollections regarding the incident about which the
 35 child is to testify, and whether the child can
 36 understand the responsibility to tell the truth. In
 37 making these determinations, the court may do any
 38 or" "

Amendment H—3970 was adopted.

Brammer of Linn offered the following amendment H—4084, to the Senate amendment H—3891, filed by him and Jay of Appanoose from the floor and moved its adoption:

H—4084

1 Amend the amendment H—3891 to House File 462 as
 2 amended, passed and reprinted by the House as follows:

3 1. Page 1, by striking lines 39 and 40, and
 4 inserting the following:

5 "_____. Page 7, by striking lines 3 through 6, and
 6 inserting the following:

7 "NEW UNNUMBERED PARAGRAPH. Corroboration of the
 8 testimony of victims shall not be required."

Amendment H—4084 was adopted.

On motion by Brammer of Linn, the House concurred in the Senate amendment H—3891, as amended.

Brammer of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 462)

The ayes were, 93:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKeán	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Sullivan)			

The nays were, none.

Absent or not voting, 7:

Baxter	Black	Carter	Doderer
Gruhn	Mullins	Parker	

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

Skow of Guthrie called up for consideration **House File 556**, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to ten thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and modifying a requirement that an applicant for a loan shall report other installment loans that the applicant may have, amended by the Senate, and moved that the House concur in the following Senate amendment H—3893:

H—3893

- 1 Amend House File 556 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Title page, line 3, by striking the word "ten"
- 4 and inserting the following: "twenty-five".

The motion prevailed and the House concurred in the Senate amendment H—3893.

Skow of Guthrie moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 556)

The ayes were, 82:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Haverland	Hermann
Hester	Hughes	Hummel	Jay
Jochum	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Poncy	Renaud	Renken
Rensink	Royer	Running	Schneklouth
Sherzan	Shoning	Shoultz	Siegrist

Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Varn	Woods
Zimmerman	Mr. Speaker (Sullivan)		

The nays were, 13:

Buhr	Hammond	Hatch	Holveck
Johnson	Maulsby	Osterberg	Oxley
Platt	Rosenberg	Van Camp	Van Maanen
Welden			

Absent or not voting, 5:

Baxter	Black	Carter	Doderer
Mullins			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Speaker Avenson in the chair at 4:01 p.m.

Shoultz of Black Hawk called up for consideration **House File 549**, a bill for an act relating to domestic abuse counseling; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage, amended by the Senate, and moved that the House concur in the following Senate amendment H—3892:

H—3892

1 Amend House File 549 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, by inserting after line 23 the
 4 following:
 5 "Sec._____. Section 236.3, unnumbered paragraph 2,
 6 Code 1985, is amended to read as follows:
 7 If the plaintiff files an affidavit stating that
 8 the plaintiff does not have sufficient funds available
 9 to pay the cost of filing and service, the petition
 10 shall be filed and service shall be made without
 11 payment of costs. If a petition is filed and service
 12 is made without payment of costs, the court shall

13 determine at the hearing if the plaintiff is indigent
14 payment of costs would prejudice the person's
15 financial ability to provide economic necessities for
16 the plaintiff or the plaintiff's dependents. If the
17 court finds that the plaintiff is not indigent payment
18 of costs would not prejudice the person's financial
19 ability to provide economic necessities for the
20 plaintiff or the plaintiff's dependents, the court may
21 order the plaintiff to pay the costs of filing and
22 service. However, in making the determinations, the
23 court shall not consider funds no longer available to
24 the plaintiff as a result of the commencement of the
25 action."

26 2. Page 5, line 34, by inserting after the word
27 "writing" the following: "or disclosure of the
28 information is compelled by a court pursuant to
29 subsection 7".

30 3. Page 6, by inserting after line 26 the
31 following:

32 "7. Upon the motion of a party, accompanied by a
33 written offer of proof, a court may compel disclosure
34 of certain information if the court determines that
35 all of the following conditions are met:

36 a. The information sought is relevant and material
37 evidence of the facts and circumstances involved in an
38 alleged act of sexual assault or domestic violence
39 which is the subject of a criminal proceeding.

40 b. The probative value of the information
41 outweighs the harmful effect, if any, of disclosure on
42 the victim, the counseling relationship, and the
43 treatment services.

44 c. The information cannot be obtained by
45 reasonable means from any other source.

46 8. In ruling on a motion under subsection 7, the
47 court, or a different judge, if the motion was filed
48 in a criminal proceeding to be tried to the court,
49 shall adhere to the following procedure:

50 a. The court may require the counselor from whom

Page 2

1 disclosure is sought or the victim claiming the
2 privilege, or both, to disclose the information in
3 chambers out of the presence and hearing of all
4 persons except the victim and any other persons the
5 victim is willing to have present.

6 b. If the court determines that the information is
7 privileged and not subject to compelled disclosure,
8 the information shall not be disclosed by any person
9 without the consent of the victim.

10 c. If the court determines that certain

11 information may be subject to disclosure, as provided
 12 in subsection 7, the court shall so inform the party
 13 seeking the information and shall order a subsequent
 14 hearing out of the presence of the jury, if any, at
 15 which the parties shall be allowed to examine the
 16 counselor regarding the information which the court
 17 has determined may be subject to disclosure. The
 18 court may accept other evidence at that time.

19 d. At the conclusion of a hearing under paragraph
 20 "c", the court shall determine which information, if
 21 any, shall be disclosed and may enter an order
 22 describing the evidence which may be introduced by the
 23 moving party and prescribing the line of questioning
 24 which may be permitted. The moving party may then
 25 offer evidence pursuant to the court order. However,
 26 no victim counselor is subject to exclusion under Iowa
 27 rule of evidence 615.

28 9. This section does not relate to the admission
 29 of evidence of the victim's past sexual behavior which
 30 is strictly subject to Iowa rule of evidence 412."

31 4. Title page, line 1, by inserting after the
 32 word "counseling;" the following: "to the
 33 commencement of a domestic abuse action;".

34 5. By renumbering, relettering, or redesignating
 35 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3892.

Shoultz of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 549)

The ayes were, 94:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer

Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Black	Carter	Doderer
Mullins	Swearingen		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swearingen of Keokuk, for the remainder of the day, on request of Halvorson of Clayton.

Swartz of Marshall called up for consideration **House File 631**, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements, amended by the Senate, and moved that the House concur in the following Senate amendment H—3894:

H—3894

- 1 Amend House File 631, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 10, by striking the word
- 4 "operation" and inserting the following:
- 5 "programming".
- 6 2. Page 1, line 12, by striking the word
- 7 "certify" and inserting the following: "approve".
- 8 3. Page 1, line 15, by striking the word
- 9 "Certified" and inserting the following: "Approved".

- 10 4. Page 1, line 16, by striking the words "are
- 11 entitled to" and inserting the following: "may".
- 12 5. Page 1, line 21, by striking the word "diem"
- 13 and inserting the following: "diem, per hour,".
- 14 6. Page 1, line 30, by striking the word
- 15 "certification" and inserting the following:
- 16 "approval".
- 17 7. Page 1, line 30, by inserting after the words
- 18 "section 225C.19" the words "in order to receive
- 19 public funding".
- 20 8. Title page, line 1, by striking the word
- 21 "operation" and inserting the following:
- 22 "programming".
- 23 9. By renumbering, relettering, or redesignating
- 24 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3894.

Swartz of Marshall moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 631)

The ayes were, 92:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonerган
Maulsby	McKean	Metcalf	Miller
Muhlbauer	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Teaford

Torrence
Welden

Van Camp
Woods

Van Maanen
Zimmerman

Varn
Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Baxter
Mullins

Black
Norland

Carter
Shoultz

McIntee
Swearingen

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Jay of Appanoose called up for consideration **House File 688**, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor, amended by the Senate, and moved that the House concur in the following Senate amendment H—3898:

H—3898

- 1 Amend House File 688 as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting after line 12 the
- 4 following:
- 5 "However, the use of adjudication and disposition
- 6 proceedings pursuant to this subsection shall be
- 7 subject to the restrictions contained in section
- 8 232.150."

The motion prevailed and the House concurred in the Senate amendment H—3898.

Jay of Appanoose moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 688)

The ayes were, 90:

Arnould
Branstad
Clark
Cooper
Diemer

Beatty
Buhr
Cochran
Corey
Doderer

Bennett
Carl
Connolly
Daggett
Fey

Blanshan
Carpenter
Connors
De Groot
Fogarty

Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Running	Schneklath	Shoning
Shoultz	Siegrist	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Baxter	Black	Brammer	Carter
Chapman	Mullins	Royer	Sherzan
Skow	Swearingen		

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

Groth of Buena Vista called up for consideration **House File 210**, a bill for an act relating to the weighting per pupil for shared programs of school districts, amended by the Senate, and moved that the House concur in the following Senate amendment H-3914:

H-3914

- 1 Amend House File 210, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 25 the
- 4 following:
- 5 "Sec._____. Notwithstanding section 1 of this Act,
- 6 for the budget year beginning July 1, 1986 only, the
- 7 state comptroller shall determine the state aid
- 8 required to finance the cost of the additional
- 9 weighting provided in section 1 of this Act. If the
- 10 state aid required to meet section 1 of this Act
- 11 exceeds two million dollars, the state comptroller
- 12 shall reduce the weights proportionally so that the
- 13 state aid paid under section 1 of this Act does not
- 14 exceed two million dollars."

The motion prevailed and the House concurred in the Senate amendment H—3914.

Groth of Buena Vista moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 210)

The ayes were, 87:

Arnould	Beatty	Bennett	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Branstad	Maulsby	Van Maanen	Welden
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Absent or not voting, 9:

Baxter	Black	Carter	Gruhn
Halvorson, R. N.	Mullins	Sherzan	Swearingen
Varn			

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

Buhr of Polk called up for consideration **House File 255**, a bill for an act relating to the election of hospital trustees, amended by the Senate, and moved that the House concur in the following Senate amendment H—3913:

H—3913

1 Amend House File 255 as passed by the House as
2 follows:
3 1. Page 1, by inserting after line 17 the
4 following:
5 "Sec. 2. Section 358.9, unnumbered paragraph 1,
6 Code 1985, is amended to read as follows:
7 At the election provided for in section 358.7, the
8 names of candidates for trustee of the district shall
9 be written by the voters on blank ballots without
10 formal nomination, and the board of supervisors which
11 had jurisdiction of the proceedings for establishment
12 of the sanitary district, together with the board of
13 supervisors of any other county in which any part of
14 the district is located, shall appoint three trustees
15 from among the five persons receiving the greatest
16 number of votes as trustees of the district. One of
17 the trustees shall be designated to serve a term
18 expiring on the first day of January which is not a
19 Sunday or legal holiday following the next general
20 election, one to serve a term expiring on the first
21 day of January which is not a Sunday or legal holiday
22 two years later, and one to serve a term expiring on
23 the first day of January which is not a Sunday or
24 legal holiday four years later. Thereafter, each term
25 shall be for a term of years established by the board
26 of supervisors, not less than three years or more than
27 six years. Successors to the initial trustees may be
28 chosen by appointment by the same board or boards of
29 supervisors which made the initial appointments or by
30 election, at the option of the remaining trustees. If
31 election is chosen, a successor shall be elected at
32 the general election preceding the expiration of the
33 term to be filled."

The motion prevailed and the House concurred in the Senate amendment H—3913.

Buhr of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 255)

The ayes were, 95:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kahe
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Baxter	Black	Carter	Mullins
Swearingen			

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

Parker of Jasper called up for consideration **House File 460**, a bill for an act relating to the investment of the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small businesses operating in this state, amended by the Senate, and moved that the House concur in the following Senate amendment H-3915:

H-3915

- 1 Amend House File 460 as amended, passed, and
- 2 reprinted by the House as follows:

3 1. Page 5, by striking lines 29 through 31 and
 4 inserting the following: "employed within this state.
 5 The total amount of an association's investments under
 6 this paragraph shall not exceed five percent of the
 7 association's capital and surplus. An".

The motion prevailed and the House concurred in the Senate amendment H—3915.

Parker of Jasper moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 460)

The ayes were, 94:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellet
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Black	Carter	Mullins
Sherzan	Swearingen		

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

Paulin of Plymouth called up for consideration **House File 626**, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining, amended by the Senate, and moved that the House concur in the following Senate amendment H—3919:

H—3919

- 1 Amend House File 626 as passed by the House as
 2 follows:
 3 1. Page 1, by inserting after line 15 the
 4 following:
 5 "Sec. 2. Section 83.14, Code 1985, is amended by
 6 adding the following new subsection:
 7 **NEW SUBSECTION. 9.** When on the basis of an
 8 inspection, or other information available to the
 9 department, the director has reasonable cause to
 10 believe that the operator is unable to complete
 11 reclamation of all or a portion of the permit area as
 12 required by law, the director shall issue an order to
 13 the operator to show cause as to why all or a portion
 14 of the performance bond required by section 83.10
 15 should not be revoked."
 16 2. By striking page 3, line 34 through page 4,
 17 line 6.

The motion prevailed and the House concurred in the Senate amendment H—3919.

Paulin of Plymouth moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 626)

The ayes were, 94:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay

Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Black	Carter	Mullins
Sherzan	Swearingen		

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

Zimmerman of Dallas called up for consideration **House File 677**, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H—3918:

H—3918

- 1 Amend House File 677 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 8, by inserting after line 3 the
- 4 following:
- 5 "The board shall not engage in any political
- 6 activity, and it shall be a condition of any
- 7 allocation of funds that any organization receiving
- 8 funds shall not expend the funds on political activity
- 9 or on any attempt to influence legislation."

The motion prevailed and the House concurred in the Senate amendment H—3918.

Zimmerman of Dallas moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 677)

The ayes were, 94:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Black	Carter	Mullins
Sherzan	Swearingen		

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

IMMEDIATE MESSAGE
(Senate File 110)

Norland of Worth asked and received unanimous consent to immediately message Senate File 110 to the Senate.

Johnson of Winneshiek called up for consideration **House File 750**, a bill for an act imposing a tonnage fee on solid waste deposited

in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty, amended by the Senate amendment H—3917 as follows:

H—3917

- 1 Amend House File 750 as passed by the House as
- 2 follows:
- 3 1. Page 2, line 3, by inserting after the word
- 4 "cleanup." the following: "However, not more than ten
- 5 percent of the fund may be used for this purpose in
- 6 any given year without legislative authorization for
- 7 that purpose."
- 8 2. Page 2, by striking lines 13 through 16 and
- 9 inserting the following:
- 10 "3. Solid waste disposal facilities with special
- 11 provisions which limit the site to the disposal of
- 12 construction and demolition waste and solid waste
- 13 materials approved by the department for lining or
- 14 capping or for construction berms, dikes or roads in a
- 15 sanitary disposal project or sanitary landfill are
- 16 exempt from the tonnage fees imposed under this
- 17 section."
- 18 3. Page 2, line 28, by striking the word
- 19 "January" and inserting the following: "April".

Woods of Polk offered the following amendment H—4064, to the Senate amendment H—3917, filed by him and moved its adoption:

H—4064

- 1 Amend the Senate amendment, H—3917, to House File
- 2 750, as passed by the House as follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "purpose" the following: "and at least eighty percent
- 5 of the funds shall be distributed to, and used for the
- 6 operation of, the landfill or landfills serving the
- 7 service area from which waste was collected and the
- 8 tonnage fees paid".

A non-record roll call was requested.

The ayes were 30, nays 49.

Amendment H—4064 lost.

Johnson of Winneshiek moved that the House concur in the Senate amendment H—3917, which motion prevailed.

Johnson of Winneshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 750)

The ayes were, 71:

Arnould	Beatty	Blanshan	Brammer
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Pellett
Peterson	Platt	Rensink	Rosenberg
Shoning	Shoultz	Siegrist	Skow
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Van Camp
Varn	Zimmerman	Mr. Speaker	

The nays were, 23:

Bennett	Branstad	Corey	Daggett
De Groot	Grandia	Hermann	Hester
Maulsby	Oxley	Peick	Poncy
Renaud	Renken	Royer	Running
Schneklath	Sherzan	Spear	Torrence
Van Maanen	Welden	Woods	

Absent or not voting, 6:

Baxter	Black	Carter	Harbor
Mullins	Swearingen		

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

Sullivan of Van Buren called up for consideration **House File 183**, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H—3939:

H—3939

- 1 Amend House File 183 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 16, by inserting after the word
- 4 "requirement." the following: "The commission shall
- 5 provide for temporary devices to identify the vehicles
- 6 of such guests."
- 7 2. Page 1, by inserting after line 21 the
- 8 following:
- 9 "e. A vehicle displaying a handicapped
- 10 identification device issued under chapter 601E."
- 11 3. Page 1, line 25, by inserting after the word
- 12 "rule." the words "However, the requirement of a user
- 13 permit shall not apply on any land acquired by gift if
- 14 a condition of the gift was the free, public use of
- 15 the land."
- 16 4. Page 1, line 32, by striking the words "or
- 17 food stamp".
- 18 5. Page 1, line 33, by striking the word "social"
- 19 and inserting the word "human".
- 20 6. Page 1, line 33, by inserting after the word
- 21 "services" the words "or to individuals who declare
- 22 themselves in writing to be current food stamp
- 23 recipients and who sign a release allowing the
- 24 department of human services to confirm or deny their
- 25 eligibility status upon request of the county recorder
- 26 or the conservation commission".
- 27 7. Page 1, line 33, by inserting after the word
- 28 "services" the following: "or to individuals who show
- 29 proof of age of sixty-five years or older".
- 30 8. Page 2, by striking line 7 through page 3,
- 31 line 5 and inserting the following:
- 32 "8. a. An officer of the commission who observes
- 33 a motor vehicle parked in violation of this section
- 34 shall take the vehicle's registration number and may
- 35 take other information displayed on the vehicle which
- 36 may identify its user and deliver to the driver or
- 37 conspicuously affix to the vehicle a notice of
- 38 violation in writing on a form provided by the
- 39 commission. A person who receives the notice or knows
- 40 that a notice has been affixed to the motor vehicle
- 41 owned or controlled by the person may pay a civil

42 penalty of twenty dollars to the commission within
43 twenty days. If the civil penalty is not timely paid,
44 the commission may cause a complaint to be filed
45 against the owner or operator of the motor vehicle
46 before a magistrate for the violation of this section
47 in the manner provided in section 804.1. Timely
48 payment of the civil penalty shall be a bar to any
49 prosecution for that violation of this section. All
50 civil penalties collected under this subsection shall

Page 2

1 be deposited in the general fund of the state.
2 b. If a citation is issued for a violation of this
3 section and a plea of guilty is entered on or before
4 the time and date set for appearance, the fines shall
5 be thirty dollars and court costs and the criminal
6 penalty surcharge of section 911.2 shall not be
7 imposed.
8 c. The commission shall provide to its officers
9 sets of triplicate notices each identified by separate
10 serial numbers on each copy of notice. One copy shall
11 be used as a notice of violation and delivered to the
12 person charged or affixed to the vehicle illegally
13 parked, one copy shall be sworn to by the officer as a
14 complaint and may be filed with the clerk of the court
15 of the county if the civil penalty is not timely paid
16 to the commission and one copy shall be retained by
17 the commission for record purposes.
18 9. Page 3, by inserting after line 23 the
19 following:
20 "10. A person who receives a notice of violation
21 under this section may, in lieu of paying the civil
22 penalty, produce proof that the person has acquired a
23 current calendar year permit. The proof shall be
24 submitted to the commission in the same manner as the
25 civil penalty."
26 10. By renumbering, relettering, or redesignating
27 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3939.

Sullivan of Van Buren moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 183)

The ayes were, 55:

Arnould	Beatty	Blanshan	Brammer
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Diemer	Doderer
Fey	Groninga	Groth	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
Metcalf	Muhlbauer	Norland	Ollie
Osterberg	Parker	Paulin	Pavich
Peterson	Platt	Rensink	Rosenberg
Royer	Shoultz	Siegrist	Stromer
Sullivan	Swartz	Tabor	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 38:

Bennett	Branstad	Buhr	Carl
Cooper	Corey	Daggett	De Groot
Fogarty	Grandia	Gruhn	Halvorson, R. N.
Holveck	Hughes	Hummel	Jay
McKean	Miller	O'Kane	Oxley
Peick	Pellett	Poncy	Renaud
Renken	Running	Schnekloth	Sherzan
Shoning	Skow	Spear	Stueland
Sturgeon	Teaford	Torrence	Van Camp
Van Maanen	Varn		

Absent or not voting, 7:

Baxter	Black	Carter	Haverland
Jochum	Mullins	Swearingen	

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

Jay of Appanoose called up for consideration **House File 702**, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable, amended by the Senate amendment H—3936 as follows:

H—3936

- 1 Amend House File 702 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 5, by striking the words "by
- 4 making" and inserting the word "from".
- 5 2. Page 1, line 7, by striking the words

- 6 "providing false meter readings or by".
 7 3. By renumbering, relettering, or redesignating
 8 and correcting internal references as necessary.

Chapman of Linn offered the following amendment H—4068, to the Senate amendment H—3936, filed by her:

H—4068

- 1 Amend amendment H—3936 to House File 702 as passed
 2 by the House as follows:
 3 1. Page 1, by inserting after line 2 the
 4 following:
 5 "_____. Page 1, line 5, by inserting after the word
 6 "obtains" the following: "telephone or"."
 7 2. Page 1, by inserting after line 6 the
 8 following:
 9 "_____. Title page, line 2, by inserting after the
 10 word "and" the following: "telephone and"."
 11 3. Renumber as necessary.

Sullivan of Van Buren rose on a point of order that amendment H—4068 was not germane.

The Speaker ruled the point well taken and amendment H—4068 not germane.

On motion by Jay of Appanoose, the House concurred in the Senate amendment H—3936.

Jay of Appanoose moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 702)

The ayes were, 92:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch

Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 1:

Parker

Absent or not voting, 7:

Baxter	Black	Carter	Doderer
Haverland	Mullins	Swearingen	

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

O'Kane of Woodbury called up for consideration **House File 729**, a bill for an act relating to certain tax levies of political subdivisions and area schools, amended by the Senate, and moved that the House concur in the following Senate amendment H-3934:

H-3934

- 1 Amend House File 729 as follows:
- 2 1. Page 1, by striking lines 20 through 22 and
- 3 inserting the following: "shown on the assessment
- 4 roll used in connection with the taxation of property
- 5 by the taxing district, last equalized prior to as of
- 6 January 1 of the calendar year preceding the
- 7 effective".
- 8 2. Page 1, by striking lines 34 and 35 and
- 9 inserting the following: "date, the assessment roll
- 10 of the county last equalized on as of January 1 of the
- 11 calendar year preceding the effective date of the".
- 12 3. Page 2, line 6, by inserting after the word
- 13 "auditor" the following: "on or before December 31".
- 14 4. Page 2, line 10, by inserting after the word

- 15 "each" the following: "subsequent".
 16 5. Page 2, line 15, by striking the word
 17 "February" and inserting the following: "January".
 18 6. Page 2, by striking lines 23 through 27 and
 19 inserting the following:
 20 "NEW SUBSECTION. 6. Tax collections within each
 21 taxing district may be allocated to the entire taxing
 22 district including the taxes on the valuations".

The motion prevailed and the House concurred in the Senate amendment H—3934.

O'Kane of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 729)

The ayes were, 92:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lónergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Baxter	Black	Carter	Chapman
Haverland	Mullins	Swearingen	Woods

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

Peterson of Carroll called up for consideration **House File 128**, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes, amended by the Senate, and moved that the House concur in the following Senate amendment H — 3981:

H — 3981

- 1 Amend House File 128 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 3, line 28, by striking the word "a" and
- 4 inserting the words "an approved".
- 5 2. Page 4, line 12, by inserting after the words
- 6 "begins, the" the word "approved".
- 7 3. Page 4, line 18, by striking the word "a" and
- 8 inserting the words "an approved".
- 9 4. Page 4, line 19, by striking the word "small".
- 10 5. Page 4, line 28, by inserting after the word
- 11 "mediator" the words "in an approved center".

The motion prevailed and the House concurred in the Senate amendment H — 3981.

Peterson of Carroll moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 128)

The ayes were, 75:

Arnould	Beatty	Blanshan	Brammer
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Hermann
Holveck	Hughes	Hummel	Jay

Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lónergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 19:

Bennett	Branstad	Corey	Daggett
De Groot	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Pellett
Renken	Royer	Schneklath	Stueland
Torrence	Van Maanen	Welden	

Absent or not voting, 6:

Baxter	Black	Carter	Haverland
Mullins	Swearingen		

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

McKean of Jones called up for consideration **House File 498**, a bill for an act relating to the qualifications of a weed commissioner, deputy weed commissioner or commercial applicator, amended by the Senate, and moved that the House concur in the following Senate amendment H—3962:

H—3962

- 1 Amend House File 498, as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, lines 10 and 11, by striking the words
- 4 "of one year" and inserting the following: "~~of one~~
- 5 year at the discretion of the board of supervisors".
- 6 2. Page 1, by striking lines 13 through 21 and
- 7 inserting the following: "the approval of the board
- 8 of supervisors, require that commercial applicators
- 9 and their appropriate employees pass the same
- 10 standards for noxious weed identification as
- 11 established by the department of agriculture. The
- 12 name and address of the person appointed as".

- 13 3. Page 1, line 27, by striking the word
 14 "Annually" and inserting the following: "At the
 15 discretion of the board of supervisors".

The motion prevailed and the House concurred in the Senate amendment H—3962.

McKean of Jones moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 498)

The ayes were, 84:

Arnould	Beatty	Bennett	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Poncy	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Torrence
Van Camp	Varn	Zimmerman	Mr. Speaker

The nays were, 8:

Branstad	Corey	Grandia	Maulsby
Platt	Renaud	Van Maanen	Welden

Absent or not voting, 8:

Baxter	Black	Carter	Haverland
Mullins	Swearingen	Teaford	Woods

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

Sullivan of Van Buren called up for consideration **House File 505**, a bill for an act relating to an annual review of local human service programs by the county board of social welfare, amended by the Senate, and moved that the House concur in the following Senate amendment H—3995:

H—3995

- 1 Amend House File 505 as passed by the House as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 6 and
- 4 inserting the following: "review all human services
- 5 provided or proposed to be provided with state or
- 6 county funding to children, youth, and families in the
- 7 county and shall annually review the system in the
- 8 county for the delivery of the services to determine".

The motion prevailed and the House concurred in the Senate amendment H—3995.

Sullivan of Van Buren moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 505)

The ayes were, 88:

Arnould	Beatty	Bennett	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer

Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Zimmerman	Mr. Speaker

The nays were, 5:

Branstad	Handorf	Platt	Renken
Torrence			

Absent or not voting, 7:

Baxter	Black	Carter	Haverland
Mullins	Swearingen	Woods	

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

Johnson of Winneshiek called up for consideration **House File 266**, a bill for an act relating to financial incentive payments for the protection of forests and forest soils from damage by grazing, amended by the Senate, and moved that the House concur in the following Senate amendment H—4008:

H—4008

- 1 Amend House File 266 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 22, by inserting after the word
- 4 "reimbursement" the following: "unless the complete
- 5 fence is replaced".

The motion prevailed and the House concurred in the Senate amendment H—4008.

Johnson of Winneshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 266)

The ayes were, 79:

Arnould	Beatty	Blanshan	Brammer
Buhr	Carl	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Daggett	De Groot	Diemer	Doderer

Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Lonergan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Torrence	Van Camp	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, 13:

Bennett	Branstad	Carpenter	Corey
Grandia	Handorf	Hermann	Hester
Lageschulte	Maulsby	Renken	Schnekloth
Van Maanen			

Absent or not voting, 8:

Baxter	Black	Carter	Haverland
Mullins	Shoultz	Swearingen	Woods

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

Welden of Hardin called up for consideration **House File 540**, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H—4023:

H—4023

- 1 Amend House File 540 as passed by the House as
- 2 follows:
- 3 1. Page 9, by striking line 16 and inserting the
- 4 following: "license, the committee shall notify the
- 5 attorney general who shall".
- 6 2. Page 9, by striking line 29 and inserting the
- 7 following: "committee shall notify the attorney
- 8 general who shall seek immediate".

The motion prevailed and the House concurred in the Senate amendment H—4023.

Welden of Hardin moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 540)

The ayes were, 92:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hundorf	Hanson	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Baxter	Black	Carter	Harbor
Haverland	Mullins	Swearingen	Woods

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

Shultz of Black Hawk called up for consideration **House File 552**, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers, amended by the Senate, and

moved that the House concur in the following Senate amendment H—4069:

H—4069

- 1 Amend House File 552 as passed by the House as
- 2 follows:
- 3 1. Page 2, by striking lines 1 through 4 and
- 4 inserting the following:
- 5 "NEW SUBSECTION. 20. Pursuant to rules adopted by
- 6 the state board of public instruction, be authorized
- 7 to charge user fees for certain materials and services
- 8 that are not required by law or by rules of the state
- 9 board of public instruction and are specifically
- 10 requested by a school district or approved nonpublic
- 11 school."
- 12 2. Page 2, by striking line 22 and inserting the
- 13 following: "elector who is present at the director
- 14 district convention may be nominated at the
- 15 convention".
- 16 3. Page 2, lines 24 and 25, by striking the words
- 17 "who is present at the convention".

The motion prevailed and the House concurred in the Senate amendment H—4069.

Shoultz of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 552)

The ayes were, 83:

Arnould	Beatty	Bennett	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Daggett	De Groot
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Hermann	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker

Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Teaford	Torrence	Van Camp	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, 7:

Branstad	Corey	Grandia	Handorf
Hester	Renken	Van Maanen	

Absent or not voting, 10:

Baxter	Black	Carter	Doderer
Haverland	Kremer	Mullins	Swearingen
Tabor	Woods		

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

Shultz of Black Hawk called up for consideration **House File 413**, a bill for an act relating to reparations for medical care and counseling under chapter 912 for victims of domestic abuse and sexual assault and for child victims, amended by the Senate, and moved that the House concur in the following Senate amendment H—3982:

H—3982

- 1 Amend House File 413 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 6, by inserting after the figure
- 4 "236.2," the following: "to victims of sexual
- 5 assault,".

The motion prevailed and the House concurred in the Senate amendment H—3982.

Shultz of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 413)

The ayes were, 91:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Baxter	Black	Carter	Doderer
Haverland	Mullins	Swearingen	Tabor
Woods			

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

HOUSE REFUSED TO CONCUR

Fogarty of Palo Alto called up for consideration **House File 554**, a bill for an act relating to security interests in farm products and providing penalties, amended by the Senate amendment H-3996 as follows:

H-3996

- 1 Amend House File 554 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. By striking page 1, line 15 through page 4,

4 line 7 and inserting the following:

5 "Sec. 2. Section 554.9307, Code 1985, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 4. a. At the time a security
8 interest is taken in farm products, the secured party
9 shall issue to the person granting the security
10 interest a certificate evidencing the security
11 interest. The certificate shall contain a statement
12 that, without written permission from the secured
13 party, a person who buys the farm products in which
14 the security interest is taken shall issue all checks
15 jointly to the seller and the secured party.

16 b. At the request of the person selling farm
17 products a lender shall issue a certificate that the
18 person does not have a security interest in the farm
19 products if the person in fact does not have such a
20 security interest.

21 c. A buyer in the ordinary course of business
22 buying farm products from a person selling farm
23 products takes free of a security interest created by
24 that person's seller even though the security interest
25 is perfected if all of the following conditions are
26 met:

27 (1) At the time of sale, the buyer requests that
28 the seller or the seller's designated agent present to
29 the buyer all certificates relating to the farm
30 products being sold which have not been superseded by
31 a more recent certificate.

32 (2) The buyer refuses to issue a check or
33 otherwise pay until the seller or the seller's
34 designated agent has provided the buyer with
35 certificates on the farm products.

36 (3) The buyer issues the check payable jointly to
37 the seller and all persons listed in the certificates
38 presented as having a security interest in the farm
39 products.

40 (4) A person who sells farm products without
41 presentment of a certificate shall sign a statement
42 provided by the buyer stating that there are no
43 security interests in the farm products.

44 d. The secretary of state shall prescribe pursuant
45 to the rulemaking procedures of chapter 17A the form
46 and content of the certificate and statement required
47 by this section.

48 e. A seller of farm products is guilty of an
49 aggravated misdemeanor if the seller does any of the
50 following:

Page 2

1 (1) Alters a certificate issued under paragraph
2 "a" or "b".

- 3 (2) Sells farm products without presenting to the
4 buyer all certificates on the farm products which have
5 been issued and have not been superseded.
6 (3) Presents the buyer with a certificate that has
7 been superseded.
8 (4) Executes a statement pursuant to paragraph
9 "c", subparagraph (4), that there are no security
10 interests on the farm products when the seller knows
11 that there are security interests on the farm
12 products."

Koenigs of Mitchell asked and received unanimous consent to withdraw amendment H—4058 filed by him on April 25, 1985.

Fogarty of Palo Alto moved that the House concur in the Senate amendment H—3996.

The motion lost and the House refused to concur in the Senate amendment H—3996.

The House stood at ease at 5:08 p.m., until the fall of the gavel.

The House resumed session at 5:25 p.m., Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of bills on the Monday, April 29, 1985 Daily Debate Calendar.

Regular Calendar

House File 762, a bill for an act to legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law, with report of committee recommending passage was taken up for consideration.

Siegrist of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 762)

The ayes were, 90:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Baxter	Black	Carter	Connolly
Haverland	Mullins	Shoultz	Stueland
Swearingen	Woods		

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

Chapman of Linn in the chair at 5:31 p.m.

House File 767, a bill for an act relating to the base period under the unemployment compensation law for an employee who has received workers' compensation or indemnity insurance benefits, with report of committee recommending passage was taken up for consideration.

Corey of Louisa asked and received unanimous consent to withdraw amendment H-4034 filed by him on April 24, 1985.

The following amendment H—4086 filed by Running of Linn from the floor was adopted by unanimous consent:

H—4086

- 1 Amend House File 767 as follows:
- 2 1. Title page, line 3, by inserting after the
- 3 word "benefits" the following: "and applying
- 4 retroactively".

Running of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 767)

The ayes were, 89:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Zimmerman
Madam Speaker (Chapman)			

The nays were, none.

Absent or not voting, 11:

Baxter	Black	Carpenter	Carter
Connors	Groth	Mullins	Poncy
Stueland	Swearingen	Woods	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Ways and Means Calendar

Senate File 561, a bill for an act relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; making technical corrections to the individual and corporate income tax concerning the credit for increasing research activities in the state; eliminating the requirement that the election campaign fund and fish and game protection fund checkoffs be on the face of the return immediately above the signature line; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates, with report of committee recommending amendment and passage was taken up for consideration.

Osterberg of Linn offered the following amendment H-4030 filed by the committee on ways and means:

H-4030

- 1 Amend Senate File 561 as passed by the Senate as
- 2 follows:
- 3 1. Page 2, by inserting after line 12 the
- 4 following:
- 5 "Sec. 30. Section 422.7, Code 1985, is amended by
- 6 adding the following new subsection:
- 7 **NEW SUBSECTION. 21.** Add sixty percent of the
- 8 gains from the sales or exchanges of capital assets
- 9 held for more than six months but not more than twelve
- 10 months."
- 11 2. By striking page 2, line 33 through page 3,
- 12 line 1 and inserting the following: "the federal
- 13 credit for increasing research activities computed
- 14 under section 44F of the Internal Revenue Code of
- 15 1954, as amended to and including January 1, 1983.
- 16 The research activities credit is applicable for
- 17 taxable years beginning after December 31, 1985 to the
- 18 same extent that the credit is applicable for federal
- 19 income tax purposes for taxable years beginning after
- 20 December 31, 1985."

21 3. Page 4, by striking lines 8 through 11 and
 22 inserting the following: "credit for increasing
 23 research activities computed under section 44F of the
 24 Internal Revenue Code of 1954, as amended to and
 25 including January 1, 1983. The research activities
 26 credit is applicable for taxable years beginning after
 27 December 31, 1985 to the same extent that the credit
 28 is applicable for federal income tax purposes for
 29 taxable years beginning after December 31, 1985."

30 4. Page 6, line 12, by striking the word and
 31 figure "and 9" and inserting the following: "9 and
 32 30".

33 5. Title page, line 9, by inserting after the
 34 word "line;" the following: "maintaining the re-
 35 quirement for long-term capital gains that the capital
 36 asset be held for longer than twelve months;"

Division of the committee amendment was requested as follows:
 Lines 11 through 32, committee amendment H-4030A; lines 3
 through 10 and lines 33 through 36, committee amendment
 H-4030B.

Osterberg of Linn asked and received unanimous consent to
 withdraw the committee amendment H-4030B.

The following amendment H-4087, to the committee amend-
 ment H-4030, filed by Osterberg of Linn from the floor was
 adopted by unanimous consent:

H-4087

- 1 Amend amendment H-4030 to Senate File 561 as passed
- 2 by the Senate as follows:
- 3 1. Page 1, line 14, by striking the numeral "44F"
- 4 and inserting the numeral "30".
- 5 2. Page 1, line 23, by striking the numeral "44F"
- 6 and inserting the numeral "30".

Further division of the committee amendment H-4030A was
 requested: Lines 11 through 29, amendment H-4030A; lines 30
 through 32, amendment H-4030C.

Osterberg of Linn asked and received unanimous consent to
 withdraw the committee amendment H-4030C.

On motion by Osterberg of Linn, the committee amendment
 H-4030A, as amended, was adopted.

Osterberg of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 561)

The ayes were, 92:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Zimmerman	Madam Speaker (Chapman)

The nays were, none.

Absent or not voting, 8:

Baxter	Black	Carter	Mullins
Stueland	Swearingen	Welden	Woods

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

Ways and Means Calendar

House File 769, a bill for an act relating to pari-mutuel betting by providing that persons licensed to conduct dog races are eligible for the tax credit to assist in retiring the annual debt on the cost of construction of the licensed facility and providing that the state

rating commission shall include a statement in its annual report describing the degree to which all segments of the Iowa economy and all geographic regions of the state have been served by the commission, was taken up for consideration.

Speaker Avenson in the chair at 6:17 p.m.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 769)

The ayes were, 53:

Arnould	Beatty	Blanshan	Brammer
Buhr	Cochran	Connolly	Connors
Cooper	Diemer	Fey	Fogarty
Groninga	Groth	Halvorson, R. A.	Halvorson, R. N.
Harbor	Hatch	Hester	Hummel
Jay	Jochum	Knapp	Kremer
Lageschulte	Loneragan	McIntee	Muhlbauer
Norland	O'Kane	Ollie	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Renken	Rosenberg	Royer
Running	Schnekloth	Šherzan	Shoultz
Siegrist	Skow	Stromer	Sullivan
Swartz	Tabor	Teaford	Zimmerman
Mr. Speaker			

The nays were, 38:

Bennett	Branstad	Carl	Carpenter
Clark	Corey	Daggett	De Groot
Grandia	Gruhn	Hammond	Handorf
Hanson	Haverland	Hermann	Holveck
Hughes	Johnson	Koenigs	Lloyd-Jones
Maulsby	McKean	Metcalf	Miller
Osterberg	Oxley	Paulin	Pellett
Platt	Rensink	Shoning	Spear
Sturgeon	Torrence	Van Camp	Van Maanen
Varn	Welden		

Absent or not voting, 9:

Baxter	Black	Carter	Chapman
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Doderer
Woods

Mullins

Stueland

Swearingen

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

IMMEDIATE MESSAGE
(House File 769)

Norland of Worth asked and received unanimous consent to immediately message House File 769 to the Senate.

Appropriations Calendar

House File 763, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication, was taken up for consideration.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 763)

The ayes were, 88:

Arnould	Beatty	Bennett	Blanshan
Brammer	Buiff	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Sullivan	Swartz
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Baxter	Black	Branstad	Carter
Doderer	Mullins	Stromer	Stueland
Sturgeon	Swearingen	Welden	Woods

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 406**, a bill for an act relating to the destruction of noxious weeds and providing a penalty, deferred and placed on the unfinished business calendar on April 19, 1985.

Cooper of Lucas offered the following amendment H—3750 filed by the committee on local government.

H—3750

- 1 Amend Senate File 406 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 317.1, subsection 2, Code
- 6 1985, is amended to read as follows:
- 7 2. Secondary noxious weeds, which shall include
- 8 butterprint (*Abutilon theophrasti*) annual, cocklebur
- 9 (*Xanthium commune*) annual, wild mustard (*Brassica*
- 10 *arvensis*) annual, wild carrot (*Daucus carota*)
- 11 biennial, buckhorn (*Plantago lanceolata*) perennial,
- 12 sheep sorrel (*Rumex acetosella*) perennial, sour dock
- 13 (*Rumex crispus*) perennial, smooth dock (*Rumex*
- 14 *altissimus*) perennial, poison hemlock (*conium*
- 15 *maculatum*), multiflora rose (*rosa multiflora*), wild
- 16 sunflower (wild strain of *Helianthus annuus* L.) annual,
- 17 puncture vine (*Tribulus terrestris*) annual, teasel
- 18 (*Dipsacus*) biennial, and shattercane (*Sorghum bicolor*)
- 19 annual.
- 20 **PARAGRAPH DIVIDED.** The multiflora rose (*rosa*
- 21 *multiflora*) shall not be considered a secondary
- 22 noxious weed when cultivated for or used as understock
- 23 for cultivated roses or as ornamental shrubs in
- 24 gardens, or in any county whose board of supervisors
- 25 has by resolution declared it not to be a noxious

26 weed. Shattercane (Sorghum bicolor) shall not be
 27 considered a secondary noxious weed when cultivated or
 28 in any county whose board of supervisors has by
 29 resolution declared it not to be a noxious weed."
 30 2. By renumbering as necessary.

McKean of Jones offered the following amendment H-3888, to the committee amendment H-3750, filed by Black of Jasper and Cooper of Lucas:

H-3888

1 Amend the Committee on Local Government amendment,
 2 H-3750, to Senate File 406 as amended, passed and
 3 reprinted by the Senate, as follows:
 4 1. Page 1, line 14, by striking the word "conium"
 5 and inserting the word "Conium".
 6 2. Page 1, line 15, by striking the word "rosa"
 7 and inserting the following: "Rosa".
 8 3. Page 1, line 20, by striking the word "rosa"
 9 and inserting the word "Rosa".
 10 4. Page 1, by inserting after line 29 the
 11 following:
 12 "_____. Page 1, line 12, by striking the words
 13 "~~shall~~ may" and inserting the word "shall".
 14 _____ Page 2, line 15, by striking the word
 15 "shall" and inserting the words "~~shall~~ may."

The following amendment H-4090, to amendment H-3888, to the committee amendment H-3750, filed by McKean of Jones from the floor was adopted by unanimous consent:

H-4090

1 Amend amendment H-3888 to Senate File 406 as
 2 amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 1, by striking lines 12 and 13.

On motion by McKean of Jones, amendment H-3888, as amended, was adopted.

Cooper of Lucas moved the adoption of the committee amendment H-3750, as amended.

The committee amendment H-3750, as amended, was adopted, placing out of order amendment H-3687 filed by Schnekloth of Scott on April 8, 1985.

Welden of Hardin offered the following amendment H—3921 filed by him and moved its adoption:

H—3921

- 1 Amend Senate File 406 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 22, by inserting after the word
- 4 "which", the word "noxious".

Amendment H—3921 was adopted.

Cooper of Lucas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 406)

The ayes were, 87:

Arnould	Beatty	Bennett	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklloth	Shoning	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, 4:

Branstad	Corey	Gruhn	Platt
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Absent or not voting, 9:

Baxter	Black	Carter	Mullins
Sherzan	Shoultz	Stueland	Swearingen
Woods			

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

The House stood at ease at 6:52 p.m., until the fall of the gavel.

The House resumed session at 8:18 p.m., Connors of Polk in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 559, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes.

Also: That the Senate has on April 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 565, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable.

MARILYN K. MUELLER, Parliamentarian

INTRODUCTION OF BILL

House File 772, by committee on appropriations, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the

ability to pay a criminal fine, the judicial retirement system, and other court procedures, and making certain changes retroactive.

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

SENATE MESSAGES CONSIDERED

Senate File 559, by committee on ways and means, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes and making it retroactive.

Read first time and referred to committee on **ways and means**.

Senate File 565, by committee on ways and means, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable.

Read first time and referred to committee on **ways and means**.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 462, 554, 762 and 763.

SENATE AMENDMENT CONSIDERED

House Refused to Concur

O'Kane of Woodbury called up for consideration **Senate File 103**,

a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4003 to the House amendment:

H-4003

- 1 Amend the House amendment S-3821 to Senate File
- 2 103 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, by striking lines 11 through 20.
- 5 2. Page 1, line 21, by striking the word "Sec."
- 6 and inserting the following: "Sec."

The motion lost and the House refused to concur in the Senate amendment H-4003 to the House amendment.

MOTION TO RECONSIDER PREVAILED
(Senate File 502)

Brammer of Linn called up for consideration the motion to reconsider Senate File 502, filed on April 3, 1985, and moved to reconsider the vote by which Senate File 502, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties, passed the House and was placed on its last reading on April 3, 1985.

A non-record roll call was requested.

The ayes were 58, nays 12.

The motion prevailed and the House reconsidered Senate File 502, placing out of order the motion to reconsider filed by Halvorson of Clayton on April 3, 1985.

Brammer of Linn asked and received unanimous consent to reconsider the vote by which amendment H-3577 (found on pages 1342 through 1360 of the House Journal) was adopted by the House on April 3, 1985.

Brammer of Linn asked and received unanimous consent to withdraw amendment H-3577, placing out of order amendments H-3622B and H-3593, previously adopted, and found on pages 1360 and 1361 of the House Journal.

Brammer of Linn asked and received unanimous consent to withdraw amendment H—4045 filed by him on April 24, 1985.

Chapman of Linn asked and received unanimous consent to withdraw amendment H—4060 filed by her on April 25, 1985.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 502)

The ayes were, 76:

Arnould	Avenson	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Cooper	Diemer	Doderer	Fey
Fogarty	Grotinga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Hermann
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	McIntee
Metcalf	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Van Camp
Varn	Welden	Zimmerman	Mr. Speaker (Connors)

The nays were, 15:

Bennett	Branstad	Corey	Daggett
De Groot	Grandia	Hester	Maulsby
McKean	Miller	Pellett	Renken
Royer	Torrence	Van Maanen	

Absent or not voting, 9:

Baxter	Black	Carter	Haverland
Jochum	Mullins	Stueland	Swearingen
Woods			

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

Speaker Avenson in the chair at 8:34 p.m.

HOUSE RECEDES

Teaford of Black Hawk called up for consideration **Senate File 524**, a bill for an act creating a residential care licensing classification for the mentally ill, and moved that the House recede from its amendment.

The motion prevailed and the House receded from its amendment.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 524)

The ayes were, 90:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Baxter	Black	Carter	Cochran
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Haverland
Swearingen

Mullins
Woods

Platt

Stueland

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

REREFERRED TO COMMITTEE ON APPROPRIATIONS
(Senate File 13)

Norland of Worth asked and received unanimous consent that Senate File 13, previously referred to the committee on **ways and means** be rereferred to the committee on **appropriations**.

Running of Linn in the chair at 8:40 p.m.

SENATE AMENDMENTS CONSIDERED

Clark of Cerro Gordo called up for consideration **House File 495**, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, providing exceptions to garnishment limitations, and the recording of income tax refund or rebate payments by the clerk, amended by the Senate, and moved that the House concur in the following Senate amendment H—4073:

H—4073

- 1 Amend House File 495, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 1, by inserting before line 1 the fol-
- 4 lowing:
- 5 "Section 1. Section 252C.7, Code 1985, is amended
- 6 to read as follows:
- 7 252C.7 EMPLOYERS — ASSIGNMENTS OF EARNINGS.
- 8 In addition to other remedies provided by law for
- 9 the enforcement of a support obligation, the employer
- 10 of a responsible person owing a support debt shall
- 11 honor a duly executed assignment of current or future
- 12 earnings presented by the director to the employer as
- 13 a plan to satisfy or retire the support debt. The
- 14 assignment is effective until released in writing by
- 15 the director. The employer is entitled to receive
- 16 from the debtor a fee of ~~one dollar~~ two dollars for
- 17 each remittance under the assignment. Payment of
- 18 moneys pursuant to the assignment of earnings is a
- 19 full acquittance under a contract of employment. The
- 20 director is released from liability for improper

21 receipt of moneys under an assignment of earnings upon
22 the return of the moneys."

23 2. Page 1, line 1, by striking the word "Chapter"
24 and inserting the following: "Section".

25 3. Page 1, lines 6 and 7, by striking the words
26 "a spouse who has not remarried or".

27 4. Page 1, line 8, by striking the word
28 "alimony,".

29 5. Page 1, line 9, by inserting after the word
30 "maintenance," the following: "and, if contained in a
31 child support order, spousal support,".

32 6. Page 1, by inserting after line 23 the fol-
33 lowing:

34 "Sec._____. Section 252D.4, subsection 1, Code
35 1985, is amended to read as follows:

36 1. The employer, trustee, or other payor who
37 receives an order of assignment by certified mail
38 pursuant to section 252D.1, subsection 2 shall
39 deliver, on the next working day, a copy of the order
40 to the person named in the order. The payor may
41 deduct not more than ~~one dollar~~ two dollars from each
42 payment from the employee's wages as a reimbursement
43 for the payor's costs relating to the assignment. The
44 payor's compliance with the order of assignment
45 satisfies the payor's obligation to the person for the
46 amount of income withheld and transmitted to the clerk
47 of the district court."

48 7. Page 1, line 26, by striking the words "social
49 security number,".

50 8. Page 1, line 29, by striking the words "social

Page 2

1 security number,".

2 9. Page 2, line 8, by striking the words "social
3 security numbers,".

4 10. Page 2, line 15, by striking the words
5 "social security numbers,".

6 11. Page 2, by striking lines 21 through 23 and
7 inserting the following: "The court contemplating a
8 change in child support because of alleged change in
9 circumstances shall consider each parent's earning
10 capacity, economic circumstances and cost of living.
11 In determining whether there is a substantial change
12 in circumstances, the court shall consider the
13 following:

14 a. Changes in the employment, earning capacity,
15 income or resources of a party.

16 b. Receipt by a party of an inheritance, pension
17 or other gift.

18 c. Changes in the medical expenses of a party.

- 19 d. Changes in the number or needs of dependents of
 20 a party.
 21 e. Changes in the physical or emotional health of
 22 a party.
 23 f. Changes in the residence of a party.
 24 g. Remarriage of a party.
 25 h. Possible support of a party by another person.
 26 i. Changes in the physical, emotional or
 27 educational needs of a child whose support is governed
 28 by the order.
 29 j. Contempt by a party of existing orders of
 30 court.
 31 k. Other factors the court determines to be
 32 relevant in an individual case."
 33 12. Page 3, by striking line 12 and inserting the
 34 following: "judgments, except as provided for trusts
 35 in section 252D.1, 598.22, or 598.23 or for tax
 36 refunds or rebates in section 602.8102, subsection
 37 47."
 38 13. Page 3, line 13, by striking the word "child"
 39 and inserting the following: "child".
 40 14. Page 3, line 14, by striking the word "child"
 41 and inserting the following: "child".
 42 15. Page 3, line 19, by striking the figures and
 43 word "1673b (Supp. 1979)" and inserting the following:
 44 "1673b(b) (Supp. 1979 1982)".
 45 16. Page 3, line 25, by inserting after the word
 46 "clerk." the following: "However, for trusts governed
 47 by the federal Retirement Equity Act of 1984, Pub. L.
 48 No. 98-397, the payor shall transmit the payments to
 49 the alternate payee in accordance with the federal
 50 Act."

Page 3

- 1 17. Page 3, line 26, by striking the words "one
 2 dollar" and inserting the following: "one dollar two
 3 dollars".
 4 18. Page 3, line 35, by striking the word "five,"
 5 and inserting the following: "ten".
 6 19. Page 4, by striking line 5, and inserting the
 7 following: "clerk, except as provided for trusts in
 8 section 252D.1, 598.22, or 598.23 or for tax refunds
 9 or rebates in section 602.8102, subsection 47."
 10 20. Page 4, line 13, by inserting after the word
 11 "future." the following: "However, for trusts
 12 governed by the federal Retirement Equity Act of 1984,
 13 Pub. L. No. 98-397, payments shall be made to the
 14 alternate payee in accordance with the federal Act."
 15 21. Page 4, line 15, by striking the figures and
 16 word "1673b (Supp. 1979)" and inserting the following:

17 "1673b(b) (Supp. 1979 1982)".

18 22. Page 4, line 17, by striking the word "child"
19 and inserting the following: "child".

20 23. Page 4, line 21, by striking the words "one
21 dollar" and inserting the following: "~~one dollar~~ two
22 dollars".

23 24. Page 5, by inserting after line 2 the
24 following: ~

25 "Sec. _____. Section 602.8102, Code 1985, is amended
26 by adding the following new subsection:

27 NEW SUBSECTION. Accept a check, share draft,
28 draft, or written order on a bank, savings and loan
29 association, credit union, corporation, or person as
30 payment of a support obligation which is payable to
31 the clerk, in accordance with procedures established
32 by the clerk to assure that such negotiable
33 instruments will not be dishonored. The friend of
34 court may perform the clerk's responsibilities under
35 this subsection."

36 25. Page 5, line 31, by inserting after the
37 figure "1677" the following: "(1982)".

38 26. Page 5, line 34, by striking the figure
39 "627.11".

40 27. Page 6, line 15, by striking the word "five"
41 and inserting the following: "ten".

42 28. Title page, lines 5 and 6, by striking the
43 words "providing exceptions to garnishment
44 limitations,".

45 29. By renumbering, relettering, or redesignating
46 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4073.

Clark of Cerro Gordo moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 495)

The ayes were, 90:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga

Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker (Running)		

The nays were, 1:

Hammond

Absent or not voting, 9:

Baxter	Black	Carter	Doderer
Haverland	Mullins	Stueland	Swearingen
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Holveck of Polk called up for consideration **House File 696**, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability, amended by the Senate amendment H-4029 as follows:

H-4029

- 1 Amend House File 696 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 16, by striking the word "twenty-
- 4 five" and inserting the following: "thirty-five".
- 5 2. Page 3, by inserting after line 16 the
- 6 following:
- 7 "5. In a proceeding under this chapter, if the
- 8 court determines the building is not abandoned or is

9 not in a dangerous or unsafe condition, the court
10 shall dismiss the petition and may require the
11 petitioner to pay the owner's reasonable attorney fees
12 actually incurred."

13 3. Page 4, lines 30 and 31, by striking the words
14 "another qualified property manager" and inserting the
15 following: "any person deemed qualified by the
16 court".

17 4. By renumbering, relettering, or redesignating
18 and correcting internal references as necessary.

Speaker Avenson in the chair at 8:52 p.m.

Stromer of Hancock offered the following amendment H—4093,
to the Senate amendment H—4029, filed by him from the floor:

H—4093

1 Amend Senate amendment H—4029 to House File 696 as
2 follows:

3 1. Page 1 by inserting after line 2 the
4 following:

5 "_____. Page 1, by inserting before line 1 the
6 following:

7 "Section 1. Section 654.14, Code 1985 is amended
8 to read as follows:

9 654.14 PREFERENCE IN RECEIVERSHIP — APPLICATION
10 OF RENTS.

11 In any action to foreclose a real estate mortgage,
12 a receiver may be appointed at any time while the
13 foreclosure action is pending, at the time a judgment
14 is rendered, or during the redemption period. where
15 Where a receiver is appointed to take charge of the
16 real estate, the receiver shall be entitled to
17 possession of the real estate notwithstanding the
18 provisions of section 628.3, but preference shall be
19 given to the owner in actual possession, subject to
20 approval of the court, in leasing the mortgaged
21 premises. The rents, profits, avails and/or and
22 income derived from said the real estate shall be
23 applied as follows:

24 1. To the cost of receivership.

25 2. To the payment of taxes due or becoming due
26 during said the receivership.

27 3. To pay the insurance on buildings on the
28 premises and/or such and other benefits to the real
29 estate as may be ordered by the court.

30 4. The balance shall be paid and distributed as
31 determined by the court."

Holveck of Polk rose on a point of order that amendment H—4093 was not germane.

The Speaker ruled the point well taken and amendment H—4093 not germane.

On motion by Holveck of Polk, the House concurred in the Senate amendment H—4029.

Holveck of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 696)

The ayes were, 91:

Arnould	Beatty	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Baxter	Black	Carter	Haverland
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Mullins
Woods

Stueland

Swearingen

Welden

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

Connors of Polk in the chair at 9:00 p.m.

McIntee of Black Hawk called up for consideration **House File 740**, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization, amended by the Senate, and moved that the House concur in the following Senate amendment H-4004:

H-4004

1 Amend House File 740 as passed by the House as
2 follows:
3 1. By striking page 1, line 20 through page 2,
4 line 13 and inserting the following: "following new
5 subsection:
6 **NEW SUBSECTION. 6.** A banking organization or
7 financial organization shall send to the owner of each
8 account, to which none of the actions specified in
9 paragraphs "a" through "d" of subsection 1 or "a"
10 through "d" of subsection 2 have occurred during the
11 preceding five calendar years, a notice by certified
12 mail stating in substance the following:
13 "According to our records, we have had no contact
14 with you regarding (describe account) for more than
15 five years. Under Iowa law, if there is a period of
16 five years without contact, we may be required to
17 transfer this account to the custody of the treasurer
18 of state of Iowa as unclaimed property. You may
19 prevent this by taking some action, such as a deposit
20 or withdrawal, which indicates your interest in this
21 account or by signing this form and returning it to
22 us.

23 I desire to keep the above account open and active.

24

25

YOUR SIGNATURE"

26 The notice required under this section shall be
27 mailed within thirty days of the lapse of the five-
28 year period in which there is no activity. The cost
29 of the certified mail of the notice required in this
30 section may be deducted from the account by the
31 banking or financial organization."

The motion prevailed and the House concurred in the Senate amendment H-4004.

McIntee of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 740)

The ayes were, 91:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	*Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Skow	Stromer	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker (Connors)	

The nays were, none.

Absent or not voting, 9:

Baxter	Black	Carter	Haverland
Lloyd-Jones	Mullins	Stueland	Swearingen
Woods			

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

McIntee of Black Hawk called up for consideration **House File 196**, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union, amended by the Senate, and moved that the House concur in the following Senate amendment H-3960:

H-3960

1 Amend House File 196 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 1 through 27 and
4 inserting the following:

5 "Sec. _____. Section 533.4, subsection 23, Code
6 1985, is amended by striking the subsection and
7 inserting the following:

8 23. a. Act as agent of the federal government when
9 requested by the secretary of the United States
10 department of treasury; perform such services as may
11 be required in connection with the collection of taxes
12 and other obligations due the United States and the
13 lending, borrowing and repayment of money by the
14 United States; and be a depository of public money
15 when designated for that purpose.

16 b. Act as agent of the state when requested by the
17 treasurer of state; perform such services as may be
18 required in connection with the collection of taxes
19 and other obligations due the state and the lending,
20 borrowing and repayment of money by the state; and be
21 a depository of public money when designated for that
22 purpose.

23 "Sec. _____. Section 533.4, Code 1985, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 26. Pledge its assets to secure
26 the deposit of public funds.

27 Sec. _____. Section 533.12, Code 1985, is amended to
28 read as follows:

29 533.12 CAPITAL.

30 1. The capital of a credit union shall consist of
31 the payments that have been made to it by the several
32 members thereof on shares. The credit union shall
33 have a lien on the shares and deposits of a member for
34 any sum due to the credit union from said the member
35 or for any loan endorsed by the member. A credit
36 union may charge an entrance fee as may be provided by
37 the bylaws.

38 2. A credit union may establish an equity share
39 having a par value not to exceed one hundred dollars
40 which shall be a part of the capital of the credit
41 union and shall not be withdrawn or transferred except
42 upon termination of membership in the credit union.
43 At the option of the credit union, the equity share
44 may earn a dividend and may be insured."

45 2. Page 1, line 35, by inserting after the figure
46 "537.2402" the following: "on consumer loans.
47 Interest rates on business loans shall not exceed the
48 finance charge permitted by section 535.2"

49 3. Page 2, line 13, by inserting after the word
50 "plan:" the following: "The administrator may adopt

Page 2

1 rules requiring periodic updating of credit or
 2 financial information for all loans or for classes of
 3 loans designated in the rules."

4 4. Page 2, line 18, by striking the word
 5 "regular" and inserting the following: "legal".

6 5. Page 2, line 24, by striking the word
 7 "regular" and inserting the following: "legal".

8 6. Page 2, line 25, by striking the word "or" and
 9 inserting the following: "and".

10 7. Page 2, line 27, by striking the word
 11 "regular" and inserting the following: "legal".

12 8. Page 2, line 33, by striking the word
 13 "regular" and inserting the following: "legal".

14 9. Page 3, line 1, by striking the word "regular"
 15 and inserting the following: "legal".

16 10. Page 3, line 4, by striking the word
 17 "regular" and inserting the following: "legal".

18 11. Page 3, line 7, by striking the word
 19 "regular" and inserting the following: "legal".

20 12. Page 3, line 33, by inserting after the word
 21 "member" the following: "of the merging credit
 22 union".

23 13. Page 4, line 23, by inserting after the word
 24 "rules" the following: "by the administrator pursuant
 25 to chapter 17A".

26 14. Page 4, line 26, by striking the words
 27 "without restriction".

28 15. Page 4, line 29, by striking the words
 29 "without restriction".

30 16. Page 4, line 33, by striking the words
 31 "without restriction".

32 17. Page 5, line 8, by striking the words
 33 "without limitation".

34 18. Page 5, by inserting after line 24 the
 35 following:

36 "Sec. _____. Section 533.64, unnumbered paragraph 1,
 37 Code 1985, is amended to read as follows:

38 Every Except as provided in section 533.12,
 39 subsection 2, a credit union organized under this
 40 chapter, as a condition of maintaining its privilege
 41 of organization after December 31, 1980, shall acquire
 42 and maintain insurance to protect each shareholder and
 43 each depositor against loss of funds held on account
 44 by the credit union. Such The insurance shall be
 45 obtained from the national credit union administrator
 46 or from some other share guarantor or insurance plan
 47 approved by the Iowa commissioner of insurance and the
 48 administrator of the credit union department. Every
 49 credit union not so insured as of January 1, 1979,
 50 shall submit an application for share and deposit

Page 3

- 1 insurance not later than July 1, 1979."
- 2 19. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3960.

McIntee of Black Hawk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 196)

The ayes were, 92:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brämmer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 8:

Baxter	Black	Carter	Haverland
Mullins	Stueland	Swearingen	Woods

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House File 767 and Senate Files 561 and 406.

O'Kane of Woodbury called up for consideration **Senate File 296**, a bill for an act relating to the deposit and investment of public funds, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4081 to the House amendment:

H-4081

- 1 Amend amendment S-3824 to Senate File 296 as
- 2 amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. By striking page 1, line 5 through page 2,
- 5 line 6 and inserting the following:
- 6 "Section 1. Section 452.10, Code 1985, is amended
- 7 by adding the following new unnumbered paragraph
- 8 following unnumbered paragraph 1:".
- 9 2. Page 2, by striking line 12 and inserting the
- 10 following: "authorized in section 411.7, subsection
- 11 2, and pursuant to section 97B.7, subsection 2,
- 12 paragraph "b", and section 511.8, except common,
- 13 preferred, or guaranteed stock and may".
- 14 3. Page 3, by striking lines 29 through 41.
- 15 4. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4081 to the House amendment.

O'Kane of Woodbury moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 296)

The ayes were, 92:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer

Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklöth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Zimmerman	Mr. Speaker (Connors)

The nays were, none.

Absent or not voting, 8:

Baxter	Black	Carter,	Haverland
Mullins	Stueland	Swearingen	Woods

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

Johnson of Winneshiek called up for consideration **House File 649**, a bill for an act relating to water wells by providing for regulation of water wells and the registration of water well contractors, amended by the Senate, and moved that the House concur in the following Senate amendment H—4077:

H—4077

- 1 Amend House File 649 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 3, by inserting after line 1 the
- 4 following:
- 5 "Sec. _____. **NEW SECTION. 455B.186B PROVISION FOR**
- 6 **EMERGENCY REPLACEMENT OF WATER WELLS.**
- 7 Rules adopted to implement section 455B.172,
- 8 subsection 3, paragraph "b"; 455B.173, subsection 9;
- 9 and section 455B.186A shall specifically provide for
- 10 the immediate replacement or reconstruction of water
- 11 wells in response to the sudden and unforeseen loss or

- 12 serious impairment of a well for its intended use.
 13 These provisions shall include the granting of
 14 emergency authorizations and registration of well
 15 contractors pursuant to section 455B.186A and may
 16 include the granting of variances and exemptions from
 17 technical standards as appropriate."
 18 2. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4077.

Johnson of Winneshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 649)

The ayes were, 78:

Arnould	Avenson	Beatty	Blanshan
Brammer	Buhr	Carl	Chapman
Clark	Cochran	Connolly	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hermann	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poney	Renaud
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Teaford
Torrence	Van Camp	Varn	Welden
Zimmerman	Mr. Speaker (Connors)		

The nays were, 14:

Bennett	Branstad	Carpenter	Corey
Daggett	De Groot	Grandia	Hester
Maulsby	Pellett	Renken	Spear
Tabor	Van Maanen		

Absent or not voting, 8:

Baxter
McIntee

Black
Mullins

Carter
Swearingen

Haverland
Woods

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

MOTION TO RECONSIDER WITHDRAWN
(Senate File 463)

Van Camp of Scott asked and received unanimous consent to withdraw the motion to reconsider Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date, filed by him on April 16, 1985.

MOTION TO RECONSIDER PREVAILED
(Senate File 465)

Muhlbauer of Crawford called up for consideration the motion to reconsider Senate File 465, filed on April 16, 1985, and moved to reconsider the vote by which Senate File 465, a bill for an act relating to agricultural limestone, passed the House and was placed on its last reading on April 16, 1985.

A non-record roll call was requested.

The ayes were 69, nays 1.

The motion prevailed and the House reconsidered Senate File 465.

Muhlbauer of Crawford asked and received unanimous consent to reconsider the vote by which amendment H-3779 (found on page 1607 of the House Journal) was adopted by the House on April 16, 1985.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H-3779 filed by him.

Hanson of Delaware offered the following amendment H-4092 filed by him and Muhlbauer of Crawford from the floor and moved its adoption:

H-4092

1 Amend Senate File 465 as passed by the Senate as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 200.8, subsection 3, Code
6 1985, is amended to read as follows:

7 3. If there is an unencumbered balance of funds in
8 the fertilizer fund on June 30 of any fiscal year
9 equal to or exceeding three hundred fifty thousand
10 dollars, the secretary of agriculture shall reduce the
11 per ton fee provided for in subsection 1 and the
12 annual license fee established pursuant to section
13 201.3 for the next fiscal year in such amount as will
14 result in an ending estimated balance for the June 30
15 of the next fiscal year of three hundred fifty
16 thousand dollars."

17 2. Page 1, by striking lines 10 and 11, and
18 inserting the following: "in the fertilizer fund as
19 established pursuant to chapter 200, to be used by the
20 department of".

21 3. Page 1, by striking lines 15 through 21.

Amendment H-4092 was adopted.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H-3838 filed by him on April 16, 1985.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 465)

The ayes were, 91:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby

McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Platt	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker (Connors)	

The nays were, none.

Absent or not voting, 9:

Baxter	Black	Carter	Haverland
Mullins	Poncy	Stueland	Swearingen
Woods			

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

SENATE AMENDMENT CONSIDERED

Arnould of Scott called up for consideration **House File 451**, a bill for an act relating to child protection and providing penalties, amended by the Senate amendment H—4041 as follows:

H—4041

- 1 Amend House File 451, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 32 the
- 4 following:
- 5 "Sec._____. Section 232.68, subsection 6, Code
- 6 1985, is amended by adding the following lettered
- 7 paragraph:
- 8 **NEW LETTERED PARAGRAPH. d.** An employee or agent
- 9 of a public school, as defined in section 280.2, but
- 10 only with respect to acts defined as child abuse in
- 11 section 232.68, subsection 2, paragraph "a", "b", or
- 12 "d."
- 13 2. Page 2, by inserting after line 17 the
- 14 following:
- 15 "Sec._____. Section 232.69, subsection 1, paragraph
- 16 a, Code 1985, is amended to read as follows:
- 17 a. Every health practitioner who examines,

18 attends, or treats a child and who reasonably believes
 19 the child has been abused. If, however, the health
 20 practitioner examines, attends, or treats the child as
 21 a member of the staff of a hospital or similar
 22 institution, the examining health practitioner shall
 23 immediately notify and give complete information to
 24 the person in charge of the institution or the health
 25 practitioner's designated agent and the person in
 26 charge of the institution or designated agent shall
 27 make the report."

28 3. Page 2, line 27, by inserting after the word
 29 "children" the following: "on a regular basis".

30 4. Page 4, by inserting after line 7 the
 31 following:

32 "Sec._____. Section 232.71, Code 1985, is amended
 33 by adding the following new subsection after
 34 subsection 5 and renumbering the subsequent
 35 subsections:

36 NEW LETTERED PARAGRAPH. 5A. Departmental
 37 investigators shall notify the board of directors or
 38 the administrator, of a public school, as defined in
 39 section 280.2, before visiting the school to
 40 investigate a report of child abuse, as defined in
 41 section 232.68, subsection 2, paragraph "a", "b", or
 42 "d", against a school employee or agent."

43 5. Page 5, by striking lines 5 and 6 and
 44 inserting the following: "outpatient physical
 45 examination or authorizing a physician, a psychologist
 46 certified under section 154B.7, or a community mental
 47 health center accredited pursuant to chapter 230A to
 48 conduct an".

49 6. Page 8, by inserting after line 20 the
 50 following:

Page 2

1 "m. In an individual case involving an employee or
 2 agent of a public school, as defined in section 280.2,
 3 to the board of directors of the public school.

4 n. In an individual case involving a certificated
 5 employee or agent of a public school, as defined in
 6 section 280.2, where the child abuse report is
 7 founded, to the professional teaching practices
 8 commission established in chapter 272A."

9 7. Page 8, line 23, by striking the words "and
 10 "j" " and inserting the following: " "j", and "m" ".

11 8. Page 10, by inserting after line 11, the
 12 following:

13 "Sec._____. Section 237A.4, Code 1985, is amended
 14 to read as follows:

15 237A.4 INSPECTION AND EVALUATION.

16 The department shall make periodic inspections of
 17 licensed centers to insure compliance with licensing
 18 requirements provided in this chapter, and the local
 19 boards of health shall may make periodic inspections
 20 of licensed centers to insure compliance with health-
 21 related licensing requirements provided in this
 22 chapter. In those instances where no local board of
 23 health exists then the director may make periodic
 24 inspections of licensed centers as necessary to carry
 25 out the provisions of this chapter. The director may
 26 inspect records maintained by a licensed center and
 27 may inquire into matters concerning these centers and
 28 the persons in charge. The director shall require
 29 that the center be inspected by the state fire marshal
 30 or a designee for compliance with rules relating to
 31 fire safety before a license is granted or renewed.
 32 The director or a designee may periodically visit
 33 registered family day care homes for the purpose of
 34 evaluation of an inquiry into matters concerning
 35 compliance with rules promulgated adopted under
 36 section 237A.12. Evaluation of family day care homes
 37 under this section may include consultative services
 38 provided pursuant to section 237A.6.

39 Sec._____. Section 237A.12, unnumbered paragraph 3,
 40 Code 1985, is amended to read as follows:

41 Rules relating to fire safety and sanitation shall
 42 be ~~promulgated adopted~~ under this chapter by the state
 43 fire marshal and the commissioner of public health
 44 respectively, in consultation with the department, and
 45 ~~all~~ Rules relating to sanitation shall be adopted by
 46 the department in consultation with the commissioner
 47 of public health. All rules shall be developed in
 48 consultation with the state day care advisory
 49 committee. The state fire marshal shall inspect the
 50 facilities."

Page 3

- 1 9. Page 11, by striking lines 21 through 30.
- 2 10. Page 12, by striking lines 25 through 33.
- 3 11. Page 13, by inserting after line 8 the
- 4 following:
- 5 "Sec._____. Section 260.23, Code 1985, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 **NEW UNNUMBERED PARAGRAPH.** In a case involving a
- 8 report alleging the commission of child abuse, as
- 9 defined in section 232.68, subsection 2, paragraph
- 10 "a", "b", or "d", by a certificated school employee or
- 11 agent, the board shall notify the child abuse registry
- 12 created in chapter 235A and the appropriate county
- 13 attorney within one hundred twenty days of the receipt

14 of a recommendation from the professional teaching
 15 practices commission to initiate certification
 16 suspension or revocation proceedings, of its actions
 17 and if its actions are not yet final, of its final
 18 actions when completed.

19 Sec._____. Section 272A.6, Code 1985, is amended by
 20 adding the following new unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. In a case involving a
 22 report alleging the commission of child abuse, as
 23 defined in section 232.68, subsection 2, paragraph
 24 "a", "b", or "d", by a certificated school employee or
 25 agent, the commission shall notify the child abuse
 26 registry created in chapter 235A and the appropriate
 27 county attorney within one hundred twenty days of the
 28 receipt of a complaint, of its actions, and if its
 29 actions are not yet final, of its final actions when
 30 completed."

31 12. Page 13, by striking lines 15 and 16 and
 32 inserting the following: "coordinating a program
 33 operated by a board shall be an appropriately
 34 certificated".

35 13. Page 13, by inserting after line 28 the
 36 following:

37 "Sec._____. NEW SECTION. 280.16 PROCEDURES FOR
 38 HANDLING CHILD ABUSE REPORTS.

39 The board of directors of a public school shall
 40 prescribe procedures for the handling of reports of
 41 child abuse, as defined in section 232.68, subsection
 42 2, paragraph "a", "b", or "d", alleged to have been
 43 committed by an employee or agent of the public
 44 school. The procedures shall include provisions for
 45 notifying the employee or agent named as the alleged
 46 child abuser of the report and for providing the
 47 employee or agent, upon request, with the opportunity
 48 for an informal investigation of the allegations in
 49 the report and for a private hearing on the
 50 allegations in the report before the board of

Page 4

1 directors. With respect to the private hearing, the
 2 board of directors of a public school is not subject
 3 to chapter 21, and information and records of the
 4 board compiled pursuant to the hearing are
 5 confidential records under section 22.7, subsection
 6 11, and are not subject to public examination.
 7 However, final action by the board of directors
 8 involving discipline, suspension, or discharge of the
 9 employee or agent shall be taken as provided in
 10 section 21.5, subsection 3. The board of directors
 11 shall notify the child abuse registry created in

12 chapter 235A and the appropriate county attorney
 13 within one hundred twenty days of the receipt of a
 14 report of child abuse, of its actions, and if its
 15 actions are not yet final, of its final actions when
 16 completed."

17 14. Page 16, by inserting after line 29 the
 18 following:

19 "Sec. _____. PROSPECTIVE REPEAL. Sections 242.16
 20 and 244.15 contained in sections 21 and 22 of this Act
 21 are repealed July 1, 1988. The advisory committees
 22 established in those sections shall report to the
 23 general assembly by January 1, 1988 their
 24 recommendations relating to the prospective repeal of
 25 sections 242.16 and 244.15."

26 15. By striking page 16, line 33 through page 17,
 27 line 1 and inserting in lieu thereof the words "imple-
 28 mented no later than July 1, 1986. The study shall
 29 include".

30 16. Page 17, by inserting after line 19 the
 31 following:

32 "Sec. _____. MODEL POLICY FOR THE HANDLING OF CHILD
 33 ABUSE REPORTS.

34 The department of public instruction and the
 35 department of human services shall develop a model
 36 policy for schools for the handling of reports of
 37 child abuse, as defined in section 232.68, subsection
 38 2, paragraph "a", or "b", or "d", alleged to have been
 39 committed by employees or agents of public schools.
 40 The department of public instruction shall distribute
 41 the model policy to the schools."

42 17. By renumbering, relettering, or redesignating
 43 and correcting internal references as necessary.

Ollie of Clinton offered the following amendment H-4094, to
 the Senate amendment H-4041, filed from the floor by Ollie,
 Arnould and Hammond and moved its adoption:

H-4094

1 Amend the amendment, H-4041, to House File 451, as
 2 amended, passed, and reprinted by the House, as
 3 follows:

- 4 1. Page 1, by striking lines 3 through 12.
- 5 2. Page 1, by striking lines 30 through 42.
- 6 3. By striking page 1, line 49 through page 2,
 7 line 10.
- 8 4. Page 3, by striking lines 3 through 30.
- 9 5. By striking page 3, line 37 through page 4,
 10 line 16 and inserting the following:

11 "Sec. 100. NEW SECTION. 280.16 PROCEDURES FOR

12 HANDLING CHILD ABUSE REPORTS.

13 The board of directors of a public school and the
14 authorities in control of a nonpublic school shall
15 prescribe procedures, in accordance with the
16 guidelines contained in the model policy developed by
17 the department of public instruction in consultation
18 with the department of human services, and adopted by
19 the department of public instruction pursuant to
20 chapter 17A, for the handling of reports of child
21 abuse, as defined in section 232.68, subsection 2,
22 paragraph "a", "b", or "d", alleged to have been
23 committed by an employee or agent of the public or
24 nonpublic school."

25 6. Page 4, by inserting after line 18 the
26 following:

27 "Sec. _____. EFFECTIVE DATE. Section 100 of this
28 Act takes effect January 1, 1987."

29 7. Page 4, by striking lines 34 through 41 and
30 inserting the following:

31 "The department of public instruction, in
32 consultation with the department of human services,
33 shall develop a model policy for public and nonpublic
34 schools, as defined in section 280.2, for the handling
35 of reports of child abuse, as defined in section
36 232.68, subsection 2, paragraph "a", "b", or "d",
37 alleged to have been committed by employees or agents
38 of public or nonpublic schools. The departments shall
39 jointly report the model policy to the general
40 assembly by January 1, 1986. The department of public
41 instruction shall adopt rules pursuant to chapter 17A
42 to implement the model policy, and the rules shall be
43 effective by January 1, 1987. The department of
44 public instruction shall distribute the model policy
45 to the public and nonpublic schools."

Amendment H—4094 was adopted.

On motion by Arnould of Scott, the House concurred in the Senate amendment H—4041, as amended.

Arnould of Scott moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 451)

The ayes were, 86:

Arnould	Avenson	Beatty	Bennett
Blanshan	Brammer	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Loneragan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Zimmerman	Mr. Speaker (Connors)		

The nays were, 5:

Branstad	Kremer	Maulsby	Rensink
Schnekloth			

Absent or not voting, 9:

Baxter	Black	Carter	Haverland
Mullins	Stueland	Swearingen	Welden
Woods			

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 26

Lloyd-Jones of Johnson called up for consideration House Concurrent Resolution 26, to encourage the establishment of the United States Institute of Peace in Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 31

Hummel of Benton called up for consideration House Concurrent Resolution 31, concerning school bus safety laws.

Hummel of Benton offered the following amendment H-4079, filed by him from the floor and moved its adoption:

H-4079

- 1 . Amend House Concurrent Resolution 31 as follows:
- 2 1. Page 1, line 16, by inserting after the word
- 3 "Safety" the following: "and city and county law
- 4 enforcement agencies".
- 5 2. Page 1, line 17, by striking the word "its"
- 6 and inserting the word "their".
- 7 3. Page 1, line 20, by inserting after the word
- 8 "That" the following: ", after consultation with the
- 9 Iowa State Sheriffs' and Deputies' Association, the
- 10 Iowa State Policemen's Association, and the Iowa
- 11 Association of Chiefs of Police and Peace Officers,".
- 12 4. Page 1, line 22, by striking the word "its"
- 13 and inserting the word "the".
- 14 5. Page 1, line 23, by inserting after the word
- 15 "laws" the words "in the state".

Amendment H-4079 was adopted.

On motion by Hummel of Benton, House Concurrent Resolution 31, as amended, was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 29

Cochran of Webster called up for consideration House Concurrent Resolution 29, to request and urge the Congress of the United States to take certain actions to assist farmers, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 21

Hatch of Polk called up for consideration House Concurrent Resolution 21, relating to the proposal to abolish the United States Small Business Administration, and moved its adoption.

The motion prevailed and the resolution was adopted.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda for meetings of the committees on ways and means and appropriations upon recess.

The House stood at ease at 9:43 p.m., until the fall of the gavel.

The House resumed session at 11:07 p.m., Speaker Avenson in the chair.

**MOTION TO RECONSIDER
(House File 549)**

I move to reconsider the vote by which House File 549 passed the House on April 26, 1985.

McINTEE of Black Hawk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of April, 1985: House Files 124, 173, 418, 469, 558, 584 and 664.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I inadvertently voted wrong on Senate File 110. I meant to vote "aye."

MUHLBAUER of Crawford

PRESENTATION OF VISITORS

Doderer of Johnson presented to the House the Honorable John Pelton, former member of the House representing Clinton County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty second through sixth grade talented and gifted students from Mount Ayr Elementary School, Mount Ayr, accompanied by Marilyn Hawkins. By Daggett of Taylor.

Twenty-one high school students from Mason City High School, Mason City, accompanied by Dave Lapham and Marsha Albright. By Groninga of Cerro Gordo.

Twenty-six eighth grade students from West Bend Middle School, West Bend, accompanied by Lou Ann Dundee. By Mullins of Kossuth.

Twenty-seven eighth grade students from Holy Trinity School, Templeton, accompanied by Duane Siepker, Sue Romey and Mary Ann Kirsch. By Peterson of Carroll.

Forty-three sixth grade students from Pickwick Elementary School, Ottumwa, accompanied by Mr. Shelby and Mrs. Bels. By Poncy of Wapello.

Sixty-five eighth grade students from St. Edwards School, Waterloo. By Shoultz, Teaford and McIntee of Black Hawk.

Forty-seven Student Council students from Peet Junior High School, Cedar Falls, accompanied by Marie Theobald and Carolyn Haurum. By Teaford of Black Hawk.

Sixth grade students from Adel-De Soto Elementary School, De Soto, accompanied by Mrs. Korpanty and Mrs. Hagemeier. By Zimmerman of Dallas.

Sixty sixth grade students from Garner-Hayfield Junior High School, Garner, accompanied by Brian Campbell, Sandy Stille and Nancy Nelson. By Branstad of Winnebago and Stromer of Hancock.

Seventy-five fifth grade students from Lowell Elementary School, Waterloo, accompanied by Mrs. Huff, Mr. Rokusek, Mr. O'Leary, Mrs. Eddison, Mrs. Higgins and Mrs. Burns. By Teaford, Shoultz and McIntee of Black Hawk.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 401 Ways and Means

Relating to the granting of a partial real property tax credit for new construction of office-research facilities.

SUBCOMMITTEE ASSIGNMENTS

House File 767

Labor and Industrial Relations: Running, Chair; Corey and Renaud.

Senate File 13

Ways and Means: Holveck, Chair; Cochran and Siegrist.

Senate File 104

Ways and Means: Parker, Chair; De Groot and Renken.

Senate File 178

Ways and Means: Groth, Chair; Daggett and Tabor.

Senate File 242

Ways and Means: Groninga, Chair; Groth and Schnekloth.

Senate File 349

Ways and Means: Brammer, Chair; Connolly and Miller.

Senate File 557

Ways and Means: Parker, Chair; Bennett and Siegrist.

Senate File 558

Ways and Means: Brammer, Chair; Chapman and Hanson.

Senate File 560

Ways and Means: Schnekloth, Chair; Carpenter and Fey.

Senate File 561

Ways and Means: Osterberg, Chair; De Groot, Doderer, Rosenberg and Schnekloth.

Senate Concurrent Resolution 40

Ways and Means: Groth, Chair; Daggett and O'Kane.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 358**

Ways and Means: Fey, Chair; Connolly, Groninga, Hanson and Lageschulte.

Study Bill 400

Ways and Means: Groninga, Chair; Connolly and Siegrist.

Study Bill 401

Ways and Means: Connolly, Chair; Carpenter and Parker.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House Concurrent Resolution (formerly House Concurrent Resolution 30), a concurrent resolution relating to the board of regents ten-year building program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 26, 1985.

Committee Bill, making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures, and making certain changes retroactive.

Fiscal Note is not required.

Recommended **Do Pass** April 26, 1985.

COMMITTEE ON WAYS AND MEANS

Senate File 349, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles.

Fiscal Note is not required.

Recommended **Do Pass** April 26, 1985.

RESOLUTIONS FILED

HCR 36, by Chapman, a concurrent resolution authorizing the payment of fees for legal services rendered the Iowa General Assembly.

Referred to committee on **appropriations**.

HCR 37, by Peick, a concurrent resolution relating to telephone service for legislators.

Laid over under **Rule 25**.

HCR 38, by Carl, a concurrent resolution relating to the national age of majority.

Laid over under **Rule 25**.

HCR 39, by Woods, a concurrent resolution creating an interim study committee consisting of members of the House and Senate Standing Committees on Transportation.

Laid over under **Rule 25**.

HCR 40, by Lloyd-Jones and Swearingen, a concurrent resolution relating to public retirement systems.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4076	H.F.	575	Senate Amendment
H-4083	S.F.	35	Van Camp of Scott
H-4091	H.F.	768	Carpenter of Polk

On motion by Norland of Worth, the House adjourned at 11:08 p.m., until 10:00 a.m., Monday, April 29, 1985.

JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day -- Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 29, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Robert Ricks, pastor of the Capitol Hill Christian Church, Des Moines.

The Journal of Friday, April 26, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago and Daggett of Taylor, on request of Bennett of Ida; Lonergan of Boone, on request of Arnould of Scott, all until their arrival.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 271, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

Also: That the Senate has on April 25, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 515, a bill for an act relating to the election to become a senior judge.

Also: That the Senate has on April 25, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 521, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

Also: That the Senate has on April 25, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 547, a bill for an act providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

K. MARIE THAYER, Secretary

SENATE AMENDMENT CONSIDERED

Renaud of Polk called up for consideration **House File 381**, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication, amended by the Senate, and moved that the House concur in the following Senate amendment H-4071:

H-4071

1 Amend House File 381 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, line 26, by striking the word "two
4 tenths" and inserting the following: "fifteen-
5 hundredths".

6 2. Page 1, line 28, by striking the word "one-
7 tenth" and inserting the following: "thirteen-
8 hundredths".

9 3. Page 1, line 29, by striking the word "two-
10 tenths" and inserting the following: "fifteen-
11 hundredths".

The motion prevailed and the House concurred in the Senate amendment H-4071.

Renaud of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 381)

The ayes were, 56:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Buhr	Cochran
Connolly	Connors	Cooper	Corey
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Harbor	Hatch	Haverland	Hester
Hughes	Knapp	Koenigs	Kremer
Muhlbauer	Mullins	Norland	O'Kane

Oxley	Parker	Pavich	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rosenberg	Royer
Running	Sherzan	Shultz	Skow
Stromer	Sullivan	Swearingen	Tabor
Torrence	Varn	Woods	Mr. Speaker

The nays were, 34:

Baxter	Carl	Carpenter	Carter
Chapman	Clark	De Groot	Diemer
Doderer	Grandia	Hammond	Hanson
Hermann	Holveck	Hummel	Johnson
Lageschulte	Maulsby	McIntee	Metcalf
Miller	Ollie	Osterberg	Paulin
Rensink	Schnekloth	Shoning	Siegrist
Spear	Stueland	Teaford	Van Camp
Van Maanen	Zimmerman		

Absent or not voting, 10:

Branstad	Daggett	Jay	Jochum
Lloyd-Jones	Lonergan	McKean	Sturgeon
Swartz	Welden		

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

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 768, a bill for an act relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes, was taken up for consideration.

Carpenter of Polk offered the following amendment H-4091 filed by her and moved its adoption:

H-4091

- 1 Amend House File 768 as follows:
- 2 1. Page 1, by striking lines 12 through 14 and
- 3 inserting the following: "for the equipment. The
- 4 trustees of a township which has a common boundary
- 5 with a city having a population of one hundred eighty
- 6 thousand or more may".
- 7 2. By striking page 1, line 31, through page 2,
- 8 line 2 and inserting the following: "township

9 trustees may levy an annual tax not exceeding fifty-
 10 four cents per thousand dollars of the assessed value
 11 of the taxable property for the services authorized or
 12 required under section 359.42 and in any township
 13 which has a common boundary with a city having a
 14 population of one hundred eighty thousand or more, the
 15 township trustees may levy an annual tax not exceeding
 16 sixty-".

Amendment H—4091 lost.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 768)

The ayes were, 61:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Hatch	Haverland	Holveck
Hughes	Jay	Johnson	Knapp
Koenigs	McIntee	McKean	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Varn	Woods
Mr. Speaker			

The nays were, 33:

Bennett	Carpenter	Clark	Cochran
Corey	De Groot	Grandia	Hanson
Hermann	Hester	Hummel	Kremer
Lageschulte	Maulsby	Metcalf	Miller
Mullins	Oxley	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 6:

Branstad	Daggett	Jochum	Lloyd-Jones
Lonerган	Zimmerman		

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

SENATE AMENDMENT CONSIDERED

Siegrist of Pottawattamie called up for consideration **House File 575**, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land, amended by the Senate, and moved that the House concur in the following Senate amendment H-4076:

H-4076

- 1 Amend House File 575 as passed by the House as
- 2 follows:
- 3 1. Page 1, by striking lines 25 through 30.

The motion prevailed and the House concurred in the Senate amendment H-4076.

Siegrist of Pottawattamie moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 575)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running

Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Branstad	Daggett	Jochum	Lloyd-Jones
Lonergan	Stromer		

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

On motion by Norland of Worth, the House was recessed at 10:46 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on April 29, 1985, insisted on its amendment to House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, and the members of the conference committee, on the part of the Senate, are: the Senator from Audubon, Senator Hutchins, Chair; the Senator from Story, Senator Bruner; the Senator from Pottawattamie, Senator Gronstal; the Senator from Scott, Senator Holden; and the Senator from Bremer, Senator Jensen.

Also: That the Senate has, on April 29, 1985, insisted on its amendment to House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, and the members of the conference committee, on the part of the Senate, are: the Senator from Marion, Senator Dieleman, Chair; the Senator from Des Moines, Senator Miller; the Senator from Boone, Senator Nystrom; the Senator from Sioux, Senator Ritsema; and the Senator from Linn, Senator Wells.

Also: That the Senate has on April 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

Also: That the Senate has on April 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

K. MARIE THAYER, Secretary

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 451 and 768; House Concurrent Resolutions 21, 26, 29 and 31; and Senate Files 103, 463 and 465.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 34

Harbor of Mills called up for consideration House Concurrent Resolution 34, concerning the sale of Consolidated Rail Corporation (conrail), and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE (House Concurrent Resolution 34)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolution 34 to the Senate.

MOTION TO RECONSIDER WITHDRAWN (House File 549)

McIntee of Black Hawk asked and received unanimous consent to withdraw the motion to reconsider House File 549, a bill for an act relating to domestic abuse counseling; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage, filed by him on April 26, 1985.

On motion by Norland of Worth, the House stood at ease at 2:03 p.m., until the fall of the gavel.

The House resumed session at 3:08 p.m., Arnould of Scott in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **House File 547**, a bill for an act relating to adoption and termination of parental rights and providing penalties, deferred April 25, 1985.

Lonergan of Boone offered amendment H-3404 (previously deferred) filed by her and requested division as follows:

H-3404

1 Amend House File 547 as follows:

H-3404A

2 1. By striking page 1, line 23 through page 2,
3 line 12 and inserting the following:

4 "2. Original certificates of birth and any
5 adoption records held by the department shall be
6 sealed but may be inspected by a state agency for
7 statistical or administrative purposes only. A birth
8 parent of an adoptee may inspect the adoptee's
9 original certificate of birth at any time."

10 2. By striking page 11, line 30 through page 15,
11 line 29 and inserting the following:

12 "1. Adoption records shall be sealed but may be
13 inspected by a state agency for statistical or
14 administrative purposes only."

H-3404B

15 3. Page 20, lines 26 and 27, by striking the
16 words "~~seventy-two~~ one hundred twenty" and inserting
17 the following: "seventy-two".

H-3404C

18 4. Page 21, by striking lines 8 and 9 and
19 inserting the following: "voluntary surrender is
20 revoked within ninety-six hours of the time the parent
21 signed the voluntary surrender of parental rights and
22 shall fully inform the".

H-3404B

23 5. Page 21, line 13, by striking the words "one
24 hundred twenty" and inserting the following:
25 "seventy-two".

H-3404A

26 6. Page 21, by striking lines 18 through 22.

H-3404C

27 7. Page 22, by striking lines 3 through 24 and
28 inserting the following: "parental rights, request
29 the juvenile court designated in section 600A.5 to
30 order the revocation of any release of custody
31 previously executed by either parent the voluntary
32 surrender. If such the request is by a signing
33 parent, and is made within ninety-six hours of the
34 time such the parent signed a release of custody the
35 voluntary surrender, the juvenile court shall order
36 the release voluntary surrender revoked. Otherwise,
37 the juvenile court shall order the release or releases
38 voluntary surrender revoked only upon clear and
39 convincing evidence that good cause exists for
40 revocation. Good cause for revocation includes but is
41 not limited to a showing that the release voluntary
42 surrender was obtained by fraud, coercion, or
43 misrepresentation of law or fact which was material to
44 its execution. In determining whether good cause,
45 other than fraud, coercion or misrepresentation,
46 exists for revocation, the juvenile court shall give
47 paramount consideration to the best interests of the
48 child and due consideration to the interests of the
49 parents of the child and of any person standing in the
50 place of the parents."

H-3404B

Page 2

1 8. Page 23, by striking lines 25 through 33.
2 9. By renumbering as necessary.

Lonergan of Boone asked and received unanimous consent to withdraw amendment H-3404A.

Connors of Polk asked and received unanimous consent to temporarily defer action on amendment H-3737.

Mullins of Kossuth asked and received unanimous consent to temporarily defer action on amendment H—3472B.

The House resumed consideration of amendment H—3563C (found on page 1226 of the House Journal) to amendment H—3469B (found on pages 1172 and 1173 of the House Journal).

Tabor of Jackson asked and received unanimous consent to withdraw amendment H—3563C.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-nine members present, twenty-one absent.

Tabor of Jackson moved the adoption of amendment H—3469B (found on pages 1172 and 1173 of the House Journal).

Amendment H—3469B was adopted.

Hummel of Benton asked and received unanimous consent to withdraw amendment H—3737 filed by him on April 10, 1985.

Hammond of Story asked and received unanimous consent to temporarily defer action on amendment H—3764.

Carl of Poweshiek offered the following amendment H—3802 filed by her and moved its adoption:

H—3802

- 1 Amend House File 547 as follows:
- 2 1. Page 10, line 32, by striking the words "or
- 3 independent child-placing person".
- 4 2. Page 11, by striking lines 13 through 20, and
- 5 inserting the following:
- 6 "5. After notice, the birth parent may request
- 7 vacation of the order terminating the parent's
- 8 parental rights and may request that a preplacement
- 9 investigation of the birth parent's ability to resume
- 10 the parent-child relationship be completed and a
- 11 report of the investigation be sent to the court."

Amendment H—3802 was adopted.

Haverland of Polk offered the following amendment H—3782 filed by him and Carl of Poweshiek and moved its adoption:

H—3782

1 Amend House File 547 as follows:

2 1. Page 14, line 14, by inserting after the word
3 "department," the following: "or if the department
4 identifies an unrevoked affidavit of refusal to
5 consent to disclosure of the requested information
6 which was signed by the other principal party at any
7 time,".

8 2. Page 14, line 18, by inserting after the word
9 "court." the following: "The department shall search
10 the adoption records held by an agency, independent
11 child-placing person, or clerk of the district court
12 involved in a case of termination of parental rights
13 and adoption, for affidavits of consent or refusal to
14 consent to disclosure of the requested information."

15 3. Page 14, line 24, by inserting after the word
16 "department," the following: "or if the department
17 identifies an unrevoked affidavit of refusal to
18 consent to disclosure of the requested information
19 which was signed by the other principal party at any
20 time,".

21 4. Page 17, line 1, by inserting after the figure
22 "1" the following: "and a copy of any affidavit of
23 consent or refusal to consent to disclosure of
24 identifying information signed by a birth parent or an
25 adoptive parent".

26 5. Page 19, by striking lines 15 through 31 and
27 inserting the following:

28 "1. The department shall make available to
29 agencies and independent child-placing persons a
30 uniform written statement informing birth parents and
31 prospective adoptive parents of the effects of current
32 law relating to adoptions, the potential future
33 disclosure of identifying information, the rights of
34 principal parties to file affidavits of consent or
35 refusal to consent to the disclosure of identifying
36 information, and the voluntary surrender of parental
37 rights. The statement shall inform birth parents of
38 the services and assistance available to them. An
39 agency or independent child-placing person shall
40 obtain the uniform written statement from the
41 department and provide the statement to parents
42 considering a voluntary surrender of parental rights
43 and to parents considering adopting a child. The
44 agency or independent child-placing person may
45 supplement the statement with other information. A
46 parent accepting the statement shall sign the

47 statement which the agency or independent child-
48 placing person shall file with the department for the
49 purpose of meeting the requirements of section 600A.4,
50 subsection 2, paragraph "j".

Page 2

1 6. Page 21, line 16, by striking the words "on
2 alternatives, services, and assistance".

Amendment H—3782 was adopted.

The House resumed consideration of amendment H—3472B
(found on page 1177 of the House Journal).

Mullins of Kossuth asked and received unanimous consent to
withdraw amendment H—3472B.

The House resumed consideration of amendment H—3469C
(found on page 1173 of the House Journal).

Tabor of Jackson asked and received unanimous consent to
withdraw amendment H—3469C.

The House resumed consideration of amendment H—3404B.

Lonergan of Boone moved the adoption of amendment
H—3404B.

A non-record roll call was requested.

The ayes were 41, nays 47.

Amendment H—3404B lost.

The House resumed consideration of amendment H—3404C.

Lonergan of Boone moved the adoption of amendment
H—3404C.

A non-record roll call was requested.

The ayes were 38, nays 43.

Amendment H—3404C lost.

Tabor of Jackson offered amendment H—4105 filed by him from
the floor and requested division as follows:

H-4105

1 Amend House File 547 as follows:

H-4105A

2 1. Page 14, line 3, by inserting after the word
3 "party" the following: "is deceased,".

H-4105B

4 2. Page 14, by striking lines 10 through 26 and
5 inserting the following: "affidavit of consent. If
6 the other principal party is deceased, cannot be
7 notified, has filed or files a timely unrevoked
8 affidavit of refusal to consent to disclosure with the
9 department, or if the department identifies an
10 unrevoked affidavit of refusal to consent to
11 disclosure of the requested information which was
12 signed by the other principal party at any time, the
13 department shall notify the requesting principal party
14 of the principal party's death, of the inability to
15 notify, or of the refusal, but the department shall
16 not disclose any information to the requesting
17 principal party, unless ordered to do so by the court.

18 The department shall search the adoption records
19 held by an agency, independent child-placing person,
20 or clerk of the district court involved in a case of
21 termination of parental rights and adoption, for
22 affidavits of consent or refusal to consent to
23 disclosure of the requested information.

24 If the other principal party is deceased, or if
25 within four months of the receipt of the request the
26 department is unable to notify the other principal
27 party and the other principal party has not properly
28 filed an unrevoked affidavit of consent or refusal to
29 consent, if the other principal party has filed a
30 timely unrevoked affidavit of refusal to consent to
31 disclosure with the department, or if the department
32 identifies an unrevoked affidavit of refusal to
33 consent to disclosure of the requested information
34 which was signed by the other principal party at any
35 time, the requesting principal party may petition an
36 appropriate court for the disclosure of the requested
37 information."

Tabor of Jackson asked and received unanimous consent to withdraw amendment H-4105A.

On motion by Tabor of Jackson, amendment H-4105B was adopted, placing out of order lines 2 through 20 of amendment H-3782, previously adopted.

Hammond of Story asked and received unanimous consent to withdraw amendment H—3764, temporarily deferred, filed by her and Lonergan of Boone on April 11, 1985.

Hammond of Story offered the following amendment H—4108 filed by her and Lonergan of Boone from the floor and moved its adoption:

H—4108

- 1 Amend House File 547 as follows:
- 2 1. Page 23, by inserting after line 8 the
- 3 following:
- 4 "Sec. _____. Section 600A.5, Code 1985, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 4. If a birth parent is under the
- 7 age of eighteen, the juvenile court shall appoint the
- 8 birth parent's parent or guardian or a guardian ad
- 9 litem to act as the birth parent's representative in
- 10 termination of parental rights proceedings under this
- 11 chapter."
- 12 2. By renumbering as necessary.

Amendment H—4108 was adopted.

Connors of Polk offered the following amendment H—4109 filed by him and Carl of Poweshiek from the floor and moved its adoption:

H—4109

- 1 Amend House File 547 as follows:
- 2 1. Page 19, by inserting after line 31, the
- 3 following: "The uniform written statement shall
- 4 inform birth parents and prospective adoptive parents
- 5 of the desirability of disclosing nonidentifying
- 6 medical information to persons responsible for
- 7 maintaining adoption records and providing updated
- 8 nonidentifying information to principal parties."

Amendment H—4109 was adopted.

Speaker Avenson in the chair at 4:28 p.m.

O'Kane of Woodbury called up for consideration the motion to reconsider amendment H—3667B filed by him on April 25, 1985, and moved to reconsider the vote by which amendment H—3667B (found on pages 1736 and 1737 of the House Journal) was adopted by the House on April 25, 1985.

A non-record roll call was requested.

The ayes were 67, nays 15.

The motion prevailed and the House reconsidered amendment H—3667B.

Schneklath of Scott moved the adoption of amendment H—3667B.

A non-record roll call was requested.

The ayes were 29, nays 54.

Amendment H—3667B lost.

Tabor of Jackson asked and received unanimous consent to call up for consideration amendment H—4105A, previously withdrawn (found on page 2018 of the House Journal).

On motion by Tabor of Jackson, amendment H—4105A was adopted.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 547)

The ayes were, 82:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Osterberg	Parker
Paulin	Peick	Pellett	Peterson
Platt	Renaud	Rensink	Rosenberg
Royer	Running	Sherzan	Shoning

Shultz	Siegrist	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Weiden	Woods
Zimmerman	Mr. Speaker		

The nays were, 18:

Branstad	Grandia	Harbor	Hummel
Jay	Kremer	Lageschulte	Lonergan
Maulsby	Mullins	Ollie	Oxley
Pavich	Poncy	Renken	Schnekloth
Skow	Stueland		

Absent or not voting, none.

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

CONFERENCE COMMITTEE APPOINTED
(House File 643)

The Speaker announced the appointment of the Conference Committee to consider the differences between the House and Senate concerning House File 643: Osterberg of Linn, Chair; Black of Jasper, Jay of Appanoose, Mullins of Kossuth and Paulin of Plymouth.

The House stood at ease at 5:02 p.m., until the fall of the gavel.

The House resumed session at 5:05 p.m., Speaker Avenson in the chair.

IMMEDIATE MESSAGE
(House File 547)

Norland of Worth asked and received unanimous consent to immediately message House File 547 to the Senate.

The House stood at ease at 5:06 p.m., until the fall of the gavel.

The House resumed session at 5:40 p.m., Speaker Avenson in the chair.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to sus-

pend Rule 57, relating to committee notice and agenda, for the committees on appropriations and ways and means meetings upon recess.

The House stood at ease at 5:41 p.m., until the fall of the gavel.

The House resumed session at 7:16 p.m., Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 773, by committee on appropriations, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation.

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

SENATE MESSAGES CONSIDERED

Senate File 574, by committee on ways and means, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

Read first time and referred to committee on **ways and means**.

Senate File 576, by committee on ways and means, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

Read first time and referred to committee on **ways and means**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 29, 1985, refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Also: That the Senate has on April 29, 1985, refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

Also: That the Senate has on April 29, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 686, a bill for an act relating to plans and programs for educational development in Iowa.

Also: That the Senate has on April 29, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

Also: That the Senate has on April 26, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 771, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

Also: That the Senate has on April 26, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Also: That the Senate has on April 26, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Also: That the Senate has on April 26, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 562, a bill for an act relating to and making appropriations to various

state commissions, departments, and agencies relating to business, trade, and transportation.

K. MARIE THAYER, Secretary

SENATE AMENDMENTS CONSIDERED

House Refused To Concur

Spear of Lee called up for consideration **Senate File 552**, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4111 to the House amendment:

H—4111

1 Amend the House amendment, S—3990, to Senate File
2 552, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, line 4, by striking the number
5 "53,337,662" and inserting the following:
6 "53,437,662".
7 2. Page 1, by striking lines 29 through 35 and
8 inserting the following:
9 "_____. Page 10, line 26, by striking the figure
10 "15,858,000" and inserting the following:
11 "15,433,000".
12 _____. Page 10, line 30, by striking the figure
13 "16,492,000" and inserting the following:
14 "16,067,000".
15 _____. Page 11, by inserting after line 3 the
16 following:
17 "Sec._____. Section 602.1301, subsection 2, Code
18 1985, is amended by striking the subsection and
19 inserting in lieu thereof the following:
20 2. a. As early as possible, but not later than
21 December 1, the supreme court shall submit to the
22 legislative fiscal bureau the annual budget request
23 and detailed supporting information for the judicial
24 department. The submission shall be designed to
25 assist the legislative fiscal bureau in its
26 preparation for legislative consideration of the
27 budget request. The information submitted shall
28 contain and be arranged in a format substantially
29 similar to part II of the governor's budget message as
30 specified in section 8.22.

31 b. Before December 1, the supreme court shall
32 submit to the state comptroller an estimate of the
33 total expenditure requirements of the judicial
34 department. The state comptroller shall include this
35 estimate in the tentative budget transmitted to the
36 governor pursuant to section 8.25." "

37 3. Page 1, line 45, by striking the figure
38 "18,064,000" and inserting the following:
39 "18,191,400".

40 4. By striking page 1, line 46 through page 2,
41 line 41.

42 5. Page 2, by striking line 42.

43 6. By renumbering, relettering, or redesignating
44 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H-4111 to the House amendment.

Pavich of Pottawattamie called up for consideration **Senate File 562**, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4112 to the House amendment:

H-4112

1 Amend House amendment, S-3989, to Senate File 562,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 7 and 8 and
5 inserting the following:

6 "_____. Page 1, by inserting after line 20 the
7 following:

8 "It is the intent of the general assembly that the
9 industrial commissioner shall conduct a study during
10 the 1985 interim and submit a report, including
11 recommendations, not later than January 1, 1986 to the
12 respective standing committees on appropriations and
13 the appropriations subcommittees on business, trade
14 and transportation for a procedure to expedite and
15 reduce the processing of claims filed with the
16 industrial commissioner's office." "

17 2. Page 1, by inserting after line 10 the
18 following:

19 "_____. Page 3, by striking lines 10 through 13."

20 3. Page 1, by striking lines 22 through 26.

21 4. Page 1, by striking line 32.

22 5. Page 2, by striking line 23.

23 6. By renumbering, relettering, or redesignating
24 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H—4112 to the House amendment.

Baxter of Des Moines called up for consideration **Senate File 434**, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4110 to the House amendment:

H—4110

- 1 Amend the House amendment, S—4017, to Senate File
- 2 434, as amended, passed and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, line 28, by striking the figure
- 5 "1,497,438" and inserting the following: "1,524,149".
- 6 2. Page 2, line 3, by striking the figure
- 7 "4,957,680" and inserting the following: "4,967,680".
- 8 3. Page 2, by striking lines 4 and 5.
- 9 4. By striking page 2, line 22 through page 5,
- 10 line 37.
- 11 5. Page 5, by striking line 38.
- 12 6. By renumbering, relettering, or redesignating
- 13 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H—4110 to the House amendment.

HOUSE INSISTS

Lonergan of Boone called up for consideration **House File 571**, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED (House File 571)

The Speaker announced the appointment of the Conference

Committee to consider the differences between the House and Senate concerning House File 571: Jochum of Dubuque, Chair; Buhr of Polk, Lonergan of Boone, Royer of Page and Hermann of Scott.

HOUSE INSISTS

Knapp of Dubuque called up for consideration **House File 476**, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED (House File 476)

The Speaker announced the appointment of the Conference Committee to consider the differences between the House and Senate concerning House File 476: Jochum of Dubuque, Chair; Blanshan of Greene, Knapp of Dubuque, Paulin of Plymouth and Diemer of Black Hawk.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: Senate Files 434, 552 and 562 and House Files 476 and 571.

The House stood at ease at 7:28 p.m., until the fall of the gavel.

The House resumed session at 7:45 p.m., Speaker Avenson in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 581, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association.

K. MARIE THAYER, Secretary

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 29, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 338, an act relating to the term of office of the Labor Commissioner.

House File 419, an act relating to the payment of court costs and providing a penalty.

House File 553, an act relating to federal disaster assistance to state and local governments and providing an effective date.

Senate File 63, an act relating to the approval of attorney fees by the Department of Job Service.

Senate File 303, an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

Senate File 456, an act relating to the licensure of private investigative and security agencies and providing an effective date.

Senate File 490, an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Friday, April 26, 1985. Had I been present, I would have voted "aye" on House Files 196, 451, 66, 378, 494, 678, 398, 462, 556, 549, 631, 688, 210, 255, 460, 626, 677, 750, 702, 729, 128, 498, 505, 266, 540, 552, 413, 762, 767, 769, 763, 495, 696, 740; Senate Files 561, 406, 502, 524, 296 and 465; and, "nay" on House Files 183 and 649.

BAXTER of Des Moines

I was necessarily absent from the House chamber on April 25 and 26, 1985. Had I been present, I would have voted "aye" on House Files 476, 484, 523, 139, 231, 66, 378, 766, 494, 678, 398, 462, 556, 549, 631, 688, 210, 255, 460, 626, 677, 750, 702, 729, 128, 498, 505, 266, 540, 552, 413, 762, 767, 763, 495, 696, 740, 196, 649, and 451; Senate Files

406, 461, 424, 374, 452, 110, 502, 524, 561, 296 and 465; and "nay" on amendments H-3667B to House File 547, H-3963 to House File 643; and House Files 183 and 769.

BLACK of Jasper

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-one fifth grade students from Williamson Elementary School, Chariton, accompanied by Patricia Dawson, Jane Schneider and Helen Thompson. By Cooper of Lucas.

Thirty-eighth fifth grade students from Roosevelt Elementary School, Ames, accompanied by Ms. Berdahl. By Hammond and Rosenberg of Story.

Twenty Junior High students from Radcliff Junior High School, Radcliff, accompanied by Mrs. Ona Lettow. By Welden of Hardin.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|---------|---|
| 1985-21 | City of Mount Pleasant — Sesquicentennial of its founding. |
| 1985-22 | Abraham Lincoln High School, Council Bluffs — 1984 Yearbook has received the 1985 Gold Crown Award from the Columbia Scholastic Press Association. |
| 1985-23 | Thomas Jefferson High School, Council Bluffs — 1984 Yearbook received first place and first class awards from the American Scholastic Press Association and a first class award from the National Scholastic Press Association. |

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been

received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 13, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years.

Fiscal Note is not required.

Recommended **Do Pass** April 26, 1985.

Senate File 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness and providing an effective date and an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-4097**, April 26, 1985.

Committee Bill (Formerly House File 722), relating to programs for improving the education system, including mathematics, science, and foreign language courses and teaching, and education research, and to make appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 26, 1985.

RESOLUTION FILED

HCR 41, by committee on appropriations, a concurrent resolution relating to the board of regents ten-year building program.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4095	S.F.	449	Swartz of Marshall
H-4096	H.F.	772	Swartz of Marshall
H-4097	S.F.	473	Committee on Appropriations
H-4098	S.F.	565	Harbor of Mills
H-4099	H.F.	772	Koenigs of Mitchell

H-4100	H.F.	772	Blanshan of Greene Lloyd-Jones of Johnson Swearingen of Keokuk
H-4101	H.F.	772	Spear of Lee
H-4102	S.F.	309	Osterberg of Linn
H-4103	H.F.	772	Swartz of Marshall
H-4104	H.F.	772	Swartz of Marshall
H-4106	HCR	41	Diemer of Black Hawk
H-4113	H.F.	686	Senate Amendment
H-4114	H.F.	771	Senate Amendment
H-4115	H.F.	747	Senate Amendment
H-4116	S.F.	361	Shoultz of Black Hawk
H-4117	S.F.	565	Harbor of Mills

On motion by Norland of Worth, the House adjourned at 7:46 p.m., until 9:00 a.m., Tuesday, April 30, 1985.

JOURNAL OF THE HOUSE

One Hundred Seventh Calendar Day — Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa. Tuesday, April 30, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Robert Robinson, pastor of the Grace United Methodist Church, Sioux City.

The Journal of Monday, April 29, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Handorf of Marshall, until his arrival, on request of Pellett of Cass.

SENATE MESSAGE CONSIDERED

Senate File 581, by committee on ways and means, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association.

Read first time and referred to committee on **ways and means**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the members of the conference committee, appointed April 29, 1985, to House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, are: The Senator from Tama, Senator Husak, Chair; the Senator from Pottawattamie, Senator Hester; the Senator from Fayette, Senator Murphy; the Senator from Clayton, Senator Tieden; and, the Senator from Dubuque, Senator Welsh.

Also: That the members of the conference committee, appointed April 29, 1985, to House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985

and ending June 30, 1986, are: The Senator from Woodbury, Senator Colton, Chair; the Senator from Cerro Gordo, Senator Miller; the Senator from Polk, Senator Readinger; the Senator from Clayton, Senator Tieden; and, the Senator from Dubuque, Senator Welsh.

Also: That the Senate has, on April 29, 1985, insisted on its amendment to the House amendment to Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, and the members of the conference committee, on the part of the Senate, are: The Senator from Marion, Senator Dieleman, Chair; the Senator from Black Hawk, Senator Corning; the Senator from Clayton, Senator Tieden; the Senator from Dubuque, Senator Welsh; and, the Senator from Linn, Senator Wells.

Also: That the Senate has, on April 29, 1985, insisted on its amendment to the House amendment to Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system, and the members of the conference committee, on the part of the Senate are: The Senator from Des Moines, Senator Miller, Chair; the Senator from Dubuque, Senator Carr; the Senator from Sioux, Senator Ritsema; the Senator from Clayton, Senator Tieden; and, the Senator from Dubuque, Senator Welsh.

Also: That the Senate has, on April 29, 1985, insisted on its amendment to the House amendment to Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation, and the members of the conference committee, on the part of the Senate, are: The Senator from Wapello, Senator Gettings, Chair; the Senator from Clay, Senator Holt; the Senator from Kossuth, Senator Priebe; the Senator from Clayton, Senator Tieden; and, the Senator from Dubuque, Senator Welsh.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

Norland of Worth asked and received unanimous consent to take up out of order **Senate File 364**, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, deferred and placed on the unfinished business calendar on April 19, 1985.

Johnson of Winneshiek in the chair at 9:31 a.m.

Daggett of Taylor offered the following amendment H-3829 filed by him and moved its adoption:

H—3829

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 22 and 23, by striking the words
- 4 "including minimum equipment and staffing".

Roll call was requested by Stromer of Hancock and Halvorson of Clayton.

Rule 75 was invoked.

On the question "Shall amendment H—3829 be adopted?"

The ayes were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Halvorson, R. A.	Hanson
Harbor	Hermann	Hester	Hummel
Koenigs	Kremer	Lageschulte	Maulsby
McKean	Metcalf	Miller	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schneklloth	Shoning	Spear
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 56:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Cochran	Connolly
Connors	Cooper	Fey	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Hatch	Haverland	Holveck	Hughes
Jay	Jochum	Lloyd-Jones	Lonergan
McIntee	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Siegrist	Skow	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker (Johnson)

Absent or not voting, 5:

Chapman	Doderer	Handorf	Knapp
Mullins			

Amendment H—3829 lost.

Maulsby of Calhoun offered the following amendment H—3842 filed by him:

H—3842

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 23 and 24, by striking the words
- 4 "pay for unused sick leave upon separation;".

Connors of Polk in the chair at 10:28 a.m.

Norland of Worth asked and received unanimous consent that Senate File 364 be deferred and that the bill retain its place on the calendar.

(Amendment H—3842 pending.)

CONFERENCE COMMITTEES APPOINTED
(House File 730)

The Speaker announced the appointment of the Conference Committee to consider the differences between the House and Senate concerning House File 730: Teaford of Black Hawk, Chair; Blanshan of Greene, Hammond of Story, Hanson of Delaware and Renken of Grundy.

(Senate File 434)

The Speaker announced the appointment of the Conference Committee to consider the differences between the House and Senate concerning Senate File 434: Jochum of Dubuque, Chair; Baxter of Des Moines, Fogarty of Palo Alto, Handorf of Marshall and Metcalf of Polk.

(Senate File 552)

The Speaker announced the appointment of the Conference Committee to consider the differences between the House and Senate concerning Senate File 552: Jochum of Dubuque, Chair; Spear of Lee, Sherzan of Polk, McKean of Jones and Hummel of Benton.

(Senate File 562)

The Speaker announced the appointment of the Conference Committee to consider the differences between the House and Senate concerning Senate File 562: Jochum of Dubuque, Chair; Blanshan of Greene, Pavich of Pottawattamie, Branstad of Winnebago and Harbor of Mills.

**PRESENTATION OF PELLA TULIP QUEEN
AND HER ATTENDANTS**

Grandia of Marion presented to the House Geselle Mulder, from Pella, Queen of the 1985 Fiftieth Anniversary Pella Tulip Festival to be held in Pella May 9, 10 and 11.

Queen Geselle was escorted to the Speaker's station and presented Speaker pro tempore Connors with the traditional kiss and invited everyone to attend the festival. She introduced her attendants: Kellie Kredit, Stephanie TeRonde, Glenda Vander Waal, and Sandy Gosselink.

Those present from Pella were dressed in native Dutch costume and distributed the famous Pella Dutch cookies.

The House rose and expressed its welcome and appreciation.

On motion by Norland of Worth, the House was recessed at 10:48 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Woods of Polk, until his return, on request of Renaud of Polk.

INTRODUCTION OF BILLS

House File 774, by committee on ways and means, a bill for an act relating to the licensing and regulation of mobile homes and mobile home parks.

Read first time and placed on the **ways and means calendar**.

House File 775, by committee on appropriations, a bill for an act relating to and appropriating certain petroleum overcharge funds.

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

House File 776, by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on April 30, 1985, appointed the Senator from Osceola, Senator Vande Hoef, to replace the Senator from Pottawattamie, Senator Hester, to the conference committee on House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Also: That the Senate has on April 30, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 451, a bill for an act relating to child protection and providing penalties.

Also: That the Senate has on April 30, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 642, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the creation of the Iowa export trading company, and requesting an interim study committee.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 580, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions.

K. MARIE THAYER, Secretary

REPORT OF COMMITTEE ON WAYS AND MEANS

Senate File 565, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting a portion of the revenue from motor fuel and special fuel taxes to the RISE fund for use in road and street projects which promote economic development in the state, by providing for a one cent per gallon reduction in the excise tax rate on gasohol contingent upon certain circumstances, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-4131**, April 29, 1985.

RULES SUSPENDED

Norland of Worth asked for unanimous consent to suspend the rules for the immediate consideration of Senate File 565.

Objection was raised.

Norland of Worth moved that the rules be suspended for the immediate consideration of Senate File 565.

A non-record roll call was requested.

The ayes were 52, nays 37.

The motion prevailed and the rules were suspended.

CONSIDERATION OF BILLS

Senate File 565, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable.

The House stood at ease at 2:54 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 565 at 4:55 p.m., Speaker Avenson in the chair.

Norland of Worth asked and received unanimous consent that Senate File 565 be deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Maulsby of Calhoun, for the remainder of the day, on request of Van Maanen of Mahaska.

SENATE AMENDMENT CONSIDERED

Carl of Poweshiek called up for consideration **House File 771**, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986, amended by the Senate amendment H-4114 as follows:

H-4114

- 1 Amend House File 771 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 11, by striking the figure
- 4 "7,809,250" and inserting the following: "7,860,000".
- 5 2. Page 2, line 2, by striking the figure
- 6 "22,319,495" and inserting the following:
- 7 "22,500,000".
- 8 3. Page 3, line 29, by striking the figure
- 9 "121,600,000" and inserting the following:
- 10 "120,600,000".
- 11 4. Page 4, by striking lines 17 and 18 and
- 12 inserting the following: "surgical procedures with
- 13 high coefficients of variation under the medical".
- 14 5. Page 4, line 22, by striking the word "The"
- 15 and inserting the following: "Subject to the
- 16 limitation of funds available for this purpose, the".
- 17 6. Page 5, by striking lines 4 through 7 and
- 18 inserting the following: "for a waiver from the
- 19 federal government to implement the comprehensive
- 20 perinatal services and obstetrical access program, if
- 21 the department determines the program will result in
- 22 cost savings to the state and provide equivalent or
- 23 improved levels of care and access for the populations
- 24 the program would".
- 25 7. Page 6, line 20, by striking the figure
- 26 "996,123" and inserting the following: "1,000,000".
- 27 8. Page 7, line 24, by striking the figure
- 28 "24,846,288" and inserting the following:
- 29 "25,250,000".
- 30 9. Page 10, line 27, by striking the figure
- 31 "8,024,145" and inserting the following: "8,080,000".
- 32 10. Page 11, line 7, by striking the figure
- 33 "19,304,550" and inserting the following:
- 34 "19,330,000".
- 35 11. Page 12, line 8, by striking the figure
- 36 "33,045,782" and inserting the following:
- 37 "33,100,000".
- 38 12. Page 13, line 34, by striking the figure
- 39 "49,645,014" and inserting the following:
- 40 "50,000,000".
- 41 13. Page 16, line 20, by striking the word and
- 42 figure "September 30" and inserting the following:
- 43 "December 31".
- 44 14. Page 17, lines 15 and 16, by striking the
- 45 words "sixty-five dollars and fifty" and inserting the
- 46 following: "sixty-six dollars and fifteen".
- 47 15. Page 17, line 25, by striking the word
- 48 "eleven" and inserting the following: "twenty-eight".
- 49 16. Page 20, by inserting after line 25 the
- 50 following new section:

Page 2

- 1 "Sec. _____. There is appropriated for the fiscal
 2 year beginning July 1, 1986 and ending June 30, 1987
 3 to the agencies and for the purposes specified the
 4 same amounts that are appropriated under this Act for
 5 the fiscal year beginning July 1, 1985 and ending June
 6 30, 1986."
 7 17. By renumbering, relettering, or redesignating
 8 and correcting internal references as necessary.

Norland of Worth offered the following amendment H—4142, to the Senate amendment H—4114, filed by him from the floor and moved its adoption:

H—4142

- 1 Amend the amendment, H—4114, to House File 771, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 2, by striking lines 1 through 6 and
 5 inserting the following:
 6 "Sec. _____. Total appropriations specified in this
 7 Act for the fiscal year beginning July 1, 1985 and
 8 ending June 30, 1986 shall not be exceeded in the
 9 fiscal year beginning July 1, 1986 and ending June 30,
 10 1987 unless revenue growth as estimated by the
 11 legislative fiscal bureau in its December 31, 1985
 12 quarterly report exceeds four and one-half percent."

Amendment H—4142 was adopted.

On motion by Carl of Poweshiek, the House concurred in the Senate amendment H—4114, as amended.

Carl of Poweshiek moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 771)

The ayes were, 82:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark

Cochran	Connolly	Connors	Cooper
Corey	Daggett	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Hatch	Haverland
Hermann	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonerган
McIntee	McKean	Metcalf	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 17:

Bennett	Branstad	De Groot	Grandia
Harbor	Hester	Kremer	Miller
Pellett	Renken	Rensink	Royer
Schneklloth	Stromer	Torrence	Van Maanen
Welden			

Absent or not voting, 1:

Maulsby

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

IMMEDIATE MESSAGE

(House File 771)

Norland of Worth asked and received unanimous consent to immediately message House File 771 to the Senate.

SENATE MESSAGE CONSIDERED

Senate File 580, by committee on ways and means, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions.

Read first time and referred to committee on ways and means.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

K. MARIE THAYER, Secretary

The House stood at ease at 5:12 p.m., until the fall of the gavel.

The House resumed session at 5:32 p.m., Speaker Avenson in the chair.

SENATE AMENDMENT CONSIDERED

Poncy of Wapello called up for consideration **House File 747**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state, amended by the Senate amendment H-4115 as follows:

H-4115

- 1 Amend House File 747, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 28 the
- 4 following:
- 5 "It is the intent of the general assembly that the
- 6 state library conduct a study, at a cost of not to
- 7 exceed three thousand dollars, to determine the
- 8 feasibility of using electronic data bases to replace
- 9 the law library collections in the correctional
- 10 institutions. A report of the findings and
- 11 recommendations of the study shall be submitted to the

12 justice system appropriations subcommittee not later
13 than January 31, 1986."

14 2. Page 4, line 6, by striking the figure
15 "4,109,062" and inserting the figure "4,184,062".

16 3. Page 4, by inserting after line 20 the
17 following:

18 "c. As a condition of the appropriation made in
19 paragraph "a", the department of public instruction
20 shall expend at least seventy-five thousand (75,000)
21 dollars of the moneys appropriated in paragraph "a" to
22 provide increased compensation for individuals
23 employed by the department in consultant positions in
24 order to bring their compensation up to a level that
25 is more competitive with compensation received by
26 individuals employed in other professional positions
27 that have similar educational requirements."

28 4. Page 6, line 21, by striking the figure
29 "43,992,818" and inserting the figure "43,192,818".

30 5. Page 7, by striking lines 2 through 25 and
31 inserting the following:

32 "x. For additional	
33 general state financial aid	
34 to merged area XV above	
35 that received under paragraphs	
36 a and b	\$ 300,000
37 y. For salary	
38 additional increases for	
39 merged area school employees	\$ 500,000

40 It is the intent of the general assembly that the
41 funds appropriated in this paragraph be distributed by
42 the state comptroller to merged area school employees
43 under the same formula used to grant salary
44 adjustments to merged area school employees for the
45 fiscal year beginning July 1, 1985 and ending June 30,
46 1986.

47 The state board of public instruction shall
48 formulate an auditable student counting system that
49 uniformly reports and accounts for student credit
50 hours in all merged area schools. This student

Page 2

1 counting system should provide the basis for
2 allocating future state general aid and state
3 vocational aid and federal vocational aid on an
4 equitable basis for the fiscal year beginning July 1,
5 1986."

6 6. Page 8, by inserting after line 18 the
7 following:

8 "_____. EDUCATIONAL
9 EXCELLENCE INCENTIVE AWARDS

10 For educational excellence
 11 incentive awards granted under
 12 section 260A.4 \$ 150,000".
 13 7. Page 11, line 10, by striking the figure "123,504,528"
 14 and inserting the figure "124,129,528".
 15 8. Page 11, by inserting after line 15 the following:
 16 "It is the intent of the general assembly that six hundred
 17 twenty-five thousand (625,000) dollars of the funds
 18 appropriated in this paragraph be used for the purchase of
 19 research and instructional equipment."
 20 9. Page 11, line 23, by striking the figure "24,758,928"
 21 and inserting the figure "25,917,985".
 22 10. Page 12, by striking lines 8 through 11 and inserting the
 23 following: "1984. Prior to sending
 24 a patient to the university of Iowa hospitals
 25 and clinics under the indigent patient program,
 26 the county shall, if possible, first determine the patient's
 27 eligibility for medical assistance; and, if the
 28 patient is eligible, provide that medical payments
 29 reimbursable under the medical assistance program
 30 are so reimbursed."
 31 11. Page 12, line 13, by inserting after the word "liver,"
 32 the following: "pancreas,".
 33 12. Page 12, line 21, by inserting after the word "liver,"
 34 the following: "pancreas, artificial heart,".
 35 13. Page 12, line 26, by inserting after the word "liver,"
 36 the following: "pancreas, artificial heart,".
 37 14. Page 12, by striking lines 28 through 35.
 38 15. Page 14, line 18, by striking the figure "100,651,118"
 39 and inserting the figure "101,276,118".
 40 16. Page 14, by inserting after line 18 the following:
 41 "It is the intent of the general assembly that six hundred
 42 twenty-five thousand (625,000) dollars of the funds
 43 appropriated in this paragraph be used for the purchase of
 44 research and instructional equipment."
 45 17. Page 15, line 1, by striking the figure "500,000"
 46 and inserting the figure "700,000".
 47 18. Page 15, by inserting after line 16 the following:
 48 "Sec. 90. There is appropriated from the general fund of
 49 the state to the commission on the aging for the fiscal year
 50 beginning July 1, 1985 and ending June 30, 1986, the sum of

Page 3

1 one hundred thousand (100,000) dollars, or so much thereof as
 2 is necessary, to deliver legal services to the elderly. The
 3 commission shall use the funds to utilize law school clinical
 4 programs located in this state which provide legal services
 5 for the elderly."
 6 19. Page 20, by inserting after line 6 the following:
 7 "Sec. 100. Section 422.9, subsection 2, Code 1985, is

8 amended by adding the following new lettered paragraph:
9 **NEW LETTERED PARAGRAPH.** Add the amount the taxpayer has
10 paid to others, for the tax year beginning January 1, 1985,
11 not to exceed four hundred fifty dollars, and for the tax year
12 beginning January 1, 1986 and each tax year thereafter, not to
13 exceed nine hundred dollars, for each dependent in grades
14 kindergarten through 12, for tuition, textbooks and trans-
15 portation of each dependent in attending an elementary or
16 secondary school situated in Iowa, which school is approved
17 under section 257.25, which is not operated for profit, and
18 which adheres to the provisions of the United States Civil
19 Rights Act of 1964 and chapter 601A. As used in this
20 paragraph, "school" means a school that does not refuse or
21 deny enrollment to any person, or discriminate in any program
22 or activity, because of race, creed, color, sex, national
23 origin, religion, disability, or economic disadvantage. The
24 school may discriminate on the basis of sex in athletic
25 programs, except that the school shall provide comparable
26 opportunities in intramural and interscholastic athletic
27 programs. Any school which does not have the capacity to
28 serve the categories of students listed in this paragraph
29 shall provide services for those students either through
30 shared arrangements with other schools or through the area
31 education agencies. Nonpublic schools may also require
32 different wearing apparel requirements on the basis of sex.
33 As used in this paragraph, "textbooks" means books and other
34 instructional materials and equipment used in elementary and
35 secondary schools in teaching only those subjects legally and
36 commonly taught in public elementary and secondary schools in
37 this state and does not include instructional books and
38 materials used in the teaching of religious tenets, doctrines,
39 or worship, the purpose of which is to inculcate those tenets,
40 doctrines, or worship, and does not include books or materials
41 for, or transportation to, extracurricular activities
42 including sporting events, musical or dramatic events, speech
43 activities, driver's education, or programs of a similar
44 nature."
45 20. Page 21, line 6, by inserting after the figure
46 "10" the following: "and 90".
47 21. Page 21, line 12, by inserting after the figure
48 "1986." the following: "Section 100 of this Act is retroactive
49 to January 1, 1985 for tax years beginning on or after that
50 date."

Page 4

1 22. Page 21, by inserting after line 25 the following:
2 "Sec. _____. There is appropriated for the fiscal year beginning
3 July 1, 1986 and ending June 30, 1987 to the agencies and for
4 the purposes specified the same amounts that are appropriated
5 under this Act for the fiscal year beginning July 1, 1985 and
6 ending June 30, 1986."
7 23. By renumbering sections, subsections and paragraphs
8 as necessary.

Jochum of Dubuque offered the following amendment H—4145, to the Senate amendment H—4115, filed by him and Connolly of Dubuque from the floor and moved its adoption:

H—4145

1 Amend the Senate amendment H—4115 to House File
2 747, as amended, passed, and reprinted by the House,
3 as follows:

4 1. By striking page 1, line 3; through page 4,
5 line 8, and inserting the following:

6 "_____. Page 4, line 6, by striking the figure
7 "4,109,062" and inserting the figure "4,134,062".

8 _____. Page 4, by inserting after line 20 the
9 following:

10 "c. As a condition of the appropriation made in
11 paragraph "a", the department of public instruction
12 shall expend at least twenty-five thousand (25,000)
13 dollars of the moneys appropriated in paragraph "a" to
14 provide increased compensation for individuals
15 employed by the department in consultant positions in
16 order to bring their compensation up to a level that
17 is more competitive with compensation received by
18 individuals employed in other professional positions
19 that have similar educational requirements."

20 _____. Page 8, by inserting after line 18 the
21 following:

22 "_____. EDUCATIONAL
23 EXCELLENCE INCENTIVE AWARDS

24 For educational excellence
25 incentive awards granted under
26 section 260A.4 \$150,000".

27 _____. Page 11, line 10, by striking the figure "123,504,528"
28 and inserting the figure "123,817,028".

29 _____. Page 11, by inserting after line 15 the following:

30 "It is the intent of the general assembly that three hundred
31 twelve thousand five hundred (312,500) dollars of the funds
32 appropriated in this paragraph be used for the purchase of
33 research and instructional equipment."

34 _____. Page 11, line 23, by striking the figure "24,758,928"
35 and inserting the figure "25,917,985".

36 _____. Page 14, line 18, by striking the figure "100,651,118"
37 and inserting the figure "100,963,618".

38 _____. Page 14, by inserting after line 18 the following:

39 "It is the intent of the general assembly that three hundred
40 twelve thousand five hundred (312,500) dollars of the funds
41 appropriated in this paragraph be used for the purchase of
42 research and instructional equipment."

43 _____. Page 15, line 1, by striking the figure "500,000"
44 and inserting the figure "700,000".

45 _____. Page 15, by inserting after line 16 the following:
 46 "Sec. 90. There is appropriated from the general fund of
 47 the state to the commission on the aging for the fiscal year
 48 beginning July 1, 1985 and ending June 30, 1986, the sum of
 49 one hundred thousand (100,000) dollars, or so much thereof as
 50 is necessary, to deliver legal services to the elderly. The

Page 2

1 commission shall use the funds to utilize law school clinical
 2 programs located in this state which provide legal services
 3 for the elderly."
 4 _____. Page 21, line 6, by inserting after the
 5 figure "10" the following: "and 90".
 6 _____. Page 21, by inserting after line 25 the
 7 following:
 8 "Sec. _____. Total appropriations specified in
 9 this Act for the fiscal year beginning July 1, 1985 and ending
 10 June 30, 1986 shall not be exceeded in the fiscal year
 11 beginning July 1, 1986 and ending June 30, 1987 unless
 12 revenue growth as estimated by the legislative fiscal
 13 bureau in its December 31, 1985 quarterly report exceeds
 14 four and one-half percent." "
 15 2. By numbering and renumbering sections,
 16 subsections, and paragraphs as necessary.

Amendment H—4145 was adopted.

On motion by Poncy of Wapello, the House concurred in the Senate amendment H—4115, as amended.

Poncy of Wapello moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H. F. 747)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann

Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 5:

Branstad	O'Kane	Peterson	Sturgeon
Welden			

Absent or not voting, 2:

Carter	Maulsby
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

(House File 747)

Norland of Worth asked and received unanimous consent to immediately message House File 747 to the Senate.

CONSIDERATION OF BILLS

The House resumed consideration of **Senate File 565**, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road and street projects which promote economic development in the state, by providing for an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross

receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable, temporarily deferred.

Fey of Scott offered the following amendment H—4131 filed by the committee on ways and means:

H—4131

1 Amend Senate File 565 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. By striking page 1, line 1 through page 3,
4 line 3, and inserting the following:

5 "Sec._____. Section 312.2, Code 1985, is amended by
6 adding the following new subsections:

7 NEW SUBSECTION. 16. The treasurer of state,
8 before making the allotments provided for in this
9 section, shall credit monthly from the road use tax
10 fund to the revitalize Iowa's sound economy fund,
11 created under section 315.2, the revenue accruing to
12 the road use tax fund in the amount equal to two
13 thirds of the revenues collected under each of the
14 following:

15 a. From the excise tax on motor fuel and special
16 fuel imposed under the tax rate of section 324.3:

17 (1) For the period July 1, 1985, through December
18 31, 1985, the amount of excise tax collected from two
19 cents per gallon.

20 (2) From and after January 1, 1986, the amount of
21 excise tax collected from three cents per gallon.

22 b. From the excise tax on special fuel for diesel
23 engines:

24 (1) For the period July 1, 1985, through December
25 31, 1985, the amount of excise tax collected from one
26 cent per gallon.

27 (2) For the period January 1, 1986, through June
28 30, 1986, the amount of excise tax collected from two
29 cents per gallon.

30 (3) For the period July 1, 1986, through December
31 31, 1986, the amount of excise tax collected from
32 three cents per gallon.

33 (4) From and after January 1, 1987, the amount of
34 excise tax collected from four cents per gallon.

35 NEW SUBSECTION. 17. The treasurer of state,
36 before making the allotments provided for in this
37 section, shall credit monthly from the road use tax
38 fund to the public transit assistance fund, created
39 under section 601J.6, an amount equal to one fortieth
40 of the revenue credited to the road use tax fund under
41 section 423.24.

42 Sec._____. NEW SECTION. 315.1 DEFINITIONS.

43 As used in this chapter, unless the context
44 otherwise requires:

45 1. "Department" means the state department of
46 transportation.

47 2. "Fund" or "RISE fund" means the revitalize
48 Iowa's sound economy fund.

49 Sec._____. NEW SECTION. 315.2 REVITALIZE IOWA'S
50 SOUND ECONOMY FUND.

Page 2

1 A revitalize Iowa's sound economy fund is created,
2 which includes:

3 1. All motor fuel and special fuel excise taxes
4 credited by law to the RISE fund:

5 2. All other funds by law credited to the RISE
6 fund.

7 Sec._____. NEW SECTION. 315.3 USE OF FUND.

8 1. The fund is appropriated for and shall be used
9 in the establishment, construction, improvement and
10 maintenance of roads and streets which promote
11 economic development in the state by having any of the
12 following effects:

13 a. Improving or maintaining highway access to
14 specific development sites, including existing and
15 future industrial locations.

16 b. Improving or maintaining highway access between
17 urban centers or between urban centers and the
18 interstate road system as defined in section 306.3.

19 c. Improving or maintaining highway access to
20 economically depressed areas of the state.

21 d. Improving or maintaining highway access to
22 points of shipment or processing of products.

23 e. Improving or maintaining highway access to
24 trucking terminals and places of embarkation or
25 shipment by other transportation modes.

26 f. Improving or maintaining highway access to
27 scenic, recreational, historic and cultural sites or
28 other locations identified as tourist attractions.

29 2. The fund is also appropriated and shall be used
30 for the reimbursement or payment to cities or counties
31 of all or part of the interest and principal on
32 general obligation bonds or revenue bonds issued by
33 cities or counties for the purpose of financing
34 approved road and street projects meeting the
35 requirements of subsection 1.

36 Sec._____. NEW SECTION. 315.4 ALLOCATION OF FUND.

37 Moneys credited to the RISE fund shall be allocated
38 as follows:

39 1. Fifty percent for the use of the department on
40 primary road projects.

41 2. Twenty-five percent for the use of counties on
42 secondary road projects.

- 43 3. Twenty-five percent for the use of cities on
 44 city street projects.
 45 Sec. _____. NEW SECTION. 315.5 ADMINISTRATION OF
 46 FUND.
 47 Qualifying road and street projects shall be
 48 selected by the department for full or partial
 49 financing from the fund after consultation with
 50 organizations representing interests of counties and

Page 3

1 cities. Counties and cities may make application for
 2 qualifying road and street projects with the depart-
 3 ment. In ranking applications for funds, the
 4 department shall, in addition to effects listed in
 5 section 315.3, subsection 1, consider the proportion
 6 of political subdivision matching funds to be
 7 provided, if any, the proportion of private
 8 contributions to be provided, if any, the total number
 9 of jobs to be created, the level of need, and the
 10 impact of the proposed project on the economy of the
 11 area affected. The proportion of funding shall be
 12 determined by the department or, in the case of
 13 cooperative projects, by agreement between the
 14 department and the city councils of participating
 15 cities, or boards of supervisors of participating
 16 counties, or other participating public agencies or
 17 private parties.

18 Sec. _____. NEW SECTION. 315.6 FUNDING OF
 19 PROJECTS.

20 Qualifying projects may be funded as follows:

- 21 1. Primary road projects may be financed entirely
 22 by the fund, or by combining money from the fund with
 23 money from the primary road fund, federal aid primary
 24 funds received by the state, or money from cities or
 25 counties raised through the sale of general obligation
 26 bonds or revenue bonds of the cities or counties,
 27 other city or county revenues, or money from
 28 participating private parties.
 - 29 2. Secondary road projects may be funded entirely
 30 by the fund or by combining money from the fund with
 31 money from the county's portion of road use tax funds,
 32 federal aid secondary funds, other county revenues; or
 33 money raised through the sale of general obligation
 34 bonds or revenue bonds of the county, or money from
 35 participating private parties.
 - 36 3. City street projects may be funded entirely by
 37 the fund, or by combining money from the fund with
 38 money from the city's portion of road use tax funds,
 39 federal aid urban system funds, other municipal
 40 revenues, or money raised through the sale of general
 41 obligation bonds or revenue bonds of the city, or
 42 money from participating private parties.
- 43 A county or city may, at its option, apply moneys

44 allocated for use on secondary road or city street
45 projects under section 315.4, subsection 2 or 3,
46 toward qualifying primary road projects.

47 Sec._____. NEW SECTION. 315.7 MONTHLY
48 CERTIFICATION OF FUNDS.

49 The account of the fund shall be kept by the state
50 comptroller and the treasurer of state and shall show

Page 4

1 the amount of the fund including all credits to the
2 fund and disbursements. The state comptroller shall
3 report monthly to the department an account of the
4 fund including all credits and disbursements. Upon
5 certification by the department in accordance with
6 rules adopted by the state comptroller, the state
7 comptroller shall issue warrants for disbursements
8 from the fund.

9 Sec._____. NEW SECTION. 315.8 ACCOUNTS AND
10 RECORDS REQUIRED.

11 The department shall keep accounts in relation to
12 the allocation of moneys to the fund including all
13 amounts credited to the fund and all amounts of duly
14 and finally approved vouchers for claims chargeable to
15 the fund. The department shall also keep accounts in
16 relation to agreements with counties and cities for
17 the reimbursement of interest and principal costs for
18 general obligation bonds and revenue bonds of counties
19 or cities issued for the purpose of financing road or
20 street projects under this chapter.

21 Sec._____. NEW SECTION. 315.9 PROJECT
22 DEVELOPMENT.

23 The department shall be responsible for the
24 development of qualifying projects under this chapter
25 in the same manner as prescribed for primary road
26 system improvements under chapter 313, including
27 surveys, plans, specifications, bids, contracts,
28 supervision and inspection. The department may
29 delegate responsibility for project development to
30 another participating governmental unit.

31 Sec._____. NEW SECTION. 315.10 RULES.

32 The department shall adopt rules pursuant to
33 chapter 17A as necessary for the administration of
34 this chapter."

35 2. Page 3, by inserting before line 4 the
36 following:

37 "Sec._____. Section 321.1, subsection 71, Code
38 1985, is amended to read as follows:

39 71. A "special truck" means a motor truck or truck
40 tractor not used for hire with a gross weight
41 registration of six through twenty thirty-two tons
42 used by a person engaged in farming to transport
43 commodities produced only by the owner, or to
44 transport commodities purchased by the owner for use

45 in the owner's own farming operation or occasional use
 46 for charitable purposes. "Special truck" also means a
 47 truck tractor which is modified by removal of a fifth
 48 wheel and carries the full load on the motor truck and
 49 which by reason of its conversion becomes a motor
 50 truck. However, a special truck does not include a

Page 5

1 truck tractor which is driven on the highways more
 2 than seventy-five hundred miles in a year.
 3 Sec. Section 321.121, Code 1985, is amended
 4 to read as follows:
 5 321.121 SPECIAL TRUCKS FOR FARM USE.
 6 The registration fee for a special truck shall be
 7 is eighty dollars for a gross weight of six tons, one
 8 hundred dollars for a gross weight of seven tons, one
 9 hundred twenty dollars for a gross weight of eight
 10 tons, and in addition, fifteen dollars for each ton
 11 over eight tons and not exceeding eighteen tons. The
 12 registration fee for a special truck with a gross
 13 weight registration exceeding eighteen tons but not
 14 exceeding nineteen tons shall be is three hundred
 15 twenty-five dollars and for a gross weight
 16 registration exceeding nineteen tons but not exceeding
 17 twenty tons the registration fee shall be is three
 18 hundred seventy-five dollars and, in addition, twenty-
 19 five dollars for each ton over twenty tons and not
 20 exceeding thirty-two tons. Any A person convicted of
 21 using a truck motor vehicle registered as a special
 22 truck for any purpose other than permitted by section
 23 321.1, subsection 71, shall, in addition to any other
 24 penalty imposed by law, be required to pay regular
 25 motor truck registration fees upon such truck for the
 26 motor vehicle. The owner of a truck tractor which is
 27 registered as a special truck shall maintain a log
 28 book of the vehicle's highway mileage and such other
 29 information as required by rules adopted by the
 30 department pursuant to chapter 17A.

31 Sec. Section 321.122, subsection 1,
 32 unnumbered paragraph 1, Code 1985, is amended to read
 33 as follows:

34 The Except for special trucks, the annual
 35 registration fee for truck tractors, road tractors,
 36 and motor trucks, except special trucks, shall be is
 37 based on the combined gross weight of the vehicle or
 38 combination of vehicles. All The motor trucks, truck
 39 tractors, or road tractors shall be registered for a
 40 gross weight equal to or in excess of the unladen
 41 weight of the vehicle or combination of vehicles. The
 42 annual registration fee for such the vehicles or
 43 combination of vehicles shall be is:"

- 44 3. Page 3, line 14, by striking the figure "1986"
45 and inserting the figures "~~1986~~ 1992".
- 46 4. By striking page 4, line 8 through page 5,
47 line 31.
- 48 5. Page 6, by striking lines 8 and 9 and
49 inserting the following: "and ending June 30, 1986,
50 is eighteen and one-half cents per gallon for the

Page 6

- 1 period beginning July 1, 1986 and ending December 31,
2 1986, and is nineteen and one-half cents per gallon
3 beginning January 1, 1987. On all other".
- 4 6. By striking page 7, line 7 through page 9,
5 line 4.
- 6 7. Page 9, by striking lines 5 through 15.
- 7 8. Page 10, by inserting after line 14 the
8 following:
9 "Sec.____. Section 331.461, subsection 1, Code
10 1985, is amended by adding the following new
11 paragraph:
12 NEW PARAGRAPH. g. A road project qualifying for
13 moneys allocated for the use of the county from the
14 RISE fund under chapter 315.
15 Sec.____. Section 384.24, subsection 2, Code 1985,
16 is amended by adding the following new paragraph:
17 NEW PARAGRAPH. i. A street project qualifying for
18 moneys allocated for the use of the city from the RISE
19 fund under chapter 315."
- 20 9. By striking page 10, line 15 through page 11,
21 line 4.
- 22 10. Title page, line 1, by inserting after the
23 word "to" the words "the use and".
- 24 11. Title page, line 4, by striking the words
25 "economic development emergency" and inserting the
26 word "RISE".
- 27 12. Title page, line 6, by inserting after the
28 word "state," the words "by authorizing counties and
29 cities to issue revenue bonds for approved road and
30 street projects with principal and interest on the
31 bonds payable from moneys allocated under the RISE
32 fund,".
- 33 13. Title page, line 6, by inserting after the
34 word "state," the words "by crediting moneys from the
35 road use tax fund to the public transit assistance
36 fund,".
- 37 14. Title page, line 15, by inserting after the
38 word "vessels," the following: "by allowing certain
39 truck tractors to be registered as special trucks, by
40 increasing the allowable gross weight registrations of
41 special trucks,".
- 42 15. Renumber sections as necessary.

Connors of Polk in the chair at 5:50 p.m.

Lageschulte of Bremer offered the following amendment H—4148, to the committee amendment H—4131, filed by him from the floor and moved its adoption:

H—4148

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, by striking lines 3 and 4 and
- 5 inserting the following:
- 6 "_____ Page 1, by inserting after line 9 the
- 7 following:".
- 8 2. Page 1, line 6, by striking the word
- 9 "subsections" and inserting the word "subsection".
- 10 3. Page 1, by striking lines 7 through 34.
- 11 4. Page 1, line 41, by striking the figure
- 12 "423.24." and inserting the figure "423.24." "
- 13 5. By striking page 1, line 42 through page 4,
- 14 line 34.
- 15 6. Page 6, by striking lines 7 through 19.
- 16 7. Page 6, by striking lines 20 and 21.
- 17 8. Page 6, by striking lines 24 through 32.

Roll call was requested by Lageschulte of Bremer and Koenigs of Mitchell.

Rule 75 was invoked.

On the question "Shall amendment H—4148, to the committee amendment H—4131, be adopted?"

The ayes were, 49:

Bennett	Black	Branstad	Clark
Cochran	Cooper	Corey	Daggett
De Groot	Fogarty	Grandia	Gruhn
Halvorson, R. A.	Handorf	Harbor	Hermann
Hester	Hughes	Hummel	Johnson
Koenigs	Kremer	Lageschulte	Lonergan
McIntee	McKean	Miller	Muhlbauer
Mullins	Oxley	Peick	Pellett
Peterson	Platt	Renaud	Renken
Rensink	Royer	Skow	Stromer
Stueland	Sturgeon	Swearingen	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods			

The nays were, 49:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Connolly
Diemer	Doderer	Fey	Groninga
Groth	Halvorson, R. N.	Hammond	Hanson
Hatch	Haverland	Holveck	Jay
Jochum	Knapp	Lloyd-Jones	Metcalf
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Poncy
Rosenberg	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Spear
Sullivan	Tabor	Teaford	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 2:

Maulsby Swartz

Amendment H—4148 lost.

Speaker Avenson in the chair at 7:06 p.m.

Norland of Worth asked and received unanimous consent that Senate File 565 be deferred and that the bill retain its place on the calendar.

(Committee amendment H—4131 pending.)

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 476)**

Knapp of Dubuque called up for consideration the Report of the Conference Committee on House File 476 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 476**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 476, a bill for an act relating to and making appropriations to various departments,

boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, respectfully make the following report:

1. That the House recede from its amendment S—4037 to the Senate amendment H—3933 to House File 476 as amended, passed and reprinted by the House.

2. That the Senate amendment H—3933 to House File 476 as amended, passed and reprinted by the House be amended as follows:

1. Page 1, by inserting after line 2 the following:

_____. Page 1, line 12, by striking the figure "1,469,313" and inserting the figure "1,460,076".

_____. Page 1, line 32, by striking the figure "3,421,746" and inserting the figure "3,318,858".

_____. Page 2, line 6, by striking the figure "638,701" and inserting the figure "632,924".

2. Page 1, by inserting after line 46 the following:

_____. Page 3, line 12, by striking the figure "6,461,683" and inserting the figure "6,222,644".

_____. Page 4, line 24, by striking the figure "52,169" and inserting the figure "51,484".

_____. Page 6, line 33, by striking the figure "376,620" and inserting the figure "373,500".

_____. Page 7, by inserting after line 6 the following:

"By January 2, 1986 the energy policy council shall file with the chief clerk of the house of representatives and the secretary of the senate a report of the expenditures made under the institutional conservation program and the state buildings energy management program during the fiscal year beginning July 1, 1983 and ending June 30, 1984 and the energy savings realized by virtue of those expenditures during that fiscal year."

_____. Page 7, line 16, by striking the figure "1,233,454" and inserting the figure "1,217,663".

_____. Page 8, line 3, by striking the figure "16,400" and inserting the figure "15,702".

_____. Page 8, line 14, by striking the figure "3,879,966" and inserting the figure "3,854,553".

_____. Page 8, line 31, by striking the figure "8,728,521" and inserting the figure "8,978,521".

3. Page 2, by striking line 3 and inserting the following: "session.

g. The financial incentive payments may be used in combination with state conservation commission funds."

4. Page 2, by inserting after line 3 the following:

"_____. Page 9, line 35, by striking the figure "2,682,324" and inserting the figure "2,652,978"."

5. Page 3, by striking lines 14 through 19 and inserting the following:

"Sec. _____. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent."

6. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

THOMAS J. JOCHUM, Chair
GENE BLANSHAN
MARVIN E. DIEMER
DON KNAPP
DONALD J. PAULIN

ON THE PART OF THE SENATE:

LARRY MURPHY
DALE TIEDEN
RICHARD VANDE HOEF
JOE WELSH

The motion prevailed and the report was adopted.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 476)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan

McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Branstad	Carpenter	Doderer	Maulsby
O'Kane	Parker	Swartz	

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

IMMEDIATE MESSAGE (House File 476)

Norland of Worth asked and received unanimous consent to immediately message House File 476 to the Senate.

The House resumed consideration of **Senate File 565**, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable, and the committee amendment H-4131, temporarily deferred (found on pages 2050 through 2055 of the House Journal).

Halvorson of Webster in the chair at 7:22 p.m.

Welden of Hardin offered the following amendment H—4153, to the committee amendment H—4131, filed by him from the floor and moved its adoption:

H—4153

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, line 6, by striking the word
- 5 "subsections" and inserting the word "subsection".
- 6 2. Page 1, by striking lines 35 through 41.
- 7 3. Page 6, by striking lines 33 through 36.

Roll call was requested by Welden of Hardin and Harbor of Mills.

On the question "Shall amendment H—4153, to the committee amendment H—4131, be adopted?"

The ayes were, 30:

Bennett	Branstad	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Harbor	Hummel
Koenigs	Kremer	Lageschulte	Miller
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Shoning	Skow
Stromer	Stueland	Swearingen	Torrence
Van Camp	Welden		

The nays were, 68:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Cannolly	Connors	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Hammond	Hanson
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rosenberg	Running	Schnekloth	Sherzan

Shoultz
Sullivan
Varn

Siegrist
Tabor
Woods

Spear
Teaford
Zimmerman

Sturgeon
Van Maanen
Mr. Speaker
(Halvorson
of Webster)

Absent or not voting, 2:

Maulsby

Swartz

Amendment H—4153 lost.

Paulin of Plymouth offered the following amendment H—4150, to the committee amendment H—4131, filed from the floor by Paulin, Jay, Sullivan, Cochran, McIntee, Platt and Swearingen and moved its adoption:

H—4150

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, lines 27 and 28, by striking the word
- 5 and figure "June 30" and inserting the word and figure
- 6 "December 31".
- 7 2. Page 1, by striking lines 30 and 31 and
- 8 inserting the following:
- 9 "(3) From and after January 1, 1987, the amount of
- 10 excise tax collected from".
- 11 3. Page 1, by striking lines 33 and 34.
- 12 4. By striking page 5, line 48 through page 6,
- 13 line 3.

Amendment H—4150 was adopted.

Osterberg of Linn offered amendment H—4146, to the committee amendment H—4131, filed by him from the floor and requested division as follows:

H—4146

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:

H—4146A

- 4 1. Page 1, by striking lines 24 through 34 and
- 5 inserting the following:

6 “(1) For the period July 1, 1985, through December
7 31, 1985, the amount of excise tax collected from one
8 cent per gallon.

9 (2) For the period January 1, 1986, through June
10 30, 1986, the amount of excise tax collected from two
11 cents per gallon.

12 (3) From and after July 1, 1986, the amount of
13 excise tax collected from three cents per gallon.”

14 2. By striking page 5, line 50 through page 6,
15 line 3, and inserting the following: “and is eighteen
16 and one-half cents per gallon beginning July 1, 1986.

17 On all other”.”

H-4146B

18 3. Page 6, by inserting after line 6 the
19 following:

20 “_____. By striking page 9, line 32 through page
21 10, line 4.

22 _____. Page 10, line 5, by striking the figure “11”
23 and inserting the figure “10”.

24 _____. Page 10, line 8, by striking the figure “12”
25 and inserting the figure “11”.”

26 4. Page 6, by inserting before line 37 the
27 following:

28 “_____. Title page, lines 6 and 7, by striking the
29 words “by providing an exemption from the use tax for
30 certain vehicles registered under chapter 326,”.”

31 5. Renumber as necessary.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H-4146A.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on amendment H-4156, to the committee amendment H-4131.

Jay of Appanoose offered the following amendment H-4139, to the committee amendment H-4131, filed from the floor by Jay, Harbor, Lageschulte and Sullivan and moved its adoption:

H-4139

1 Amend the Committee amendment, H-4131, to Senate
2 File 565 as amended, passed and reprinted by the
3 Senate as follows:

4 1. Page 2, line 39, by striking the word “Fifty”
5 and inserting the word “Forty-five”.

6 2. Page 2, line 41, by striking the word “Twenty-
7 five” and inserting the word “Thirty-seven”.

8 3. Page 2, line 43, by striking the word “Twenty-
9 five” and inserting the word “Eighteen”.

Roll call was requested by De Groot of Lyon and Fey of Scott.

On the question "Shall amendment H—4139, to the committee amendment H—4131, be adopted?"

The ayes were, 59:

Arnould	Avenson	Bennett	Black
Blanshan	Branstad	Carter	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hester	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Loneragan	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Osterberg	Paulin	Pellett
Peterson	Renken	Rensink	Royer
Schnekloth	Skow	Stromer	Stueland
Sullivan	Swearingen	Torrence	Van Camp
Van Maanen	Varn	Zimmerman	

The nays were, 38:

Baxter	Beatty	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Connors	Doderer	Groninga	Hammond
Hatch	Haverland	Holveck	Hughes
Lloyd-Jones	Metcalf	Ollie	Oxley
Parker	Pavich	Peick	Platt
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoning	Shoultz	Siegrist
Spear	Sturgeon	Tabor	Teaford
Woods	Mr. Speaker (Halvorson of Webster)		

Absent or not voting, 3:

Maulsby	Swartz	Welden
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Amendment H—4139 was adopted.

Speaker Avenson in the chair at 8:47 p.m.

The House stood at ease at 8:48 p.m., until the fall of the gavel.

The House resumed session at 8:52 p.m., Speaker Avenson in the chair.

Norland of Worth asked and received unanimous consent that Senate File 565 be deferred and that the bill retain its place on the calendar.

(Committee amendment H—4131, as amended, pending).

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 571)**

Loneragan of Boone called up for consideration the Report of the Conference Committee on House File 571 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 571**

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986, respectfully make the following report:

1. That the House recede from its amendment.
2. That the Senate recede from its amendment.
3. That House File 571 as amended, passed, and reprinted by the House be amended as follows:
 1. Page 1, line 13, by striking the figure "267,520" and inserting the figure "260,117".
 2. Page 2, line 5, by striking the figure "1,091,931" and inserting the figure "1,080,534".
 3. Page 2, line 18, by striking the figure "793,054" and inserting the figure "776,260".
 4. Page 2, line 32, by striking the figure "131,719" and inserting the figure "128,051".

5. Page 3, line 4, by striking the figure "100,847" and inserting the figure "98,685".
6. Page 3, line 13, by striking the figure "2,736,741" and inserting the figure "2,723,317".
7. Page 3, line 28, by striking the figure "962,678" and inserting the figure "940,503".
8. Page 3, line 35, by striking the figure "750,153" and inserting the figure "728,895".
9. Page 4, by striking lines 1 through 7.
10. Page 4, line 17, by striking the figure "264,110" and inserting the figure "255,951".
11. Page 4, line 24, by striking the figure "1,226,434" and inserting the figure "1,197,589".
12. Page 4, line 30, by striking the figure "640,109" and inserting the figure "604,108".
13. Page 5, line 9, by striking the figure "1,242,427" and inserting the figure "1,311,431".
14. Page 5, line 23, by striking the figure "252,000" and inserting the figure "324,000".
15. Page 5, by inserting after line 32 the following new paragraph:

"Of the funds allocated to the mobile and regional child health speciality clinics under subparagraph one of this paragraph, seventy-two thousand (72,000) dollars shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home."
16. Page 6, line 15, by striking the word "thirty-seven" and inserting the following: "thirty-eight".
17. Page 6, line 19, by striking the figure "1,834,852" and inserting the following: "1,841,897".
18. Page 8, line 32, by striking the word "ten" and inserting the following: "fifteen".
19. Page 11, line 8, by striking the word "ten" and inserting the following: "fifteen".
20. Page 13, line 14, by striking the word "four" and inserting the following: "five".

21. Page 13, line 17, by striking the figure "115,963" and inserting the following: "114,866".

22. Page 13, by inserting after line 19 the following:

"3. For a chemical exposure reporting program \$34,593

It is the intent of the general assembly that for the fiscal year beginning July 1, 1986, and every fiscal year thereafter, this additional funding for a chemical exposure reporting program shall not be appropriated."

23. Page 13, line 32, by striking the figure "396,863" and inserting the figure "385,129".

24. Page 14, by inserting after line 17 the following:

"Sec. _____. The amount of the funds appropriated under sections 1, 2, 3, and 4 of this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall be reduced by one percent, rounded to the nearest whole dollar, and the provisions of this section shall prevail over any other provisions of this Act. However, the funds appropriated in section 1, subsections 3, 4, and 8 and section 4 shall not be so reduced."

25. Page 14, by inserting after line 27 the following:

"Sec. _____. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent."

26. By renumbering as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

THOMAS J. JOCHUM, Chair
FLORENCE D. BUHR
JOYCE LONERGAN
BILL ROYER
DONALD F. HERMANN

MILO COLTON, Chair
JOE WELSH
ALVIN V. MILLER
DALE TIEDEN
DAVID M. READINGER

The motion prevailed and the report was adopted.

Lonergan of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 571)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

Branstad	Corey	Grandia	Van Maanen
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Absent or not voting, 2:

Maulsby	Swartz
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 571)

Norland of Worth asked and received unanimous consent to immediately message House File 571 to the Senate.

SENATE AMENDMENT CONSIDERED

House Refused To Concur

Varn of Johnson called up for consideration **House File 686**, a bill for an act relating to plans and programs for educational development in Iowa, amended by the Senate amendment H-4113 as follows:

H-4113

1 Amend House File 686 as passed by the House, as
2 follows:

3 1. Page 1, line 3, by striking the word
4 "SUPERINTENDENT" and inserting the word
5 "SUPERINTENDENT COMMISSIONER".

6 2. Page 1, line 4, by striking the figure "1979"
7 and inserting the figure "1979 1987".

8 3. Page 1, by striking lines 7 and 8 and
9 inserting the following: "superintendent of public
10 instruction commissioner of education. The state
11 board shall evaluate and may dismiss the
12 commissioner."

13 4. Page 1, by inserting after line 8 the
14 following:

15 "Sec._____. Section 257.12, Code 1985, is amended
16 by striking the section and inserting the following:

17 257.12 QUALIFICATIONS OF COMMISSIONER.

18 Commencing July 1, 1987, the commissioner shall be
19 an individual with a background in education and
20 administration experience. The deputy commissioner
21 shall also meet these criteria.

22 Sec._____. Section 257.25, subsection 10, ,
23 unnumbered paragraph 3, Code 1985, is amended to read
24 as follows:

25 The state board of public instruction education
26 shall adopt approval standards and rules to implement,
27 interpret and make effective the provisions of this
28 section. In adopting the same approval standards and
29 rules, the state board shall take into account
30 recognized educational standards. Standards and rules
31 shall be of general application without specific
32 regard to school population."

33 5. Page 1, by inserting after line 8 the
34 following:

35 "Sec._____. Section 257.25, subsection 2, Code
36 1985, is amended to read as follows:

37 2. If a school offers a kindergarten program, the
38 The kindergarten program shall include experiences
39 designed to develop healthy emotional and social
40 habits and growth in the language arts and
41 communication skills, as well as a capacity for the
42 completion of individual tasks, and protection and
43 development of physical being. A kindergarten teacher
44 shall hold a certificate certifying that the holder is
45 qualified to teach in kindergarten. An approved
46 nonpublic school must meet the requirements of this
47 subsection only if the nonpublic school offers a
48 kindergarten program."

49 6. Page 2, line 19, by striking the words "public
50 instruction" and inserting the word "education".

Page 2

1 7. Page 3, by inserting after line 23 the
2 following:

3 "Sec. _____. Section 275.1, unnumbered paragraph 1,
4 Code 1985, is amended to read as follows:

5 It is declared to be the policy of the state to
6 encourage economical and efficient school districts
7 which will ensure an equal educational opportunity to
8 all children of the state. All areas of the state
9 shall be in school districts maintaining kindergarten
10 and twelve grades. If any a school district ceases to
11 maintain kindergarten and twelve grades except as
12 otherwise provided in sections 280.15, 257.28, and
13 282.7, subsection 1, it shall reorganize within six
14 months or the state board shall attach the school
15 district not maintaining kindergarten and twelve
16 grades to one or more adjacent districts. Voluntary
17 reorganizations under this chapter shall be commenced
18 only if the affected school districts are contiguous
19 to one another. A reorganized district shall meet the
20 requirements of section 275.3."

21 8. Page 4, line 8, by striking the words "public
22 instruction" and inserting the word "education".

23 9. Page 4, lines 9 and 10, by striking the words
24 "superintendent of public instruction" and inserting
25 the following: "superintendent commissioner of public
26 instruction education".

27 10. Page 4, by inserting after line 16 the
28 following:

29 "Sec. _____. Section 280.15, Code 1985, is amended
30 to read as follows:

31 280.15 JOINT EMPLOYMENT AND SHARING.

32 Any two Two or more public school districts may
33 jointly employ and share the services of any school
34 personnel, or acquire and share the use of classrooms,
35 laboratories, equipment and facilities. Classes made
36 available to students in the manner provided in this
37 section shall be considered as complying with the
38 district that can provide an instructional program
39 appropriate for that student. The receiving district
40 must agree to accept the student."

41 11. Page 4, by inserting after line 16 the
42 following:

43 "Sec. _____. NEW SECTION. 280.16 APPROPRIATE
44 INSTRUCTIONAL PROGRAM REVIEW.

45 Pursuant to the procedures established in chapter
46 290, a student's parent or guardian may obtain a
47 review of an action or omission of the board of
48 directors of the district of residence of the student
49 on either of the following grounds:

50 1. That the student has been or is about to be

Page 3

1 denied entry or continuance in an instructional
2 program appropriate for that student.

3 2. That the student has been or is about to be
4 required to enter or continue in an instructional
5 program that is inappropriate for that student.

6 If the state board of public instruction finds that
7 a student has been denied an appropriate instructional
8 program, or required to enter an inappropriate
9 instructional program, the state board shall order the
10 resident district to provide or make provision for an
11 appropriate instructional program for that student."

12 12. Page 4, by inserting after line 31 the
13 following:

14 "Sec. _____. Section 282.7, subsection 1, Code 1985,
15 is amended to read as follows:

16 1. The board of directors of a school district by
17 record action may discontinue any or all of grades
18 seven through twelve and negotiate an agreement for
19 attendance of the pupils enrolled in those grades in
20 the schools of one or more contiguous school districts
21 having approved school systems. If the board
22 designates more than one contiguous district for
23 attendance of its pupils, the board shall draw
24 boundary lines within the school district for
25 determining the school districts of attendance of the
26 pupils. The portion of a district so designated shall
27 be contiguous to the approved school district
28 designated for attendance. Only entire grades may be
29 discontinued under this subsection and if a grade is
30 discontinued, all higher grades in that district shall
31 also be discontinued. A school district that has
32 discontinued one or more grades under this subsection
33 has complied with the requirements of section 275.1
34 relating to the maintenance of kindergarten and twelve
35 grades. A pupil who graduates from another school
36 district under this subsection shall receive a diploma
37 from the receiving district. Tuition shall be paid by
38 the resident district as provided in section 282.24,
39 subsection 2. The agreement shall provide for
40 tuition, transportation, and authority and liability
41 of the affected boards."

42 13. Page 4, line 33, by striking the words
43 "public instruction" and inserting the word
44 "education".

45 14. Page 5, lines 5 and 6, by striking the words
46 "public instruction" and inserting the word
47 "education".

48 15. Page 5, lines 13 and 14, by striking the
49 words "public instruction" and inserting the word
50 "education".

Page 4

- 1 16. Page 6, lines 1 and 2, by striking the words
 2 "public instruction" and inserting the word
 3 "education".
- 4 17. Page 7, lines 1 and 2, by striking the words
 5 "public instruction" and inserting the word
 6 "education".
- 7 18. Page 7, lines 28 and 29, by striking the
 8 words "public instruction" and inserting the word
 9 "education".
- 10 19. Page 8, by inserting after line 6 the
 11 following:
- 12 "Sec. _____. Sections 8.6, 17.3, 18.136, 19A.3,
 13 19A.9, 64.6, 92.21, 139.9, 257.10, 257.18, 257.19,
 14 257.23, 257.24, 257.25, 258.3, 258.13, 259A.4, 259A.5,
 15 260.15, 260.28, 261.1, 273.3, 273.11, 274.42, 274.43,
 16 274.44, 274.45, 275.3, 275.4, 276.4, 280.3, 280A.2,
 17 280A.33, 281.9, 281.12, 282.19, 282.24, 282.27,
 18 283A.3, 283A.4, 283A.5, 284.2, 285.1, 285.4, 285.5,
 19 285.12, 285.13, 286A.6, 286A.11, 286A.12, 290.5,
 20 291.9, 291.10, 291.11, 291.15, 294.5, 297.32, 299.24,
 21 302.13, 442.7, 442.12, 442.13, 442.23, 601F.3, 714.18,
 22 and 714.22, Code 1985, are amended by striking the
 23 words "superintendent of public instruction" and
 24 "state superintendent of public instruction" wherever
 25 they appear in those sections and inserting in lieu
 26 thereof the words "commissioner of education".
- 27 Sec. _____. Sections 257.10, 257.13, 257.14, 257.15,
 28 257.18, 257.19, 257.20, 257.21, 257.22, 257.24,
 29 257.25, 260.3, 260.15, 280.3, 280A.2, 281.1, 283A.4,
 30 285.6, 285.12, 290.5, 291.10, and 299.24, Code 1985,
 31 are amended by striking the words "superintendent" or
 32 "state superintendent" wherever they appear in those
 33 sections and inserting the word "commissioner".
- 34 Sec. _____. Sections 18B.3, 173.2, 237.1, 237.3,
 35 257.1, 257.10, 257.25, 257.30, 257.41, 258.2, 258.3,
 36 259.3, 259A.5, 260.1, 260A.6, 272A.2, 273.2, 273.3,
 37 273.4, 273.9, 273.11, 275.4, 275.8, 275.23, 275.54,
 38 276.6, 276.7, 280.3, 280.13, 280A.12, 280A.26,
 39 280A.33, 281.1, 281.2, 281.4, 281.6, 281.7, 281.9,
 40 281.11, 281.12, 282.27, 283.1, 285.6, 285.16, 286A.6,
 41 290.1, 290.2, 290.4, 290.6, 294.2, 296.3, 297.26,
 42 299.24, 442.7, and 442.27, Code 1985, are amended by
 43 striking the words "state board of public instruction"
 44 and "board of public instruction" wherever they appear
 45 in those sections and inserting the words "state board
 46 of education".
- 47 Sec. _____. Sections 18.29, 18B.3, 19A.3, 19A.9,
 48 68B.2, 93.7, 96.19, 111A.9, 125.10, 147.152, 154B.3,
 49 220A.4, 225C.4, 237A.1, 241.3, 257.6, 257.7, 257.8,
 50 257.10, 257.15, 257.19, 257.20, 257.21, 257.24,

Page 5

1 257.25, 257.29, 257.30, 257.42, 259A.1, 259A.2,
2 259A.4, 260A.2, 260A.3, 260A.4, 260A.5, 261.17,
3 261.61, 272A.3, 273.4, 273.5, 273.6, 273.8, 274.38,
4 274.45, 275.8, 275.16, 275.39, 275.52, 276.3, 279.10,
5 280.4, 280.13, 280A.27, 280A.33, 280B.7, 281.1, 281.2,
6 281.4, 281.8, 281.11, 282.3, 282.26, 283.1, 283A.2,
7 283A.10, 284.3, 285.1, 285.2, 285.8, 285.9, 285.11,
8 285.14, 285.15, 285.16, 286.5, 286A.6, 286A.10, 289.7,
9 297.7, 298.11, 301.29, 301.30, 442.4, 442.7, 442.12,
10 442.13, 442.19, 442.31, 442.37, 442.41, 442.42,
11 442.44, 442.51, 622.10, and 714.19, Code 1985, are
12 amended by striking the words "department of public
13 instruction" and "state department of public
14 instruction" wherever they appear in those sections
15 and inserting the words "department of education".
16 Sec._____. Sections 257.14, 257.18, 257.22, 257.23,
17 258.13, 285.12, and 290.5, Code 1985, are amended by
18 striking the word "superintendent's" wherever it
19 appears in those sections and inserting the word
20 "commissioner's".
21 Sec._____. Sections 275.16, 280.13, 280A.33, 285.8,
22 and 286A.10, Code 1985, are amended by striking the
23 words "state department" wherever they appear in those
24 sections and inserting the word "department"."
25 20. By renumbering, relettering, or redesignating
26 and correcting internal references as necessary.

Osterberg of Linn in the chair at 9:10 p.m.

Varn of Johnson moved that the House concur in the Senate amendment H—4113.

Roll call was requested by Varn of Johnson and McKean of Jones.

On the question "Shall the House concur in the Senate amendment H—4113?"

The ayes were, 35:

- | | | | |
|-----------|-----------|-------------|------------------|
| Arnould | Avenson | Blanshan | Brammer |
| Branstad | Carl | Carter | Chapman |
| Connolly | Connors | Cooper | Fey |
| Fogarty | Groninga | Groth | Halvorson, R. N. |
| Haverland | Hughes | Jay | Jochum |
| Johnson | Koenigs | Lloyd-Jones | Norland |
| Ollie | Parker | Pavich | Rosenberg |
| Running | Siegrist | Sturgeon | Tabor |
| Varn | Zimmerman | Mr. Speaker | |
| | | (Osterberg) | |

The nays were, 59:

Beatty	Bennett	Black	Buhr
Carpenter	Clark	Cochran	Corey
Daggett	De Groot	Diemer	Grandia
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hatch	Hermann
Hester	Holveck	Hummel	Knapp
Kremer	Lageschulte	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	O'Kane	Oxley	Paulin
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Royer	Schnekloth	Shoning	Shoultz
Skow	Spear	Stromer	Stueland
Sullivan	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Woods	

Absent or not voting, 6:

Baxter	Doderer	Maulsby	Sherzan
Swartz	Welden		

The motion lost and the House refused to concur in the Senate amendment H—4113.

SENATE AMENDMENT CONSIDERED

House Refused To Concur

Chapman of Linn called up for consideration **Senate File 329**, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4072 to the House amendment:

H—4072

- 1 Amend the House amendment S—3962 to Senate File
- 2 329 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 19.
- 5 2. Page 2, by inserting after line 7 the

6 following:

7 "_____. Page 16, line 15, by striking the words and
8 figures "subsection 3, Code 1985, is" and inserting
9 the following: "subsections 3 and 11, Code 1985,
10 are".

11 _____ Page 16, by inserting after line 35 the
12 following:

13 "11. The following enumerated services are subject
14 to the tax imposed on gross taxable services:
15 Alteration and garment repair; armored car; automobile
16 repair; battery, tire and allied; investment
17 counseling, excluding investment services of trust
18 departments; bank service charges; barber and beauty;
19 boat repair; car wash and wax; carpentry; roof,
20 shingle, and glass repair; dance schools and dance
21 studios; dry cleaning, pressing, dyeing, and
22 laundering; electrical and electronic repair and
23 installation; rental of tangible personal property;
24 excavating and grading; farm implement repair of all
25 kinds; flying service, ~~except agricultural aerial~~
26 ~~application services and aerial commercial and charter~~
27 ~~transportation services~~; furniture, rug, upholstery
28 repair and cleaning; fur storage and repair; golf and
29 country clubs and all commercial recreation; house and
30 building moving; household appliance, television, and
31 radio repair; jewelry and watch repair; machine
32 operator; machine repair of all kinds; motor repair;
33 motorcycle, scooter, and bicycle repair; oilers and
34 lubricators; office and business machine repair;
35 painting, papering, and interior decorating; parking
36 facilities; pipe fitting and plumbing; wood
37 preparation; licensed executive search agencies;
38 private employment agencies, excluding services for
39 placing a person in employment where the principal
40 place of employment of that person is to be located
41 outside of the state; sewing and stitching; shoe
42 repair and shoeshine; storage warehousing of raw
43 agricultural products; telephone answering service;
44 test laboratories, except tests on humans; termite,
45 bug, roach, and pest eradicators; tin and sheet metal
46 repair; turkish baths, massage, and reducing salons;
47 weighing; welding; well drilling; wrapping, packing,
48 and packaging of merchandise other than processed
49 meat, fish, fowl and vegetables; wrecking service;
50 wrecker and towing. For purposes of this subsection,

Page 2

1 gross taxable services from rental includes rents,
2 royalties, and copyright and license fees.

3 Sec._____. Section 422.45, Code 1985, is amended by
4 adding the following new subsection:

- 5 NEW SUBSECTION. 21. The gross receipts from
 6 services rendered, furnished or performed by
 7 specialized flying implements of husbandry used for
 8 agricultural aerial spraying and aerial commercial and
 9 charter transportation services." "
- 10 3. By renumbering, relettering, or redesignating
 11 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H—4072 to the House amendment.

IMMEDIATE MESSAGE (Senate File 329)

Norland of Worth asked and received unanimous consent to immediately message Senate File 329 to the Senate.

The House stood at ease at 9:35 p.m., until the fall of the gavel.

The House resumed session at 10:33 p.m., Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 315, a bill for an act relating to drug product selection.

Also: That the Senate has on April 30, 1985, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

Also: That the Senate has, on April 30, 1985, adopted the conference committee report and passed House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Also: That the Senate has, on April 30, 1985, adopted the conference committee report and passed House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

Also: That the Senate has on April 30, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 700, a bill for an act relating to the endangering of certain persons and providing penalties.

Also: That the Senate has on April 30, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 701, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

Also: That the Senate has on April 30, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 507, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city.

Also: That the Senate has, on April 30, 1985, adopted the conference committee report and passed Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Also: That the Senate has, on April 30, 1985, adopted the conference committee report and passed Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 563, a bill for an act to allow the seller of farmland to a beginning farmer to exclude the income or capital gain if certain conditions are met and providing an effective date.

K. MARIE THAYER, Secretary

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 562)**

Pavich of Pottawattamie called up for consideration the Report of the Conference Committee on Senate File 562 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE ON
SENATE FILE 562**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 562, a bill for an act relating to and making appropriations to various state commissions, departments, and agencies relating to business, trade, and transportation, respectfully make the following report:

1. That the Senate recede from its amendment, H-4112, to the House amendment S-3989, to Senate File 562, as amended, passed, and reprinted by the Senate.
2. That the House recede from its amendment, S-3989, to Senate File 562, as amended, passed, and reprinted by the Senate.
3. Amend Senate File 562 as amended, passed and reprinted by the Senate as follows:
 1. Page 1, line 12, by striking the figure "6,029,000" and inserting the following: "5,885,720".
 2. Page 1, line 16, by striking the figure "915,000" and inserting the following: "909,894".
 3. Page 1, line 20, by striking the figure "1,020,537" and inserting the following: "994,023".
 4. Page 2, line 19, by striking the figure "590,000" and inserting the following: "580,042".
 5. Page 3, line 13, by striking the figure "1,500,000" and inserting the figure "1,000,000".
 6. Page 4, by inserting after line 13 the following:

"1. The Governor's office for volunteers	\$20,000".
--	------------
 7. Page 4, line 17, by striking the figure "16,500,000" and inserting the following: "16,329,241".
 8. Page 4, line 21, by striking the figure "524,658" and inserting the following: "512,295".
 9. Page 5, line 8, by striking the figure "4,041,000" and inserting the figure "3,906,425".
 10. Page 5, by inserting after line 8 the following new subsection:

"2. For the advertising and marketing budget	\$100,000".
--	-------------

11. By striking page 7, line 16 through page 8, line 2.

12. Page 8, line 14, by striking the figure "5,100,000" and inserting the following: "4,947,392".

13. Page 11, lines 18 and 19, by striking the words and figure "eighteen million one hundred ninety-one thousand four hundred (18,191,400)" and inserting the following: "eighteen million sixty-four thousand (18,064,000)".

14. Page 11, line 23, by inserting after the word "highways." the following: "However, the unfunded liability of the peace officers retirement accident and disability system, as of July 1, 1985, shall not be considered a liability of the road use tax fund."

15. Page 11, by striking lines 24 through 33.

16. Page 15, by inserting after line 33 the following new section:

"Sec. _____. Section 321E.1, Code 1985, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT.

The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads which exceed the maximum dimensions and weights specified in sections 321.452 to 321.466, but not to exceed the limitations imposed in sections 321E.1 to 321E.15 except as provided in sections 321E.29 and 321E.30. Vehicles permitted to transport indivisible loads may exceed the width and length limitations specified in sections 321.454 and 321.457 for the purpose of picking up an indivisible load or returning from delivery of the indivisible load. Permits issued may be single-trip permits or annual permits. Permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by a peace officer or an authorized agent of a permit granting authority. When in the judgment of the issuing local authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will cause undue damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons for denial endorsed on the application. Permits issued by local authorities shall designate the days when and routes upon which loads and construction machinery may be moved within the county on other than primary roads."

17. Page 16, by striking lines 22 through 26 and inserting the following new section:

"Sec. _____. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent."

18. By renumbering, relettering; or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

THOMAS J. JOCHUM, Chair
GENE BLANSHAN
EMIL PAVICH

ON THE PART OF THE SENATE:

DONALD E. GETTINGS, Chair
BERL E. PRIEBE
JOE J. WELSH

The motion prevailed and the report was adopted.

Pavich of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 562)

The ayes were, 86:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 7:

Bennett	Branstad	Grandia	Handorf
Harbor	Renken	Van Maanen	

Absent or not voting, 7:

Carl	Connors	Hermann	Maulsby
McKean	Swartz	Welden	

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

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 552)**

Spear of Lee called up for consideration the Report of the Conference Committee on Senate File 552 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 552**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to the House amendment, S-3990.

2. That the House amendment, S-3990, to Senate File 552 as amended, passed and reprinted by the Senate, be amended as follows:

1. Page 1, line 4, by striking the number "53,337,662" and inserting the following: "53,387,662".

2. Page 1, line 22, by striking the number "3,133,582" and inserting the following: "3,153,582".

3. Page 1, by inserting after line 24 the following:

" _____. Page 9, line 19, by inserting after the word "programs" the following: "under the prosecuting attorney training program".

4. Page 1, by inserting after line 35 the following:

" _____. Page 11, by inserting after line 3 the following:

"Sec. _____. Section 602.1301, subsection 2, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

2. a. As early as possible, but not later than December 1, the supreme court shall submit to the legislative fiscal bureau the annual budget request and detailed supporting information for the judicial department. The submission shall be designed to assist the legislative fiscal bureau in its preparation for legislative consideration of the budget request. The information submitted shall contain and be arranged in a format substantially similar to part II of the governor's budget message as specified in section 8.22.

b. Before December 1, the supreme court shall submit to the state comptroller an estimate of the total expenditure requirements of the judicial department.” ”

5. By striking page 1, line 46 through page 2, line 41.

6. Page 2, by striking line 42 and inserting the following:

“ _____. Page 15, by striking lines 6 through 10 and inserting the following:

“Sec. _____. Total appropriations specified in this Act, except section 6 of this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceed four and one-half percent.” ”

7. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

THOMAS J. JOCHUM, Chair
CLAY SPEAR
GARY SHERZAN
ANDY McKEAN
KYLE HUMMEL

CHARLES P. MILLER, Chair
JOE WELSH
BOB CARR

The motion prevailed and the report was adopted.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” (S.F. 552)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O’Kane

Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Carl	Connors	Hermann	Maulsby
Swartz	Welden		

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on April 30, 1985, adopted the conference committee report and passed Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 579, a bill for an act relating to substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application.

K. MARIE THAYER, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott, for the remainder of the evening, on request of Renken of Grundy.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message Senate Files 552 and 562 to the Senate.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 434)

Baxter of Des Moines called up for consideration the Report of the Conference Committee on Senate File 434 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 434

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, respectfully submit the following report:

- 1. That the Senate recede from its amendment to the House amendment, S-4017.
2. That the House amendment, S-4017, to Senate File 434, as amended, passed, and reprinted by the Senate, be amended as follows:
1. Page 1, line 26, by striking the figure "6,480,229" and inserting the following: "6,780,229".
2. Page 1, line 28, by striking the figure "1,497,438" and inserting the following: "1,524,149".
3. Page 2, line 3, by striking the figure "4,957,680" and inserting the following: "4,967,680".
4. Page 2, by striking lines 32 and 33 and inserting the following: "purposes... \$39,000".
5. Page 2, by striking lines 38 and 39 and inserting the following: "purposes... \$10,000".
6. Page 2, by striking line 44 and inserting the following: "251,700".
7. Page 2, by striking lines 49 and 50 and inserting the following: "purposes... \$124,000".

8. Page 3, by striking line 12 and inserting the following: "623,617".

9. Page 3, by striking line 17 and inserting the following: "553,120".

10. Page 3, by striking line 23 and inserting the following: "355,368".

11. Page 3, by striking line 29 and inserting the following: "107,253".

12. Page 3, by striking line 38 and inserting the following: "1,989,039".

13. Page 3, by striking line 43 and inserting the following: "3,725,000".

14. Page 4, by striking lines 32 and 33 and inserting the following:
"purposes \$137,034".

15. Page 4, by striking line 38 and inserting the following: "547,800".

16. Page 4, by striking line 44 and inserting the following: "2,897,000".

17. Page 5, by striking lines 19 and 20 and inserting the following:
"purposes \$1,582,422".

18. Page 5, by striking lines 25 and 26 and inserting the following:
"purposes \$49,505".

19. Page 5, by striking lines 31 and 32 and inserting the following:
"purposes \$564,000".

20. Page 5, by striking line 37 and inserting the following: "1,133,882".

21. Page 5, by striking line 38 and inserting the following:

" . Page 10, by striking lines 25 through 29 and inserting the following:

"Sec. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent." "

22. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

THOMAS JOCHUM, Chair
ELAINE BAXTER
WARD HANDORF
DANIEL FOGARTY
JANET METCALF

WILLIAM DIELEMAN, Chair
JOE WELSH
JAMES WELLS
DALE TIEDEN
JOY CORNING

The motion prevailed and the report was adopted.

Baxter of Des Moines moved that the bill be read a last time now

and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 434)

The ayes were, 86:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mulfins	Norland
O'Kane	Ollie	Osterberg	Oxley
Paulin	Pavich	Peick	Pellet
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Skow	Spear	Stromer	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 7:

Branstad	De Groot	Grandia	Renken
Siegrist	Stueland	Van Maanen	

Absent or not voting, 7:

Brammer	Carl	Hermann	Maulsby
Parker	Swartz	Welden	

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

IMMEDIATE MESSAGE (Senate File 434)

Norland of Worth asked and received unanimous consent to immediately message Senate File 434 to the Senate.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 30th day of April, 1985: House Files 476 and 771.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 30, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 124, an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

House File 173, an act to protect public employees from personnel actions as reprisals for providing information to legislators or public officials or disclosing waste, mismanagement, or violations of law.

House File 418, an act requiring the State Department of Transportation to accept payment by check of proportional registration fees.

House File 469, an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality.

House File 558, an act relating to the liabilities of mental health advocates.

House File 584, an act relating to information contained on interstate probation and parole compact transfer requests.

House File 664, an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority.

Senate File 409, an act relating to legislative agencies under the direction and control of the legislative council by creating a computer support bureau, by providing budgeting procedures for statutory legislative agencies, making standing appropriations and making the act effective upon publication.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday evening, April 26, 1985. Had I been present, I would have voted "aye" on House Files 451, 549, 631, 688, 210, 255, 460, 626, 677, 750, 702, 729, 128, 498, 505, 266, 540, 552, 413, 762, 767, 763, 495, 696, 740,

196; Senate Files 296, 406, 465, 502, 524, 561; and "nay" on House Files 183, 649 and 769.

SWEARINGEN of Keokuk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty sixth, seventh and eighth grade students from Amos Hiatt Junior High School, Des Moines, accompanied by Jane Hildenbrand. By Connors of Polk.

Eighty-five high school students from Johnston High School, Johnston, accompanied by David Pitz and Pat Kinsey. By Haverland of Polk.

Thirty fifth grade students from Clegg Park Elementary School, West Des Moines, accompanied by Mary True. By Carpenter of Polk.

Thirty fifth grade students from Lakeview Elementary School, Centerville, accompanied by Mrs. McMorrow. By Jay of Appanoose.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to and appropriating petroleum overcharge funds.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 29, 1985.

Committee Bill, appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than

anticipated or if categorical grants are consolidated into new or existing block grants.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 29, 1985.

COMMITTEE ON WAYS AND MEANS

House File 708, a bill for an act providing a soil conservation tax credit for certain uses of agricultural land, and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** April 29, 1985.

Pursuant to Rule 31.7, House File 708 was referred to the committee on appropriations.

Senate File 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-4140**, April 30, 1985.

Senate File 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Fiscal Note is not required.

Committee Action **Failed to Pass** April 30, 1985.

Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

Fiscal Note is required.

Recommended **Do Pass** April 30, 1985.

Senate File 581, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-4149**, April 30, 1985.

Committee Bill, relating to the licensing and regulation of mobile homes and mobile home parks.

Fiscal Note is not required.

Recommended Amend and Do Pass April 29, 1985.

AMENDMENTS FILED

H-4118	S.F.	364	Groth of Buena Vista Varn of Johnson
H-4119	S.F.	364	Miller of Cherokee
H-4120	S.F.	364	Halvorson of Clayton
H-4121	S.F.	364	Harbor of Mills
H-4122	S.F.	364	Daggett of Taylor
H-4123	S.F.	364	Bennett of Ida
H-4124	H.C.R.	41	Welden of Hardin Jochum of Dubuque
H-4125	S.F.	364	Hermann of Scott
H-4126	S.F.	364	Hermann of Scott
H-4127	S.F.	364	Hermann of Scott
H-4128	S.F.	364	Hermann of Scott
H-4129	S.F.	364	Maulsby of Calhoun
H-4130	S.F.	364	Schneklath of Scott
H-4132	S.F.	473	Welden of Hardin
H-4134	S.F.	473	Lloyd-Jones of Johnson Halvorson of Webster Peick of Linn Shoultz of Black Hawk Teaford of Black Hawk
			Jochum of Dubuque Mullins of Kossuth Varn of Johnson
H-4135	S.F.	565	Fogarty of Palo Alto
H-4136	H.F.	772	Koenigs of Mitchell
H-4137	S.F.	565	Fey of Scott
H-4138	H.C.R.	41	Welden of Hardin Jochum of Dubuque
H-4140	S.F.	24	Committee on Ways and Means
H-4141	S.F.	565	Fogarty of Palo Alto Pellett of Cass
H-4143	S.F.	565	Bennett of Ida
H-4144	S.F.	565	Harbor of Mills Woods of Polk
H-4147	S.F.	565	Sullivan of Van Buren Jay of Appanoose
H-4149	S.F.	581	Committee on Ways and Means

H-4151	S.F.	565	Woods of Polk
			Renaud of Polk
			Pavich of Pottawattamie
			Platt of Muscatine
			Diemer of Black Hawk
			Van Camp of Scott
H-4152	S.F.	565	Daggett of Taylor
H-4154	S.F.	24	Skow of Guthrie
			Koenigs of Mitchell
			Black of Jasper
			Fogarty of Palo Alto
			Peterson of Carroll
			Hughes of Union
			Carter of Henry
H-4155	S.F.	309	Muhlbauer of Crawford
			Clark of Cerro Gordo
H-4156	S.F.	565	Stromer of Hancock
H-4157	H.C.R.	41	Jochum of Dubuque
H-4158	S.F.	383	Hatch of Polk
H-4159	S.F.	565	Stromer of Hancock
H-4160	S.F.	565	Van Camp of Scott
H-4161	S.F.	565	Arnould of Scott
H-4162	S.F.	565	Groth of Buena Vista
			Koenigs of Mitchell
			Lageschulte of Bremer
			Carter of Henry
H-4163	S.F.	565	Blanshan of Greene
H-4164	S.F.	565	Van Camp of Scott
			Woods of Polk
			Platt of Muscatine
H-4165	S.F.	574	Schnekloth of Scott
			Chapman of Linn
			Running of Linn
H-4166	S.F.	24	Skow of Guthrie
H-4167	S.F.	349	O'Kane of Woodbury
			Sturgeon of Woodbury
H-4168	S.F.	364	Groth of Buena Vista
			Varn of Johnson
H-4169	H.F.	315	Senate Amendment
H-4170	S.F.	565	Osterberg of Linn
H-4171	H.F.	701	Senate Amendment
H-4172	H.F.	772	Spear of Lee
H-4173	S.F.	565	Blanshan of Greene

H-4174	H.F.	315	Zimmerman of Dallas Arnould of Scott
H-4175	H.F.	570	Senate Amendment
H-4176	H.F.	686	Varn of Johnson
H-4177	H.F.	700	Senate Amendment

On motion by Norland of Worth, the House adjourned at 10:59 p.m., until 9:30 a.m., Wednesday, May 1, 1985.

JOURNAL OF THE HOUSE

One Hundred Eighth Calendar Day—Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 1, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend David Runyon, pastor of the Friends Worship Center, Hesper.

The Journal of Tuesday, April 30, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Woods of Polk, until his arrival, on request of Renaud of Polk; Carl of Poweshiek, until her arrival, on request of Jay of Appanoose.

SENATE MESSAGES CONSIDERED

Senate File 507, by Hannon, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 563, by committee on ways and means, a bill for an act to allow the seller of farmland to a beginning farmer to exclude the income or capital gain if certain conditions are met and providing an effective date.

Read first time and referred to committee on **ways and means**.

Senate File 570, by committee on appropriations, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

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

Senate File 577, by Junkins and Hultman, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for incentives for lending institutions to participate in the operating assistance program, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, by modifying the investment powers of the state chartered savings and loan associations and savings banks, providing for out-of-state bank holding companies to acquire interests in Iowa banks if those bank holding companies had entered into contracts on or before July 1, 1984, to directly or indirectly acquire voting shares, an interest in all or substantially all of the assets of, or control of bank holding companies or banks located in this state, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee.

Read first time and referred to committee on **economic development**.

Senate File 579, by committee on appropriations, a bill for an act relating to substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 29, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty.

Also: That the Senate has on April 29, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

Also: That the Senate has on April 29, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 484, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general.

Also: That the Senate has on April 29, 1985, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property.

Also: That the Senate has on April 29, 1985, receded from its amendment and passed the following bill:

House File 554, a bill for an act relating to security interests in farm products and providing penalties.

Also: That the Senate has on April 29, 1985, receded from its amendment and passed the following bill:

House File 589, a bill for an act relating to fees collected by county officers.

Also: That the Senate has on April 29, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 110, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa.

Also: That the Senate has on April 29, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 374, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty.

Also: That the Senate has on April 29, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Also: That the Senate has on April 29, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 424, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

Also: That the Senate has on April 29, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 561, a bill for an act relating to taxation by updating references to the internal revenue code.

K. MARIE THAYER, Secretary

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order for immediate consideration House File 773.

CONSIDERATION OF BILLS Appropriations Calendar

House File 773, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation, was taken up for consideration.

Ollie of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 773)

The ayes were, 76:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Daggett	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Johnson	Knapp	Koenigs

Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Varn	Zimmerman	Mr. Speaker

The nays were, 18:

Bennett	Branstad	Corey	De Groot
Grandia	Handorf	Kremer	Maulsby
Miller	Pellett	Renken	Royer
Schneklath	Shoning	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 6:

Carl	Connors	Hatch	Hermann
Jochum	Woods		

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

Hughes of Union in the chair at 10:12 a.m.

MOTION TO RECONSIDER LOST (House File 773)

Stromer of Hancock called up for consideration the motion to reconsider House File 773, filed by him from the floor on May 1, 1985, and moved to reconsider the vote by which House File 773, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation, passed the House and was placed on its last reading on May 1, 1985.

A non-record roll call was requested.

The ayes were 35, nays 51.

The motion lost.

Ways and Means Calendar

House File 760, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exemption retroactive, was taken up for consideration.

SENATE FILE 564 SUBSTITUTED FOR HOUSE FILE 760

Fey of Scott asked and received unanimous consent to substitute Senate File 564 for House File 760.

Senate File 564, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive, was taken up for consideration.

Fey of Scott offered the following amendment H-3998 filed by Fey, et al.:

H-3998

- 1 Amend Senate File 564 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 8, by inserting after the word
- 4 "retarded" the following: "and residential care
- 5 facilities for the mentally ill".
- 6 2. Page 1, line 12, by striking the figure "237A"
- 7 and inserting the following: "237".
- 8 3. Page 1, by striking lines 22 through 31 and
- 9 inserting the following:
- 10 "Sec. 2. Sales, services and use taxes which were
- 11 payable on transactions occurring between July 1, 1980
- 12 and July 1, 1985 involving the retail sale or rental
- 13 of tangible personal property or from services
- 14 performed, rendered, or furnished to the nonprofit
- 15 corporations described in section 1 of this Act and
- 16 which have not been paid by those nonprofit
- 17 corporations are no longer due and payable after July
- 18 1, 1985, and the department of revenue shall not
- 19 collect these taxes, notwithstanding any other
- 20 provision of law.

21 Sec. 3. This Act is effective July 1, 1985."
 22 4. Title page, by striking lines 3 through 5 and
 23 inserting the following: "care services from the
 24 sales, services and use tax, prohibiting the
 25 collection for certain sales, services and use tax not
 26 paid by those corporations."

Lageschulte of Bremer offered the following amendment H-4055, to amendment H-3998, filed by him and moved its adoption:

H-4055

1 Amend the Fey et al amendment H-3998 to Senate File
 2 564 as amended, passed and reprinted by the Senate as
 3 follows:

4 1. Page 1, by inserting after line 20 the
 5 following:
 6 "Sec. _____. Claims for refunds as a result of this
 7 Act for sales, services, and use taxes paid on
 8 transactions occurring between January 1, 1984 and
 9 July 1, 1985 involving the retail sale or rental of
 10 tangible personal property or from services performed,
 11 rendered, or furnished to the nonprofit corporations
 12 described in section 1 of this Act shall be filed
 13 between July 1, 1985 and July 1, 1986, notwithstanding
 14 any other provision of law."

15 2. Page 1, line 21, by striking the words and
 16 figures "effective July 1, 1985" and inserting the
 17 following: "retroactive to January 1, 1984".

18 3. Page 1, by striking lines 22 through 26 and
 19 inserting the following:

20 "_____. Title page, line 5, by inserting after the
 21 word "tions," the following: "prohibiting the
 22 collection for certain sales, services, and use tax
 23 not paid by those corporations,""

Roll call was requested by Lageschulte of Bremer and Pellett of Cass.

On the question "Shall amendment H-4055, to amendment H-3998, be adopted?"

The ayes were, 42:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hester	Hummel

Johnson	Kremer	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Mullins	Paulin	Pellett	Peterson
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Skow
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 52:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Haverland
Holveck	Jay	Knapp	Koenigs
Lloyd-Jones	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Zimmerman	Mr. Speaker (Hughes)

Absent or not voting, 6:

Hatch	Jochum	Oxley	Shoultz
Stromer	Woods		

Amendment H—4055 lost.

On motion by Fey of Scott, amendment H—3998 was adopted.

Fey of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 564)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga

Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Haverland
Hermann	Hester	Holveck	Hummel
Jay	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Poncy	Renaud
Renken	Rensink	Rosenberg	Running
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Zimmerman
Mr. Speaker (Hughes)			

The nays were, 2:

Harbor	Royer
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Absent or not voting, 5:

Hatch	Jochum	Platt	Shoultz
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 760 WITHDRAWN

Fey of Scott asked and received unanimous consent to withdraw House File 760 from further consideration by the House, placing out of order amendment H-3926 filed by Fey, et al., on April 19, 1985 and amendment H-3940, to amendment H-3926, filed by Lageschulte of Bremer on April 22, 1985.

RULE 57 SUSPENDED

Jay of Appanoose asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a committee on judiciary and law enforcement meeting upon recess.

IMMEDIATE MESSAGE
(Senate File 564)

Norland of Worth asked and received unanimous consent to immediately message Senate File 564 to the Senate.

The House resumed consideration of **Senate File 565**, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable, and the committee amendment H—4131, (found on pages 2050 through 2055 of the House Journal) deferred April 30, 1985.

Norland of Worth asked and received unanimous consent to temporarily defer action on amendment H—4151, to the committee amendment H—4131.

Harbor of Mills offered the following amendment H—4144, to the committee amendment H—4131, filed by him and Woods of Polk and moved its adoption:

H—4144

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 4, by inserting after line 36 the
- 5 following:
- 6 "Sec._____. Section 321.1, subsection 39, Code
- 7 1985, is amended to read as follows:
- 8 39. "Transporter" means every person engaged in
- 9 the business of delivering vehicles of a type required
- 10 to be registered hereunder ~~from a manufacturing,~~
- 11 ~~assembling, or distributing plant to dealers or sales~~
- 12 ~~agents of a manufacturer and who has authority for~~
- 13 delivery as determined by the department."

Amendment H—4144 was adopted.

Blanshan of Greene offered amendment H-4173, to the committee amendment H-4131, filed by him and requested division as follows:

H-4173

- 1 Amend the Committee amendment, H-4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:

H-4173A

- 4 1. Page 4, by inserting after line 36 the
- 5 following:
- 6 "Sec. 71. Section 321.1, subsection 43,
- 7 unnumbered paragraph 2, Code 1985, is amended to read
- 8 as follows:
- 9 Subject to the provisions of section 321.179, a
- 10 farmer or the farmer's hired help shall not be deemed
- 11 a chauffeur, when operating a truck, which is not a
- 12 truck tractor, which is owned by the farmer, and used
- 13 exclusively in connection with the transportation of
- 14 the farmer's own products or property."

H-4173B

- 15 2. Page 4, line 37, by striking the word "Sec.
- 16 ." and inserting the following: "Sec. 72."
- 17 3. Page 5, line 3, by striking the word "Sec.
- 18 ." and inserting the following: "Sec. 73."
- 19 4. Page 5, line 31, by striking the word "Sec.
- 20 ." and inserting the following: "Sec. 74."
- 21 5. Page 6, by inserting before line 20, the
- 22 following:
- 23 "_____. Page 10, by inserting after line 14, the
- 24 following:
- 25 "Sec._____. Sections 71, 72, 73 and 74 of this Act
- 26 take effect from and after July 1, 1987." "
- 27 6. Page 6, line 42, by inserting after the word
- 28 "sections" the words "and correct internal references
- 29 to sections".

On motion by Blanshan of Greene, amendment H-4173A was adopted.

Blanshan of Greene moved the adoption of amendment H-4173B, to the committee amendment H-4131.

A non-record roll call was requested.

The ayes were 30, nays 35.

Amendment H—4173B lost.

Speaker Avenson in the chair at 11:28 a.m.

Sullivan of Van Buren offered the following amendment H—4147, to the committee amendment H—4131, filed by him and Jay of Appanoose and moved its adoption:

H—4147

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 4, line 41, by striking the words "twenty
- 5 thirty-two" and inserting the word "twenty".
- 6 2. Page 5, by striking lines 18 through 20 and
- 7 inserting the following: "hundred seventy-five
- 8 dollars. Any A person convicted of".
- 9 3. Page 6, lines 39 through 41, by striking the
- 10 words "by increasing the allowable gross weight
- 11 registrations of special trucks,".

Roll call was requested by Schnekloth of Scott and Stueland of Clinton.

On the question "Shall amendment H—4147, to the committee amendment H—4131, be adopted?"

The ayes were, 52:

Baxter	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Connors
Cooper	De Groot	Diemer	Doderer
Groninga	Gruhn	Halvorson, R. N.	Hammond
Harbor	Haverland	Holveck	Hughes
Jay	Johnson	Kremer	Lloyd-Jones
Lonergan	McKean	Muhlbauer	O'Kane
Ollie	Osterberg	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Sullivan	Swartz	Teaford	Van Camp
Varn	Welden	Woods	Zimmerman

The nays were, 44:

Arnould	Bennett	Black	Blanshan
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Branstad	Clark	Cochran	Connolly
Córey	Daggett	Fey	Fogarty
Grandia	Groth	Halvorson, R. A.	Handorf
Hanson	Hatch	Hermann	Hester
Hummel	Koenigs	Lageschulte	Maulsby
McIntee	Metcalf	Miller	Mullins
Norland	Oxley	Paulin	Pellett
Platt	Renken	Rensink	Schnekloth
Stromer	Stueland	Sturgeon	Swearingen
Tabor	Torrence	Van Maanen	Mr. Speaker

Absent or not voting, 4:

Beatty	Jochum	Knapp	Royer
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Amendment H—4147 was adopted.

Van Camp of Scott offered the following amendment H—4160, to the committee amendment H—4131, filed by him:

H—4160

1 Amend the Committee amendment, H—4131, to Senate
 2 File 565 as amended, passed and reprinted by the
 3 Senate as follows:
 4 1. Page 5, by inserting before line 3, the
 5 following:
 6 "Sec. _____. Section 321.46, subsection 3,
 7 unnumbered paragraph 1, Code 1985, is amended to read
 8 as follows:
 9 The applicant shall be entitled to a credit for
 10 that portion of the registration fee of the vehicle
 11 sold, traded, or junked ~~within the state~~ which had not
 12 expired prior to the transfer of ownership of the
 13 vehicle. The registration fee for the new
 14 registration for the vehicle acquired shall be reduced
 15 by the amount of the credit. The credit shall be
 16 computed on the basis of the number of months
 17 remaining in the registration year, rounded to the
 18 nearest whole dollar. The credit shall be subject to
 19 the following limitations:"
 20 2. Page 6, by inserting after line 41, the
 21 following:
 22 "_____. Title page, line 15, by inserting after the
 23 word "vessels," the following: "by including vehicles
 24 which are sold, traded, or junked outside the state
 25 among those eligible for a credit toward unexpired
 26 registration fees,".

Fey of Scott rose on a point of order that amendment H-4160 was not germane.

The Speaker ruled the point well taken and amendment H-4160 not germane.

Doderer of Johnson in the chair at 11:42 a.m.

Van Camp of Scott asked for unanimous consent to consider amendment H-4160.

Objection was raised.

Van Camp of Scott moved that the rules be suspended to consider amendment H-4160.

A non-record roll call was requested.

The ayes were 35, nays 46.

The motion lost.

Harbor of Mills asked and received unanimous consent to temporarily defer action on amendment H-4184, to the committee amendment H-4131.

Daggett of Taylor offered the following amendment H-4152, to the committee amendment H-4131, filed by him and moved its adoption:

H-4152

- 1 Amend Committee amendment H-4131 to Senate File 565
- 2 as follows:
- 3 1. Page 5, by striking lines 46 through 47.
- 4 2. Page 6, by striking lines 4 and 5.

A non-record roll call was requested.

The ayes were 33, nays 50.

Amendment H-4152 lost.

Chapman of Linn in the chair at 12:00 noon.

Norland of Worth asked and received unanimous consent that Senate File 565 be deferred and that the bill retain its place on the calendar.

(Committee amendment H—4131, as amended, pending.)

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for committee meetings upon recess.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 568, a bill for an act relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and imposing rates for its use, benefit, and connection.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 568, by committee on ways and means, a bill for an act relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and imposing rates for its use, benefit, and connection.

Read first time and referred to committee on **ways and means**.

On motion by Norland of Worth, the House was recessed at 12:04 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened; Speaker Avenson in the chair.

SPECIAL PRESENTATION

Lloyd-Jones of Johnson escorted to the front of the well nine international visitors to our state capitol, who will be in Iowa City this summer participating in the Council of International Programs.

The following visitors are here to share cultural values and technical skills, working as psychiatrists and social workers in the CIP program: Dr. Peter Halmos, Hungary; Ms. Rosa Dell'Aversana, Italy; Ms. Prisca St. Paul, Saint Lucia; Mr. Mohammed Yousef, West Bank; Ms. Thitiya Phaobtong, Thailand; Ms. Annemarie Aebi, Switzerland; Ms. Fanny Chirisa, Zimbabwe; and, Ms. Olaug Krogsaeter, Norway.

The House rose and expressed its welcome.

IMMEDIATE MESSAGE
(House File 686)

Norland of Worth asked and received unanimous consent to immediately message House File 686 to the Senate, placing out of order amendment H-4176 filed by Varn of Johnson on April 30, 1985.

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE**
(House File 643)

Osterberg of Linn called up for consideration the report of the conference committee on House File 643 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE ON
HOUSE FILE 643**

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to consider the differences between the House of Representatives and the Senate on House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, respectfully submit the following recommendations:

1. That the Senate recede from its amendment.
2. That House File 643, as amended, passed, and reprinted by the House, be amended as follows:
 1. Page 5, by striking lines 4 through 29 and inserting the following:

"f. Specifying an adequate monitoring system to detect the presence of a leaking underground storage tank and to provide for protection of the groundwater resources for regulated tanks installed prior to May 1, 1986. The commission shall adopt these rules not later than April 1, 1986, however, the effective date of the rules adopted shall be May 1, 1988. In the event that federal regulations are adopted by the United States environmental protection agency after the commission has adopted state standards pursuant to this subsection, the commission shall immediately proceed to adopt rules consistent with those federal regulations adopted."

2. Page 8, by striking lines 11 through 27 and inserting the following:

"d. Rules adopted by the commission shall specify adequate monitoring systems to detect the presence of a leaking underground storage tank and to provide for protection of the groundwater resources from regulated tanks installed after May 1, 1986. The commission shall adopt these rules not later than January 1, 1986, however, the effective date of the rules adopted shall be May 1, 1986. In the event that federal regulations are adopted by the United States environmental protection agency after the commission has adopted state standards pursuant to this subsection, the commission shall immediately proceed to adopt rules consistent with those federal regulations adopted."

3. Page 9, by striking lines 18 through 20 and inserting the following: "underground storage tanks except as provided in subsection 1, paragraph "f" and subsection 3, paragraph "d". It is the intent of the general assembly that state rules adopted pursuant to subsection 1, paragraph "f" and subsection 3, paragraph "d" be consistent with and not more restrictive than federal regulations adopted by the United States environmental protection agency when those rules are adopted."

ON THE PART OF THE HOUSE:

DAVID OSTERBERG, Chair
DENNIS H. BLACK
DANIEL J. JAY
SUE B. MULLINS
DONALD J. PAULIN

ON THE PART OF THE SENATE:

BILL HUTCHINS, Chair
MICHAEL E. GRONSTAL
CHARLES E. BRUNER
EDGAR H. HOLDEN
JOHN W. JENSEN

The motion prevailed and the report was adopted.

Osterberg of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 643)

The ayes were, 89:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carl	Chapman
Clark	Cochran	Connolly	Connors

Cooper	Daggett	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonerган
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 7:

Bennett	Blanshan	Branstad	Corey
Maulsby	Renken	Welden	

Absent or not voting, 4:

Carpenter	Carter	Doderer	Shultz
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 643)

Norland of Worth asked and received unanimous consent to immediately message House File 643 to the Senate.

ADOPTION OF SENATE CONCURRENT RESOLUTION 25

Fogarty of Palo Alto called up for consideration Senate Concurrent Resolution 25, declaring the opposition of the General Assembly to certain proposed federal program reductions, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Ways and Means Calendar

The House resumed consideration of **Senate File 565**, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable, and the committee amendment H-4131, as amended (found on pages 2050 through 2055 of the House Journal), previously deferred.

Skow of Guthrie called up for consideration the motion to reconsider amendment H-4147 filed by him from the floor and moved to reconsider the vote by which amendment H-4147, to the committee amendment H-4131, was adopted by the House on May 1, 1985.

A non-record roll call was requested.

The ayes were 31, nays 45.

The motion to reconsider lost.

Groninga of Cerro Gordo in the chair at 2:35 p.m.

Schnekloth of Scott called up for consideration the motion to reconsider amendment H-4148 filed by him from the floor and moved to reconsider the vote by which amendment H-4148 (found on page 2056 of the House Journal), to the committee amendment H-4131, failed to be adopted by the House on April 30, 1985.

Roll call was requested by Schnekloth of Scott and Harbor of Mills.

Rule 75 was invoked.

On the question "Shall amendment H—4148, to the committee amendment H—4131, be reconsidered?"

The ayes were, 44:

Bennett	Black	Branstad	Carpenter
Clark	Cooper	Corey	Daggett
De Groot	Fogarty	Grandia	Halvorson, R. A.
Handorf	Harbor	Hermann	Hester
Hummel	Johnson	Koenigs	Kremer
Lageschulte	Loneragan	Maulsby	McKean
Miller	Mullins	Oxley	Pellett
Renaud	Renken	Rensink	Royer
Schneklath	Skow	Stromer	Stueland
Sturgeon	Swearingen	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods

The nays were, 52:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Connolly	Connors
Diemer	Doderer	Fey	Groth
Gruhn	Halvorson, R. N.	Hammond	Hanson
Hatch	Haverland	Holveck	Hughes
Jay	Knapp	Lloyd-Jones	Metcalf
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Spear	Sullivan
Swartz	Tabor	Zimmerman	Mr. Speaker (Groninga)

Absent or not voting, 4:

Cochran	Jochum	McIntee	Teaford
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The motion lost.

The House resumed consideration of amendment H—4146B (found on page 2063 of the House Journal), to the committee amendment H—4131.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—4146B.

Blanshan of Greene asked and received unanimous consent to temporarily defer action on amendment H—4163, to the committee amendment H—4131.

Groth of Buena Vista offered the following amendment H—4162, to the committee amendment H—4131, filed by Groth, et al.:

H—4162

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, line 12, by inserting after the word
- 5 "to" the following: "sixty-three percent of".
- 6 2. Page 1, line 14, by inserting after the word
- 7 "following" the following: ", and shall credit
- 8 monthly from the road use tax fund to the secondary
- 9 road fund the revenue accruing to the road use tax
- 10 fund in the amount equal to thirty-seven percent of
- 11 two thirds of the revenues collected under each of the
- 12 following".
- 13 3. Page 2, line 30, by striking the words "or
- 14 counties".
- 15 4. Page 2, line 33, by striking the words "or
- 16 counties".
- 17 5. Page 2, line 39, by striking the word "Fifty"
- 18 and inserting the following: "Seventy-one".
- 19 6. Page 2, by striking lines 41 and 42.
- 20 7. Page 2, line 43, by striking the word and
- 21 figure "3. Twenty-five" and inserting the following:
- 22 "2. Twenty-nine".
- 23 8. Page 2, line 50, by striking the words
- 24 "counties and".
- 25 9. Page 3, line 1, by striking the words
- 26 "Counties and cities" and inserting the following:
- 27 "Cities".
- 28 10. Page 3, lines 15 and 16, by striking the
- 29 words "or boards of supervisors of participating
- 30 counties,".
- 31 11. Page 3, lines 24 and 25, by striking the
- 32 words "or counties".
- 33 12. Page 3, line 26, by striking the words "or
- 34 counties".
- 35 13. Page 3, line 27, by striking the words "or
- 36 county".
- 37 14. Page 3, by striking lines 29 through 35.
- 38 15. Page 3, line 36, by striking the figure "3"
- 39 and inserting the following: "2".
- 40 16. Page 3, line 43, by striking the words
- 41 "county or".
- 42 17. Page 3, line 44, by striking the words
- 43 "secondary road or".
- 44 18. Page 3, line 45, by striking the word and
- 45 figure "or 3".

- 46 19. Page 4, line 16, by striking the words
47 "counties and".
48 20. Page 4, lines 18 and 19, by striking the
49 words "counties or".
50 21. Page 6, by striking lines 9 through 15 and

Page 2

- 1 inserting the following:
2 " "Sec. _____. Section 384.24, subsection 2, Code
3 1985,".
4 22. Page 6, line 28, by striking the words
5 "counties and".

Groth of Buena Vista asked and received unanimous consent to temporarily defer action on amendment H—4162.

Stromer of Hancock asked and received unanimous consent to withdraw amendment H—4156 (previously deferred), to the committee amendment H—4131, filed by him on April 30, 1985.

Stromer of Hancock offered the following amendment H—4159, to the committee amendment H—4131, filed by him and moved its adoption:

H—4159

- 1 Amend the Committee amendment, H—4131, to Senate
2 File 565 as amended, passed and reprinted by the
3 Senate as follows:
4 1. Page 2, line 32, by striking the words "or
5 revenue bonds".
6 2. Page 3, line 26, by striking the words "or
7 revenue bonds".
8 3. Page 3, line 34, by striking the words "or
9 revenue bonds".
10 4. Page 3, line 41, by striking the words "or
11 revenue bonds".
12 5. Page 4, line 18, by striking the words "and
13 revenue bonds".
14 6. Page 6, by striking lines 7 through 19.
15 7. Page 6, by striking lines 27 through 32.

Amendment H—4159 was adopted.

Woods of Polk offered the following amendment H-4151 (previously deferred), to the committee amendment H-4131, filed by Woods, et al., and moved its adoption:

H-4151

- 1 Amend the Committee amendment, H-4131, to Senate
- 2 File 565 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. By striking page 1, line 5 through page 4,
- 5 line 34, and inserting the following:
- 6 "Sec. _____. Section 312.2, subsections 1 through
- 7 4, Code 1985, are amended to read as follows:
- 8 1. To the primary road fund, ~~forty-five~~ forty-
- 9 eight percent.
- 10 2. To the secondary road fund of the counties,
- 11 ~~twenty-eight~~ twenty-six percent.
- 12 3. To the farm-to-market road fund, ~~nine~~ five
- 13 percent.
- 14 4. To the street construction fund of the cities,
- 15 ~~eighteen~~ twenty-one percent.
- 16 Sec. _____. Section 312.2, Code 1985, is amended by
- 17 adding the following new subsection:
- 18 NEW SUBSECTION. 16. The treasurer of state,
- 19 before making the allotments provided for in this
- 20 section, shall credit monthly from the road use tax
- 21 fund to the public transit assistance fund, created
- 22 under section 601J.6, an amount equal to one fortieth
- 23 of the revenue credited to the road use tax fund under
- 24 section 423.24." "
- 25 2. Page 6, by striking lines 7 through 19.
- 26 3. Page 6, by striking lines 24 through 36 and
- 27 inserting the following:
- 28 " _____. Title page, lines 3 through 6, by striking
- 29 the words "by crediting moneys from the road use tax
- 30 fund to the economic development emergency fund for
- 31 use in road or street projects which promote economic
- 32 development in the state," and inserting the
- 33 following: "by changing the allocation of moneys
- 34 under the road use tax fund formula by crediting
- 35 moneys from the road use tax fund to the public
- 36 transit assistance fund," "
- 37 4. Renumber as necessary.

Roll call was requested by Renaud of Polk and Peick of Linn.

On the question "Shall amendment H-4151, to the committee amendment H-4131, be adopted?"

The ayes were, 38:

Baxter	Beatty	Brammer	Buhr
Carpenter	Chapman	Connors	Diemer
Doderer	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Jochum	Lloyd-Jones
McIntee	Metcalf	Ollie	Parker
Pavich	Peick	Platt	Poney
Renaud	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Sturgeon
Teaford	Torrence	Van Camp	Welden
Woods	Mr. Speaker (Grofinga)		

The nays were, 60:

Arnould	Bennett	Black	Blanshan
Branstad	Carl	Carter	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hester	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Loneragan	Maulsby	McKean
Miller	Mullins	Norland	O'Kane
Osterberg	Oxley	Paulin	Pellett
Peterson	Renken	Rensink	Rosenberg
Royer	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Van Maanen	Varn	Zimmerman

Absent or not voting, 2:

Avenson Muhlbauer

Amendment H—4151 lost.

Harbor of Mills offered the following amendment H—4184 (previously deferred), to the committee amendment H—4131, filed from the floor by Harbor, Jay and Renaud:

H—4184

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 5, by inserting after line 43 the
- 5 following:

6 "Sec. _____. Section 321.473, unnumbered paragraph
7 2, Code 1985, is amended to read as follows:
8 The department may issue annual special permits for
9 the operation of ~~compacted rubbish~~ compacted-rubbish
10 vehicles and vehicles which transport compacted
11 rubbish from a rubbish collection point to a landfill
12 area, exceeding the weight limitation provisions of
13 section 321.463, but not exceeding a rear axle gross
14 weight for two-axle vehicles of ~~twenty-two~~ twenty-four
15 thousand pounds for the period commencing July 1, 1978
16 and ending June 30, 1986 and twenty thousand pounds
17 commencing July 1, 1986 and thereafter, and for tandem
18 axle vehicles or transferable auxiliary axle vehicles
19 not exceeding a gross weight on the rear axles of
20 ~~thirty-six~~ forty thousand pounds. The maximum gross
21 weight of the vehicle shall not exceed sixty thousand
22 pounds. Annual special permits for the operation on
23 secondary roads shall be approved by the county
24 engineer. Annual special permits for a particular
25 vehicle shall not be issued by the department unless
26 prior approval is given by the county engineer of the
27 county in which the vehicle will be operated. Annual
28 special permits for operation on primary roads shall
29 be approved by the state department of transportation.
30 ~~Compacted rubbish~~ Compacted-rubbish vehicles and
31 vehicles which transport compacted rubbish from a
32 rubbish collection point to a landfill area operated
33 pursuant to an annual special permit shall be operated
34 only over routes designated by the local authority.
35 Annual special permits for a particular vehicle shall
36 not be issued by the department unless approved by the
37 local authority responsible for the roads over which
38 the vehicle will be operated. Annual special permits
39 approved by the issuing authority shall be issued upon
40 payment of an annual fee, in addition to other
41 registration fees imposed, of one hundred dollars to
42 be paid to the department for all nongovernmental
43 vehicles. As used in this section, a compacted-
44 rubbish vehicle includes such vehicles utilizing roll-
45 off systems. If a violation occurs relating to the
46 weight limitations imposed under this paragraph, the
47 weight limitations of section 321.463 shall apply to
48 the vehicle and the fine shall be assessed in
49 accordance with that section."

Fey of Scott rose on a point of order that amendment H-4184 was not germane.

The Speaker ruled the point well taken and amendment H-4184 not germane.

Blanshan of Greene asked and received unanimous consent to withdraw amendment H—4163 (previously deferred), to the committee amendment H—4131, filed by him on April 30, 1985.

Blanshan of Greene offered the following amendment H—4191, to the committee amendment H—4131, filed by him from the floor and moved its adoption:

H - 4191

- 1 Amend the Committee amendment, H—4131 to Senate
- 2 File 565 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 6, by striking line 6, and inserting the
- 5 following:
- 6 "_____. Page 9, by striking lines 8 through 15 and
- 7 inserting the following:
- 8 "NEW SUBSECTION. 5. CREDIT. A special fuel
- 9 dealer may receive a credit on the excise tax paid on
- 10 special fuel for diesel engines sold by the dealer
- 11 represented by accounts found to be worthless and
- 12 actually charged off for income tax purposes. The
- 13 credit applies toward payment of the excise tax on
- 14 special fuel for diesel engines on a subsequent
- 15 monthly or quarterly tax return. However, if the
- 16 accounts are thereafter collected by the dealer, the
- 17 excise tax shall be paid upon the quantity of special
- 18 fuel for diesel engines represented by the amount
- 19 collected." "

Roll call was requested by Blanshan of Greene and Van Camp of cott.

On the question "Shall amendment H—4191, to the committee amendment H—4131, be adopted?"

The ayes were, 42:

Black	Blanshan	Carpenter	Carter
Clark	Cochran	Cooper	Corey
De Groot	Fogarty	Grandia	Gruhn
Handorf	Hermann	Hummel	Kremer
Lonergan	McIntee	Metcalf	Miller
Muhlbauer	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rensink	Royer	Schneklath
Skow	Stueland	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Welden
Woods	Zimmerman		

The nays were, 55:

Arnould	Avenson	Baxter	Beatty
Bennett	Brammer	Branstad	Buhr
Carl	Connors	Diemer	Doderer
Fey	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Maulsby
McKean	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Renken	Rosenberg	Running	Sherzan
Shoning	Shoultz	Siegrist	Spear
Stromer	Sturgeon	Sullivan	Swartz
Tabor	Varn	Mr. Speaker (Groninga)	

Absent or not voting, 3:

Chapman	Connolly	Daggett
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Amendment H—4191 lost.

Speaker Avenson in the chair at 3:45 p.m.

De Groot of Lyon offered the following amendment H—4192, to the committee amendment H—4131, filed by him and Paulin of Plymouth from the floor and moved its adoption:

H—4192

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. Page 3, line 11, by inserting after the word
- 5 "affected." the following: "In selecting qualifying
- 6 road and street projects, the department shall give
- 7 special consideration to requests from cities which
- 8 cannot be served by one hundred two inch wide trucks."

A non-record roll call was requested.

The ayes were 20, nays 47.

Amendment H—4192 lost.

Norland of Worth asked and received unanimous consent that Senate File 565 be deferred and that the bill retain its place on the calendar.

(Committee amendment H—4131, as amended, pending).

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on May 1, 1985, insisted on its amendment to House File 686, a bill for an act relating to plans and programs for educational development in Iowa, and the members of the conference committee, on the part of the Senate, are: The Senator from Poweshiek, Senator Brown, Chair; the Senator from Black Hawk, Senator Corning; the Senator from Floyd, Senator Gratias; the Senator from Linn, Senator Horn; and, the Senator from Linn, Senator Wells.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 773, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 584, a bill for an act to provide for time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 587, a bill for an act relating to and appropriating petroleum over-charge funds.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE APPOINTED

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 686: Varn of Johnson, Chair; Groth of Buena Vista, Ollie of Clinton, McKean of Jones and Daggett of Taylor.

INTRODUCTION OF BILL

House File 777, by committee on appropriations, a bill for an act relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing

interest from the investment of certain employee insurance funds to be deposited to those funds.

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

SENATE MESSAGE CONSIDERED

Senate File 584, by Junkins and Hultman, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication.

Read first time and referred to committee on **ways and means**.

The House stood at ease at 3:55 p.m., until the fall of the gavel.

The House resumed session at 4:47 p.m., Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 156, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, to change the method of administering the state scholarship program, and to make an appropriation.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 585, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 588, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance.

K. MARIE THAYER, Secretary

**ADOPTION OF THE REPORT OF
THE CONFERENCE COMMITTEE
(House File 686)**

Varn of Johnson called up for consideration the report of the conference committee on House File 686 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE ON
HOUSE FILE 686**

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to consider the differences between the House of Representatives and the Senate on House File 686, a bill for an act relating to plans and programs for educational development in Iowa, respectfully submit the following recommendations:

1. That the Senate amendment, H—4113, be amended as follows:
 1. Page 1, by striking lines 9 and 10 and inserting the following: "inserting the following: "superintendent commissioner of public instruction. The state"."
 2. Page 1, by striking lines 22 through 32.
 3. Page 1, by striking lines 49 and 50.
 4. Page 2, by striking lines 21 and 22.
 5. Page 2, by striking lines 23 through 26 and inserting the following:

"_____. Page 4, line 9, by striking the word "superintendent" and inserting the following: "superintendent commissioner"."
 6. Page 2, by striking lines 38 through 40 and inserting the following: "requirements of section 275.1 relating to the maintenance of kindergarten and twelve grades by a school district."
 7. By striking page 3, line 42, through page 4, line 9.
 8. Page 4, line 26, by striking the word "education" and inserting the following: "public instruction".
 9. By striking page 4, line 34, through page 5, line 15.

ON THE PART OF THE HOUSE:

RICHARD J. VARN, Chair
HORACE DAGGETT
RICHARD GROTH
C. ARTHUR OLLIE

ON THE PART OF THE SENATE:

JOE BROWN, Chair
JOY CORNING
ARTHUR L. GRATIAS
WALLY HORN
JAMES D. WELLS

The motion prevailed and the report was adopted.

Varn of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 686)

The ayes were, 58:

Arnould	Beatty	Black	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Connolly
Connors	Cooper	Daggett	Doderer
Fey	Fogarty	Groth	Gruhn
Halvorson, R. N.	Hammond	Haverland	Hermann
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Metcalf	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Pavich	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoning	Siegrist	Skow
Spear	Sullivan	Swartz	Swearingen
Tabor	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 35:

Bennett	Clark	Cochran	Corey
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hummel
Kremer	Lageschulte	Loneragan	Maulsby
McIntee	McKean	Miller	Mullins
Oxley	Paulin	Pellett	Platt
Renken	Rensink	Royer	Schneklath
Shoultz	Stromer	Stueland	Teaford
Torrence	Van Maanen	Welden	

Absent or not voting, 7:

Baxter	Groninga	Hatch	Hester
Parker	Peick	Sturgeon	

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

The House stood at ease at 4:58 p.m., until the fall of the gavel.

The House resumed session at 5:07 p.m., Speaker Avenson in the chair.

IMMEDIATE MESSAGE
(House File 686)

Norland of Worth asked and received unanimous consent to immediately message House File 686 to the Senate.

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE**
(House File 730)

Teaford of Black Hawk called up for consideration the report of the conference committee on House File 730 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 730**

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, respectfully make the following report:

1. That the Senate amendment, H-3903, to House File 730, as passed by the House, is amended as follows:

1. Page 1, by inserting after line 21 the following:

"_____. Page 3, lines 24 and 25, by striking the words "or nutrition"."

2. Page 1, by inserting after line 23 the following:

"_____. Page 4, by striking lines 19 through 30.

_____. Page 5, line 16, by striking the words "or nutritionists"."

3. Page 1, by striking lines 29 through 34.

4. By numbering and renumbering sections and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

JANE TEAFORD, Chair
 GENE BLANSHAN
 JOHNIE HAMMOND
 DARRELL R. HANSON
 BOB RENKEN

ON THE PART OF THE SENATE:

WILLIAM DIELEMAN, Chair
 CHARLES MILLER
 JIM WELLS
 DOUG RITSEMA
 JACK NYSTROM

The motion prevailed and the report was adopted.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 730)

The ayes were, 92:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 5:

Beatty	Branstad	Jay	Metcalf
Sherzan			

Absent or not voting, 3:

Hatch

Oxley

Swartz

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

IMMEDIATE MESSAGE (House File 730)

Norland of Worth asked and received unanimous consent to immediately message House File 730 to the Senate.

The House stood at ease at 5:11 p.m., until the fall of the gavel.

The House resumed session at 7:45 p.m., Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Also: That the Senate has on May 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILL

House File 778, by committee on appropriations, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, and making coordinating amendments to the Code.

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

SENATE MESSAGES CONSIDERED

Senate File 156, by Bruner, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, and to change the method of administering the state scholarship program.

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

Senate File 586, by committee on appropriations, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication.

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

Senate File 587, by committee on appropriations, a bill for an act relating to and appropriating petroleum overcharge funds.

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

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules and take up for immediate consideration Senate File 364.

The House resumed consideration of **Senate File 364**, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, and amendment H—3842.

Stromer of Hancock asked and received unanimous consent to withdraw amendment H-3842 found on page 2035 of the House Journal.

Stromer of Hancock asked and received unanimous consent to withdraw the following amendments:

- H-3824 filed by Bennett of Ida on April 16, 1985.
- H-3827 filed by Torrence of Muscatine on April 16, 1985.
- H-3866 filed by Hummel of Benton on April 17, 1985.
- H-3876 filed by Halvorson of Clayton on April 17, 1985.
- H-3883 filed by Hummel of Benton and Schnekloth of Scott on April 17, 1985.
- H-3899 filed by Hummel of Benton and Schnekloth of Scott on April 18, 1985.
- H-3907 filed by Carpenter of Polk on April 18, 1985.
- H-4119 filed by Miller of Cherokee on April 30, 1985.
- H-4120 filed by Halvorson of Clayton on April 30, 1985.
- H-4121 filed by Harbor of Mills on April 30, 1985.
- H-4122 filed by Daggett of Taylor on April 30, 1985.
- H-4123 filed by Bennett of Ida on April 30, 1985.
- H-4125 filed by Hermann of Scott on April 30, 1985.
- H-4126 filed by Hermann of Scott on April 30, 1985.
- H-4127 filed by Hermann of Scott on April 30, 1985.
- H-4128 filed by Hermann of Scott on April 30, 1985.
- H-4129 filed by Maulsby of Calhoun on April 30, 1985.
- H-4130 filed by Schnekloth of Scott on April 30, 1985.

Sherzan of Polk asked and received unanimous consent to withdraw amendment H-3910 filed by him on April 19, 1985.

Varn of Johnson asked and received unanimous consent to withdraw amendment H-3909 filed by him and Groth of Buena Vista on April 18, 1985.

Groth of Buena Vista asked and received unanimous consent to withdraw amendments H-4118 and H-4168 filed by him and Varn of Johnson on April 30, 1985.

Zimmerman of Dallas asked and received unanimous consent to withdraw amendment H-3925 filed by her on April 19, 1985.

Connors of Polk asked and received unanimous consent to withdraw the motion to reconsider amendment H—3828 filed by him on April 18, 1985.

Chapman of Linn asked and received unanimous consent to withdraw the motion to reconsider amendment H—3826 filed by her on April 18, 1985.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-six members present, four absent.

Sherzan of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 364)

The ayes were, 56:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carl	Carter
Clark	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Groninga
Gruhn	Halvorson, R. N.	Hammond	Hatch
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Lloyd-Jones	McKean
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Skow	Spear	Sturgeon
Sullivan	Swartz	Teaford	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 44:

Bennett	Blanshan	Branstad	Carpenter
Chapman	Corey	Daggett	De Groot
Diemer	Fogarty	Grandia	Groth
Halvorson, R. A.	Handorf	Hanson	Harbor
Haverland	Hermann	Hester	Hummel
Koenigs	Kremer	Lageschulte	Lonergan

Maulsby	McIntee	Metcalf	Miller
Muhlbauer	Mullins	Paulin	Pellett
Renken	Rensink	Royer	Schnekloth
Shoning	Stromer	Stueland	Swearingen
Tabor	Torrence	Van Maanen	Welden

Absent or not voting, none.

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

IMMEDIATE MESSAGE (Senate File 364)

Norland of Worth asked and received unanimous consent to immediately message Senate File 364 to the Senate.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 1st day of May, 1985: House Files 494, 571, 642, and 747.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 1, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 494, an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project.

Senate File 121, an act relating to nonsubstantive code corrections.

Senate File 154, an act relating to the duties of the secretary for the state board of engineering examiners.

Senate File 172, an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

Senate File 194, an act striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty.

Senate File 230, an act relating to qualifications of sureties.

Senate File 289, an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

PROOF OF PUBLICATION (Senate File 507)

Published copy of Senate File 507 and verified proof of publication of said bill in The Pioneer Herald, a newspaper printed and published in Stanwood, Cedar County, Iowa, on February 13, 1985 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, April 30, 1985. Had I been present, I would have voted "aye" on House File 476, Senate File 552 and amendments H—4139, H—4153, and H—4148 to Senate File 565; and "nay" on House Files 571, 747, 771; Senate Files 434, 562 and amendment H—4113 to House File 686.

MAULSBY of Calhoun

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Sixty eighth grade students from Dow City Arion High School, Dow City. By Muhlbauer of Crawford.

Thirty fifth grade students from Lakeview Elementary School, Centerville, accompanied by Sherry Murphy. By Jay of Appanoose.

Thirty sixth grade students from Gladbrook Elementary School, Gladbrook, accompanied by Barb Swork. By Handorf of Marshall.

Twenty-five fourth grade students from Western Hills Elementary School, West Des Moines, accompanied by Marjorie Nordstrum. By Carpenter of Polk.

Forty-two eighth grade students from Panorama-Linden Middle School, Panorama, accompanied by Mike DeJong. By Skow of Guthrie.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 708), providing a soil conservation tax credit for certain uses of agricultural land, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 30, 1985.

Committee Resolution (Formerly House Concurrent Resolution 36), relating to the authority of the legislative council to employ professional services.

Fiscal Note is not required.

Recommended **Do Pass** April 30, 1985.

Committee Bill, relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges and providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 30, 1985.

Committee Bill, relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds.

Fiscal Note is not required.

Recommended **Do Pass** May 1, 1985.

COMMITTEE ON ECONOMIC DEVELOPMENT

Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for incentives for lending institutions to participate in the operating assistance program, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, by modifying the investment powers of the state chartered savings and loan associations and savings banks, providing for out-of-state bank holding companies to acquire interests in Iowa banks if those bank holding companies had entered into contracts on or before July 1, 1984, to directly or indirectly acquire voting shares, an interest in all or substantially all of the assets of, or control of bank holding companies or banks located in this state, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—4194, May 1, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 507, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city.

Fiscal Note is not required.

Recommended Do Pass May 1, 1985.

COMMITTEE ON WAYS AND MEANS

Senate File 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Fiscal Note is not required.

Recommended Do Pass May 1, 1985.

Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—4197, May 1, 1985.

Senate File 580, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions.

Fiscal Note is required.

Recommended Do Pass May 1, 1985.

RESOLUTION FILED

HCR 42, by Jay, a concurrent resolution relating to the operation of motor vehicles and other modes of transportation and recreation while under the influence of intoxicants or intoxicated, and other collateral issues regarding the use of alcoholic beverages and drugs.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4178	S.F.	577	Van Camp of Scott
H-4179	H.F.	776	Mullins of Kossuth
H-4181	S.F.	579	Muhlbauer of Crawford
H-4182	S.F.	579	Van Camp of Scott
			Branstad of Winnebago
			Grandia of Marion
			Corey of Louisa
			Hermann of Scott
			McKean of Jones
H-4183	H.F.	770	Metcalf of Polk
H-4185	H.F.	315	Lonergan of Boone
			Harbor of Mills
			Platt of Muscatine
H-4186	S.F.	565	Varn of Johnson
H-4187	H.F.	770	Metcalf of Polk
H-4188	S.F.	473	Welden of Hardin
H-4189	H.F.	775	Mullins of Kossuth
			Knapp of Dubuque
			Jochum of Dubuque
			Swartz of Marshall
H-4190	H.F.	774	Platt of Muscatine
H-4193	S.F.	565	Groth of Buena Vista
H-4194	S.F.	577	Committee on
			Economic Development
H-4195	H.F.	315	Zimmerman of Dallas
H-4196	H.F.	774	Rosenberg of Story
H-4197	S.F.	576	Committee on
			Ways and Means
H-4198	H.F.	618	Buhr of Polk
			Cooper of Lucas
			Royer of Page
H-4199	S.F.	577	Parker of Jasper

H-4200	H.F.	778	Harbor of Mills Halvorson of Clayton
H-4201	S.F.	577	Blanshan of Greene
H-4202	H.F.	777	Jochum of Dubuque

On motion by Norland of Worth, the House adjourned at 8:18 p.m., until 9:00 a.m., Thursday, May 2, 1985.

JOURNAL OF THE HOUSE

One Hundred Ninth Calendar Day — Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, May 2, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Cletus Hawes, pastor of the St. Joseph Church, Bellevue.

The Journal of Wednesday, May 1, 1985 was approved.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Avenson invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House.

Certificates of excellence for serving with honor and distinction as a House Page during the First Regular Session of the Seventy-first General Assembly were presented to the following Pages by Speaker Avenson and Minority Leader Stromer of Hancock:

Lisabeth Bench
Dana Bolte
Jacquelyn Bowie
Ruth Choate
Allison Corbin
Scott Crum
Carey Fitzpatrick
Laura Fuller
Kristin Henning
David Hunt

Julie Johnson
Sherry King
Jennifer Olerich
Craig Peterson
Julie Plummer
Lori Sanders
Shelly Shields
Todd Stuntzner
Matthew Tibbits
Suzanne Vincent
Adam Willim

The Pages presented a bouquet of flowers to everyone.

The House rose and expressed its thanks to the Pages.

SENATE MESSAGES CONSIDERED

Senate File 575, by committee on appropriations, a bill for an act relating to and making appropriations to state agencies for capital projects.

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

Senate File 578, by committee on appropriations, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

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

Senate File 585, by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

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

Senate File 588, by committee on appropriations, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 762, a bill for an act to legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law.

Also: That the Senate has on April 30, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 763, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication.

Also: That the Senate has on April 30, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 31, concerning school bus safety laws.

Also: That the Senate has on April 30, 1985, receded from its amendment to the House amendment, and passed the following bill:

Senate File 103, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval.

Also: That the Senate has on April 30, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 463, a bill for an act relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date.

Also: That the Senate has on April 30, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

* Senate File 465, a bill for an act relating to agricultural limestone.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION

Connors of Polk introduced to the House Melissa Tyler, Disneyland's 1985 Ambassador To The World, accompanied by "Mickey Mouse." They are here to help raise money for a local fund raiser.

The House rose and expressed its welcome.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 41

Varn of Johnson called up for consideration House Concurrent Resolution 41 as follows:

- 1 House Concurrent Resolution No. 41
- 2 By Committee On Appropriations
- 3 A Concurrent Resolution relating to the board of
- 4 regents ten-year building program.

5 *Whereas*, pursuant to section 262A.3, the state
6 board of regents prepared and within seven days after
7 the convening of the Seventy-first General Assembly of
8 the State of Iowa, First Session, submitted to the
9 Seventy-first General Assembly, First Session, for
10 approval the proposed ten-year building program for
11 each institution of higher learning under the
12 jurisdiction of the board, containing a list of the
13 buildings and facilities which the board deems
14 necessary to further the educational objectives of the
15 institutions, together with an estimate of the cost of
16 each of the buildings and facilities and an estimate
17 of the maximum amount of bonds which the board expects
18 to issue under chapter 262A for each year of the
19 fiscal biennium beginning July 1, 1985, and ending
20 June 30, 1987; and

21 *Whereas*, the projects contained in the building
22 program are deemed necessary for the proper
23 performance of the instructional, research, and
24 service functions of the institutions; and

25 *Whereas*, section 262A.4 provides that the state
26 board of regents, after authorization by a
27 constitutional majority of each House of the General
28 Assembly and approval by the Governor, may undertake
29 and carry out at the institutions of higher learning
30 under the jurisdiction of the board any project as

Page 2

1 defined in chapter 262A; and

2 *Whereas*, chapter 262A authorizes the state board of
3 regents to borrow money and to issue and sell
4 negotiable revenue bonds to pay all or any part of the
5 cost of carrying out projects at any institution
6 payable solely from and secured by an irrevocable
7 pledge of a sufficient portion of the student fees and
8 charges and institutional income received by the
9 particular institution; and

10 *Whereas*, to further the educational objectives of
11 the institutions, the state board of regents requests
12 authorization to undertake and carry out certain
13 projects at this time and to finance their cost by
14 borrowing money and issuing negotiable bonds under
15 chapter 262A in a total amount not to exceed eighteen
16 million one hundred seventy thousand dollars, the
17 remaining cost of the projects to be financed by
18 capital appropriations or by federal or other funds
19 lawfully available; *Now Therefore*,

20 *Be It Resolved By The House Of Representatives, The*
21 *Senate Concurring*, That the proposed ten-year building
22 program submitted by the state board of regents for

23 each institution of higher learning under its
 24 jurisdiction is approved; and
 25 *Be It Further Resolved*, That no commitment is
 26 implied or intended by approval to fund any portion of
 27 the proposed ten-year building program submitted by
 28 the state board of regents beyond the portion that is
 29 financed and approved by the Seventy-first General
 30 Assembly, First Session, and the Governor; and

Page 3

1 *Be It Further Resolved*, That during the biennium
 2 which commences July 1, 1985, and which ends June 30,
 3 1987, the maximum amount of bonds which the state
 4 board of regents expects to issue under chapter 262A
 5 is eighteen million one hundred seventy thousand
 6 dollars, all or any part of which may be issued during
 7 the fiscal year ending June 30, 1986, and if all that
 8 amount should not be issued during the fiscal year
 9 ending June 30, 1986, any remaining balance may be
 10 issued during the fiscal year ending June 30, 1987,
 11 and this plan of financing is approved; and

12 *Be It Further Resolved*, That the state board of
 13 regents is authorized to undertake and carry out the
 14 following projects and to pay all or any part of the
 15 cost of carrying out the projects by borrowing money
 16 and issuing negotiable revenue bonds under chapter
 17 262A in a total amount not to exceed eighteen million
 18 one hundred seventy thousand dollars:

19 State University of Iowa
 20 Chemistry-botany building remodeling — phase II
 21 Research and instructional equipment
 22 Cost of issuance of bonds
 23 Iowa State University of Science and Technology
 24 Research and instructional equipment
 25 Gilman Hall remodeling — phase II
 26 Home economics building addition/remodeling — phase I
 27 Agricultural diversification facility, including equipment
 28 Food crops research center remodeling
 29 Cost of issuance of bonds
 30 University of Northern Iowa

Page 4

1 Research and instructional equipment and utility
 2 improvements
 3 Cost of issuance of bonds

Diemer of Black Hawk offered the following amendment
 H—4106 filed by him:

H-4106

- 1 Amend House Concurrent Resolution 41 as follows:
- 2 1. Page 2, by striking lines 15 and 16 and
- 3 inserting the following: "chapter 262A in a total
- 4 amount not to exceed twenty one million two hundred
- 5 seventy thousand dollars, the".
- 6 2. Page 3, by striking lines 5 and 6 and
- 7 inserting the following: "is twenty one million
- 8 two hundred seventy thousand dollars, all or any
- 9 part of which may be issued during".
- 10 3. Page 3, by striking lines 17 and 18 and
- 11 inserting the following: "chapter 262A in a total
- 12 amount not to exceed twenty one million two hundred
- 13 seventy thousand dollars:".
- 14 4. Page 4, by inserting before line 3 the
- 15 following:
- 16 "Latham Hall remodeling".

Ollie of Clinton in the chair at 10:18 a.m.

Diemer of Black Hawk moved the adoption of amendment H-4106.

A non-record roll call was requested.

The ayes were 59, nays 33.

Amendment H-4106 was adopted.

Jochum of Dubuque offered the following amendment H-4157 filed by him and moved its adoption:

H-4157

- 1 Amend House Concurrent Resolution 41 as follows:
- 2 1. Page 3, by striking line 21.
- 3 2. Page 3, by striking line 24.

Amendment H-4157 was adopted.

Welden of Hardin asked and received unanimous consent to withdraw amendment H-4124 filed by him and Jochum of Dubuque on April 30, 1985.

Welden of Hardin offered the following amendment H—4138 filed by him and Jochum of Dubuque and moved its adoption:

H—4138

- 1 Amend House Concurrent Resolution 41 as follows:
- 2 1. Page 4, by adding after line 3 the following:
- 3 "Be It Further Resolved, that if any self
- 4 liquidating bonds for fluidized bed boilers are
- 5 issued under chapter 262.44, the Board of Regents will
- 6 report to the joint subcommittee on educational
- 7 appropriations by January 15 of each year on the
- 8 construction progress of the fluidized bed boilers.
- 9 After the fluidized bed boilers are installed, the
- 10 Board will report yearly on the fuel savings achieved
- 11 by the use of fluidized bed boiler technology.

Amendment H—4138 was adopted.

The following amendment H—4208 filed by Varn of Johnson from the floor was adopted by unanimous consent:

H—4208

- 1 Amend House Concurrent Resolution 41 as follows:
- 2 1. Page 3, line 16, by striking the word "chapter".

Varn of Johnson moved the adoption of House Concurrent Resolution 41, as amended.

A non-record roll call was requested.

The ayes were 68, nays 27.

The motion prevailed and the resolution, as amended, was adopted.

IMMEDIATE MESSAGE (House Concurrent Resolution 41)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolution 41 to the Senate.

RULE 25 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 25 for the immediate consideration of House Concurrent Resolution 42.

SPECIAL PRESENTATION

Loneragan of Boone escorted to the front of the well a group of sixth grade students from Bryant Elementary School in Boone.

The students, who were accompanied by their teacher, Mr. Roscoe Fleming, and several parents, showed to the House one million bottle caps and pull-top tabs they have collected over the past three months. They appealed to schools around the state to reach their goal of one million. Money received from the sale of the bottle caps will go to the Kidney Foundation to help a child.

The House rose and expressed its welcome.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 42

Jay of Appanoose called up for consideration House Concurrent Resolution 42, relating to the operation of motor vehicles and other modes of transportation and recreation while under the influence of intoxicants or intoxicated, and other collateral issues regarding the use of alcoholic beverages and drugs, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED

Zimmerman of Dallas called up for consideration House File 315, a bill for an act relating to drug product selection, amended by the Senate amendment H-4169 as follows:

H-4169

- 1 Amend House File 315, as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 10, by striking the word
- 4 "essentially".
- 5 2. Page 1, line 13, by striking the word
- 6 "essentially".
- 7 3. Page 1, line 18, by inserting after the word
- 8 "selection." the following: "However, before the
- 9 selection is made, the pharmacist must meet with the
- 10 patient or the patient's adult representative
- 11 personally."
- 12 4. Page 1, line 18, by inserting after the word
- 13 "selection." the following: "The label on the
- 14 container containing the generically equivalent

15 product dispensed by the pharmacist shall indicate the
16 chemical name of the product enclosed."

17 5. Page 1, line 30, by striking the word "a" and
18 inserting the word "the".

19 6. Page 1, line 33, by inserting after the word
20 "prescriber." the following: "The board of medical
21 examiners and the board of pharmacy examiners shall
22 adopt joint rules to implement and regulate the
23 practice under this subsection."

24 7. By renumbering, relettering, or redesignating
25 and correcting internal references as necessary.

Zimmerman of Dallas offered the following amendment
H-4174, to the Senate amendment H-4169, filed by her and
Arnould of Scott:

H-4174

1 Amend the Senate amendment, H-4169, to House File
2 315 as amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 3 through 25 and
5 inserting the following:

6 "1. By striking everything after the enacting
7 clause and inserting the following:

8 "Section 1. Section 155.36, Code 1985, is amended
9 by striking the section and inserting in lieu thereof
10 the following:

11 155.36 DRUG PRODUCT SELECTION.

12 1. a. If a physician, dentist, podiatrist or
13 veterinarian prescribes, in writing or orally, a drug
14 by either its brand or trade name, the pharmacist may
15 exercise professional judgment, in the economic
16 interest of the patient or the patient's adult
17 representative who is purchasing the prescription, by
18 selecting a drug product which contains identical
19 amounts of the identical active ingredient and which
20 is therapeutically equivalent to the prescribed drug
21 product so as to provide the same therapeutic effect,
22 when administered in the same amounts, as measured by
23 the control of a symptom or disease. If the
24 pharmacist does so, the pharmacist shall pass on to
25 the patient or the patient's adult representative no
26 less than fifty percent of the savings which results
27 from the product selection.

28 b. The pharmacist shall exercise drug product
29 selection under paragraph "a" when the pharmacy has in
30 stock one or more such drug products, and when all or
31 any part of the prescription will be paid by
32 expenditure of public funds authorized under chapter
33 239, 249, 249A, 252, 253, or 255, unless the
34 prescriber specifically states that only the
35 designated brand or trade name drug product is to be
36 dispensed.

37 2. The pharmacist shall not exercise drug product
38 selection under this section if either of the
39 following occur:
40 a. The prescriber specifically indicates that no
41 drug product selection shall be made.
42 b. The person presenting the prescription
43 indicates that only the specific drug product
44 prescribed shall be dispensed unless the substitution
45 is one required by subsection 1, paragraph "b".
46 3. If selection of a generically equivalent
47 product is made under this section, the pharmacist
48 making the selection shall note that fact and the name
49 of the manufacturer of the selected drug on the
50 prescription order presented by the patient or the

Page 2

1 patient's adult representative.
2 4. Pharmacists, if authorized by the prescriber,
3 may exercise professional judgment by selecting
4 products which are therapeutic alternates to the brand
5 or trade name product prescribed by the prescriber.
6 The board of medical examiners and the board of
7 pharmacy examiners shall adopt joint rules to
8 implement and regulate the practice under this
9 subsection. The joint rules shall not require prior
10 approval of a written drug formulary system developed
11 by a hospital pharmacy and medical staff committee.
12 Nothing in this subsection shall be construed to
13 alter existing practices which will be regulated by
14 the joint rules under this subsection until such rules
15 are promulgated.
16 Sec. 2. Section 155.37, Code 1985, is repealed."

Halvorson of Clayton offered the following amendment H-4207, to amendment H-4174, to the Senate amendment H-4169, filed from the floor by Halvorson, Loneragan and Harbor and moved its adoption:

H-4207

1 Amend amendment H-4174 to House File 315 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 26, by striking the word "fifty" and
4 inserting the word "seventy-five".

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall amendment H-4207, to amendment H-4174, to the Senate amendment H-4169, be adopted?"

The ayes were, 39:

Bennett	Black	Branstad	Buhr
Carl	Carpenter	Carter	Clark
Daggett	De Groot	Diemer	Halvorson, R. A.
Handorf	Hanson	Harbor	Holveck
Hughes	Hummel	Jay	Johnson
Kremer	Lageschulte	Lonerган	Maulsby
Metcalf	Paulin	Pavich	Pellett
Renken	Rensink	Royer	Schneklloth
Shoning	Spear	Stueland	Teaford
Torrence	Van Camp	Van Maanen	

The nays were, 56:

Arnould	Avenson	Baxter	Beatty
Blanshan	Chapman	Cochran	Connolly
Connors	Cooper	Corey	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Hermann	Hester	Jochum
Koenigs	Lloyd-Jones	McIntee	McKean
Muhlbauer	Mullins	Norland	O'Kane
Osterberg	Oxley	Parker	Peick
Peterson	Platt	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Skow	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Ollie)

Absent or not voting, 5:

Brammer	Grandia	Knapp	Miller
Stromer			

Amendment H—4207 lost.

Zimmerman of Dallas offered the following amendment H—4195, to amendment H—4174, to the Senate amendment H—4169, filed by her and moved its adoption:

H—4195

- 1 Amend amendment H—4174 to the Senate amendment
- 2 H—4169 to House File 315 as amended, passed and
- 3 reprinted by the House as follows:
- 4 1. Page 2, line 9, by striking the word "prior"
- 5 and inserting the word "board".

Amendment H—4195 was adopted.

Speaker Avenson in the chair at 11:58 a.m.

Lonergan of Boone offered the following amendment H—4185, to amendment H—4174, to the Senate amendment H—4169, filed by Lonergan, et al., and moved its adoption:

H—4185

1 Amend amendment H—4174 to amend the Senate
2 amendment, H—4169 to House File 315 as amended,
3 passed, and reprinted by the House as follows:
4 1. Page 2, by striking lines 2 through 15 and
5 inserting the following:
6 "4. Pharmacists, as provided by joint written
7 policy of the pharmacy and the medical staff of a
8 licensed hospital, may exercise professional judgment
9 by selecting products which are therapeutic alternates
10 to the brand or trade name product prescribed by the
11 prescriber."

A non-record roll call was requested.

The ayes were 33, nays 49.

Amendment H—4185 lost.

On motion by Zimmerman of Dallas, amendment H—4174, as amended, was adopted.

On motion by Zimmerman of Dallas, the House concurred in the Senate amendment H—4169, as amended.

Zimmerman of Dallas moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 315)

The ayes were, 85:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connors	Cooper	Corey
Diemer	Doderer	Fey	Fogarty

Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Poney	Renaud
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 12:

Branstad	Daggett	De Groot	Grandia
Handorf	Loneragan	Maulsby	O'Kane
Platt	Renken	Rensink	Van Maanen

Absent or not voting, 3:

Brammer	Connolly	Hummel
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following to the Senate: House File 315 and House Concurrent Resolution 42.

On motion by Norland of Worth, the House was recessed at 12:06 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MOTION TO RECONSIDER PREVAILED (Senate File 264)

Johnson of Winneshiek called up for consideration the motion to

reconsider Senate File 264, filed on April 17, 1985, and moved to reconsider the vote by which Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund, passed the House and was placed on its last reading on April 17, 1985.

A non-record roll call was requested.

The ayes were 53, nays 1.

The motion prevailed and the House reconsidered Senate File 264, placing out of order the motion to reconsider filed by Black of Jasper on April 17, 1985.

Johnson of Winneshiek offered the following amendment H—3929 filed by him and Osterberg of Linn and moved its adoption:

H—3929

- 1 Amend Senate File 264 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 17, by inserting after the word
- 4 "land." the following: "A loan shall not be made for
- 5 establishing a permanent soil and water conservation
- 6 practice on land that is subject to the restriction on
- 7 state cost-sharing funds of section 467A.65."

Amendment H—3929 was adopted.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—3904 filed by Osterberg, et al., on April 18, 1985.

Halvorson of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 264)

The ayes were, 72:

Arnould	Baxter	Beatty	Bennett
Brammer	Branstad	Carl	Carpenter
Carter	Clark	Cochran	Connolly
Corey	Daggett	De Groot	Diemer

Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Hermann	Hester
Hughes	Hummel	Jochum	Knapp
Koenigs	Lageschulte	Maulsby	McIntee
Metcalf	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Renaud
Renken	Rensink	Royer	Running
Schneklath	Shoning	Shoultz	Siegrist
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 23:

Black	Buhr	Chapman	Cooper
Doderer	Grandia	Hammond	Haverland
Holveck	Johnson	Kremer	Lloyd-Jones
Lonergan	McKean	Miller	Mullins
Osterberg	Peterson	Platt	Poncy
Rosenberg	Sherzan	Van Camp	

Absent or not voting, 5:

Blanshan	Connors	Hatch	Jay
Stromer			

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

IMMEDIATE MESSAGE

(Senate File 264)

Norland of Worth asked and received unanimous consent to immediately message Senate File 264 to the Senate.

PASSED ON FILE

(Senate File 587)

The Speaker announced that Senate File 587, referred to the committee on **appropriations**, was withdrawn from committee and **passed on file**.

CONSIDERATION OF BILLS
Appropriations Calendar

Senate File 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness and providing an effective date and an appropriation, with report of committee recommending amendment and passage was taken up for consideration.

Hanson of Delaware in the chair at 1:36 p.m.

Jochum of Dubuque asked and received unanimous consent to temporarily defer on the committee amendment H—4098.

Welden of Hardin asked and received unanimous consent to withdraw amendment H—4132 filed by him on April 30, 1985.

Welden of Hardin asked and received unanimous consent to temporarily defer action on amendment H—4188.

Lloyd-Jones of Johnson offered the following amendment H—4134, filed by Lloyd-Jones, et al., and moved its adoption:

H—4134

- 1 Amend Senate File 473 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 6, line 5, by inserting after the figure
- 4 "225C.28" the following: ", and to review and propose
- 5 alternatives to the present funding methods for the
- 6 mandated services".
- 7 2. Page 6, line 14, by inserting after the figure
- 8 "1987" the following: ", providing that legislation
- 9 is enacted by the general assembly before July 1,
- 10 1987, which provides a fair and equitable funding
- 11 formula for the implementation of section 5 of this
- 12 Act".

Amendment H—4134 was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H—4097 (temporarily deferred) filed by the committee on appropriations on April 29, 1985.

Welden of Hardin asked and received unanimous consent to withdraw amendment H—4188 (temporarily deferred) filed by him on May 1, 1985.

Lloyd-Jones of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 473)

The ayes were, 76:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Lageschulte	Lloyd-Jones	Loneragan	McIntee
McKean	Mullins	Norland	O'Kane
Ollie	Parker	Paulin	Pavich
Peick	Peterson	Platt	Renaud
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker (Hanson)

The nays were, 22:

Bennett	Branstad	Handorf	Harbor
Jay	Koenigs	Kremer	Maulsby
Metcalf	Miller	Muhlbauer	Osterberg
Oxley	Pellett	Poncy	Renken
Rensink	Royer	Schnekloth	Stueland
Sullivan	Welden		

Absent or not voting, 2:

Connolly Stromer

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

IMMEDIATE MESSAGE
(Senate File 473)

Norland of Worth asked and received unanimous consent to immediately message Senate File 473 to the Senate.

Connors of Polk in the chair at 2:13 p.m.

Ways and Means Calendar

House File 774, a bill for an act relating to the licensing and regulation of mobile homes and mobile home parks, was taken up for consideration.

Teaford of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H-4205, filed by her from the floor.

Platt of Muscatine offered the following amendment H-4190 filed by him and moved its adoption:

H-4190

- 1 Amend House File 774 as follows:
- 2 1. Page 2, line 1, by inserting after the word
- 3 "system." the following: "This subsection does not
- 4 apply to manufactured homes as defined in section
- 5 358A.30."
- 6 2. Page 2, line 14, by inserting after the word
- 7 "system." the following: "This subsection does not
- 8 apply to manufactured homes as defined in section
- 9 414.28."

Amendment H-4190 was adopted.

Teaford of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H-4206, filed by her from the floor.

Speaker Avenson in the chair at 2:24 p.m.

Rosenberg of Story offered the following amendment H-4196 filed by him:

H-4196

- 1 Amend House File 774 as follows:
- 2 1. By striking page 1, line 26 through page 2,
- 3 line 1.
- 4 2. Page 2, by striking lines 4 through 14.

Norland of Worth asked and received unanimous consent that House File 774 be deferred and that the bill retain its place on the calendar. (Amendment H—4196 pending.)

SENATE AMENDMENT CONSIDERED
House Refused to Concur

Brammer of Linn called up for consideration **House File 570**, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state, amended by the Senate, and moved that the House concur in the following Senate amendment H—4175:

H—4175

1 Amend House File 570 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by striking lines 1 through 30.
4 2. Page 1, line 32, by striking the word "A" and
5 inserting the following: "Notwithstanding section
6 432.1, a".
7 3. Page 1, line 35, by inserting after the word
8 "pay" the following: "as taxes".
9 4. Page 2, line 1, by striking the word "one" and
10 inserting the following: "two".
11 5. Page 2, by striking lines 5 and 6 and
12 inserting the following: "rejected applications.
13 Section 432.1, subsections 3 and 4, apply to the tax
14 imposed by this section."
15 6. Page 2, by inserting after line 6 the
16 following:
17 "Sec. 101. NEW SECTION. 432.5 EXEMPTION.
18 The tax imposed by this chapter shall not be
19 payable with respect to premiums or other payments
20 received by domestic or foreign insurance companies,
21 hospital services corporations, medical service
22 corporations, pharmaceutical service corporations,
23 optometric service corporations, and any other service
24 corporations operating under chapter 514 or health
25 maintenance organizations with respect to medicare
26 supplement health insurance policies. As used in this
27 section, "medicare supplement health insurance policy"
28 means a policy which provides reasonably comprehensive
29 payments of medicare deductibles and co-insurance and
30 which has a creditable, anticipated loss ratio of at
31 least seventy-five percent, as filed with and approved

32 by the commissioner of insurance.”

33 7. Page 2, by inserting after line 6 the

34 following:

35 “Sec. _____, Section 508.29, Code 1985, is amended
36 to read as follows:

37 508.29 AUTHORITY TO WRITE OTHER INSURANCE.

38 Any life insurance company organized on the stock
39 or mutual plan and authorized by its charter or
40 articles of incorporation so to do, may in addition to
41 such life insurance, insure, either individually or on
42 the group plan, the health of persons and against
43 personal injuries, disablement or death, resulting
44 from traveling or general accidents by land or water,
45 and insure employers against loss in consequence of
46 accidents or casualties of any kind to employees or
47 other persons, or to property resulting from any act
48 of the employee or any accident or casualty to persons
49 or property, or both, occurring in or connected with
50 the transaction of their business, or from the

Page 2

1 operation of any machinery connected therewith, but
2 nothing herein contained shall be construed to
3 authorize any life insurance company to insure against
4 loss or injury to person, or property, or both,
5 growing out of explosion or rupture of steam boilers.
6 An insurer may contract with health care service
7 providers and offer different levels of benefits to
8 policyholders based upon the provider contracts.”

9 8. Page 2, by inserting after line 22 the
10 following:

11 “Sec. 102. NEW SECTION. 514.23 MUTUALIZATION
12 PLAN.

13 A corporation organized and governed by this
14 chapter may become a mutual insurer under a plan which
15 is approved by the commissioner of insurance. Upon
16 consummation of the plan, the corporation shall
17 thereafter fully comply with the requirements of the
18 law that apply to a mutual insurance company.”

19 1. At least seventy-five percent of the initial
20 board of directors of the mutual insurer so formed
21 shall be policyholders who are also nonproviders of
22 health care. All directors comprising this initial
23 board of directors shall be selected by an independent
24 committee appointed by the state commissioner of
25 insurance. This independent committee shall consist
26 of seven to eleven persons who are current
27 policyholders, who are nonproviders of health care,
28 and who are not directors of any corporation subject
29 to this chapter. For purposes of this subsection, a

30 "nonprovider of health care" is an individual who is
31 not any of the following:

32 a. A "provider" as defined in section 514B.1,
33 subsection 5.

34 b. A person who has material financial or
35 fiduciary interest in the delivery of health care
36 services or a related industry.

37 c. An employee of an institution which provides
38 health care services.

39 d. A spouse or a member of the immediate family of
40 a person described in paragraphs "a" through "c".

41 9. Page 2, by inserting after line 22 the
42 following:

43 "Sec._____. Section 515.1, Code 1985, is amended to
44 read as follows:

45 515.1 INCORPORATION.

46 Corporations formed for the purpose of insurance,
47 other than life insurance, shall be governed by the
48 provisions of chapter 491 or chapter 504A, except as
49 modified by the provisions of this chapter.

50 Sec._____. Section 515.48, subsection 5, paragraph

Page 3

1 a, Code 1985, is amended to read as follows:

2 a. Insure any person, his the person's family or
3 dependents, against bodily injury or death by
4 accident, or against disability on account of
5 sickness, or accident, including the granting of
6 hospital, medical, surgical and sick care benefits,
7 but such benefits shall not include the furnishing or
8 replacing in kind of whole human blood or blood
9 products of any kind; however, this provision shall
10 not prohibit payments of indemnity for human blood or
11 blood products. An insurer may contract with health
12 care services providers and offer different levels of
13 benefits to policyholders based upon the provider
14 contracts."

15 10. Page 2, by inserting after line 22 the
16 following:

17 "Sec. 103. For each fiscal year beginning July 1,
18 1985, a sum equal to one third of the premium taxes
19 paid under chapter 432 on premiums and payments on
20 individual and group accident and health insurance
21 policies and certificates and individual and group
22 subscriber contracts under chapter 514 shall be set
23 aside in a separate account within the general fund
24 and reserved solely for the purposes of implementing
25 the programs to be studied as provided in section 104
26 of this Act. The balance of the account shall be
27 considered part of the balance of the general fund of

28 the state except for purposes of determining the
29 annual inflation factor under section 422.4,
30 subsection 17. The funds within the account shall not
31 be expended except as otherwise provided by the
32 general assembly.

33 Sec. 104. The legislative council shall create a
34 study committee composed of members of the senate
35 committee on commerce and the house committee on small
36 business and commerce representing both political
37 parties, citizen members from the insurance industry
38 having expertise in insurance matters, and such other
39 persons as may be deemed appropriate. The committee
40 shall study the manner in which states presently
41 administer guaranty fund laws which provide for the
42 indemnification of losses of policyholders of
43 insolvent life and health insurance companies as well
44 as the manner in which states administer risk-sharing
45 pools which provide accident and health insurance to
46 persons who are uninsurable. The study committee
47 shall review the funding mechanisms of such laws and
48 develop recommendations which specifically address the
49 manner in which the funds deposited in the general
50 fund pursuant to section 103 of this Act shall be used

Page 4

1 and administered. Included within the study shall be
2 considerations relating to the administration of the
3 cash flow and funding of the insurance programs,
4 including the collection and deposit of funds,
5 assessments, creation of a permanent state funding
6 mechanism, granting of credits which recognize
7 expenditures to finance guaranty fund and risk-sharing
8 pools, granting of credits which recognize losses
9 attributable to providing comprehensive health
10 coverage to the unemployed or uninsurable public, and
11 such other considerations as may assist in providing
12 adequate and protective insurance for the public.

13 The results of the study accompanied by bill drafts
14 designed to carry out recommendations of the
15 committee, shall be submitted to the legislative
16 council, the senate committee on commerce, the house
17 committee on small business and commerce, and to the
18 members of the general assembly prior to convening of
19 the second session of the Seventy-first General
20 Assembly."

21 11. Title page, by striking lines 1 through 3 and
22 inserting the following: "An Act relating to health
23 coverages."

24 12. Renumber as necessary.

A non-record roll call was requested.

The ayes were 41, nays 50.

The motion lost and the House refused to concur in the Senate amendment H—4175.

IMMEDIATE MESSAGE
(House File 570)

Norland of Worth asked and received unanimous consent to immediately message House File 570 to the Senate.

CONSIDERATION OF BILLS
Ways and Means

Senate File 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive, with report of committee recommending amendment and passage was taken up for consideration.

Doderer of Johnson offered the following amendment H—4140 filed by the committee on ways and means:

H—4140

- 1 Amend Senate File 24 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 422.5, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 15. There is imposed upon every
- 8 resident and nonresident of this state, including
- 9 estates and trusts, the greater of the tax determined
- 10 in subsections 1 through 14 or the state alternative
- 11 minimum tax equal to nine percent of the state
- 12 alternative minimum taxable income of the taxpayer as
- 13 computed under this subsection.
- 14 The state alternative minimum taxable income of a
- 15 taxpayer is equal to the taxpayer's state taxable
- 16 income, as computed with the deductions in section
- 17 422.9, with the following adjustments:
- 18 a. Add items of tax preference included in federal
- 19 alternative minimum taxable income under section 57 of
- 20 the Internal Revenue Code of 1954. In the case of an

21 estate or trust, the items of tax preference shall be
22 apportioned between the estate or trust and the
23 beneficiaries in accordance with rules prescribed by
24 the director. For purposes of computing the items of
25 tax preference, the gain or loss from the forfeiture
26 of an installment real estate contract, the transfer
27 of property to a creditor in cancellation of a debt or
28 from the sale or exchange of property as a result of
29 actual notice of foreclosure shall not be taken into
30 account in computing net capital gain if, immediately
31 before such forfeiture, transfer, or sale or exchange,
32 the taxpayer's liabilities exceed the fair market
33 value of the taxpayer's assets and the taxpayer's net
34 worth at the end of the tax year is less than one
35 hundred thousand dollars. For purposes of this
36 subsection, actual notice of foreclosure includes, but
37 is not limited to, bankruptcy or written notice from a
38 creditor of the creditor's intent to foreclose where
39 there is reasonable belief that the creditor can force
40 a sale of the property.

41 b. Subtract the applicable exemption amount as
42 follows:

43 (1) Seventeen thousand five hundred dollars for a
44 married person who files separately or for an estate
45 or trust.

46 (2) Twenty-six thousand dollars for a single
47 person or an unmarried head of household.

48 (3) Thirty-five thousand dollars for a married
49 couple which files a joint return.

50 c. Subtract the amount of the net operating loss

Page 2

1 computed in section 422.9, subsection 3, for a tax
2 year other than the current year which was carried
3 back or carried forward to the current year under
4 section 422.9, subsection 3, paragraph "a", "b" or
5 "c". However, in the case of a net operating loss
6 computed for a tax year beginning after December 31,
7 1982 which is carried back or carried forward to the
8 current taxable year, the net operating loss shall be
9 reduced by the amount of the items of tax preference
10 arising in such year which was taken into account in
11 computing the net operating loss in section 422.9,
12 subsection 3.

13 The state alternative minimum tax of a taxpayer
14 whose items of tax preference include the gain or loss
15 from the forfeiture of an installment real estate
16 contract, the transfer of property to a creditor in
17 cancellation of a debt or from the sale or exchange of
18 property as a result of actual notice of foreclosure
19 where the fair market value of the taxpayer's assets

20 exceeds the taxpayer's liabilities immediately before
21 such forfeiture, transfer, or sale or exchange shall
22 not be greater than such excess.

23 In the case of a resident, including a resident
24 estate or trust, the state's apportioned share of the
25 state alternative minimum tax is one hundred percent
26 of the state alternative minimum tax computed in this
27 subsection. In the case of a nonresident, including a
28 nonresident estate or trust, or an individual, estate
29 or trust that is domiciled in the state for less than
30 the entire tax year, the state's apportioned share of
31 the state alternative minimum tax is the amount of tax
32 computed under this subsection, reduced by the
33 applicable credits in sections 422.10, 422.11, 422.11A
34 as enacted by 1985 Iowa Acts, Senate File 395, section
35 80 and 422.12 and this result multiplied by a fraction
36 with a numerator of the sum of state net income
37 allocated to Iowa as determined in section 422.8,
38 subsection 2, and tax preference items attributable to
39 Iowa and with a denominator of the sum of total net
40 income computed under section 422.7 and all tax
41 preference items. In computing this fraction, those
42 items excludable under paragraph "a" shall not be used
43 in computing the tax preference items. Married
44 taxpayers electing to file separate returns or
45 separately on a combined return must allocate the
46 minimum tax computed in this subsection in the
47 proportion that each spouse's respective preference
48 items under section 57 of the Internal Revenue Code of
49 1954 bear to the combined preference items of both
50 spouses.

Page 3

1 Sec. 2. Section 422.5, Code 1985, is amended by
2 striking unnumbered paragraph 10.

3 Sec. 3. Section 422.8, Code 1985, is amended by
4 adding the following new subsection:

5 **NEW SUBSECTION. 4.** The amount of minimum tax paid
6 to another state or foreign country by a resident
7 taxpayer of this state from preference items derived
8 from sources outside of Iowa shall be allowed as a
9 credit against the tax computed under this division
10 except that the credit shall not exceed what the
11 amount of state alternative minimum tax would have
12 been on the same preference items which were taxed by
13 the other state or foreign country. The limitation on
14 this credit shall be computed according to the
15 following formula: The total of preference items
16 earned outside of Iowa and taxed by another state or
17 foreign country shall be divided by the total of
18 preference items of the resident taxpayer of Iowa. In

19 computing this quotient, those items excludable under
20 section 422.5, subsection 15, paragraph "a" shall not
21 be used in computing the preference items. This
22 quotient multiplied times the net state alternative
23 minimum tax as determined in section 422.5, subsection
24 15, on the total of preference items as if entirely
25 earned in Iowa shall be the maximum tax credit against
26 the Iowa alternative minimum tax. However, the
27 maximum tax credit will not be allowed to the extent
28 that the minimum tax imposed by the other state or
29 foreign country is less than the maximum tax credit
30 computed above.

31 Sec. 4. In computing the items of tax preference
32 for purposes of the Iowa minimum tax for a tax year
33 beginning in the 1984 calendar year, the gain or loss
34 from the forfeiture of an installment real estate
35 contract, the transfer of property to a creditor in
36 cancellation of a debt or from the sale or exchange of
37 property as a result of actual notice of foreclosure
38 shall not be taken into account in computing net
39 capital gain if, immediately before such forfeiture,
40 transfer, or sale or exchange, the taxpayer's
41 liabilities exceed the fair market value of the
42 taxpayer's assets and the taxpayer's net worth at the
43 end of the tax year is less than one hundred thousand
44 dollars. For purposes of this section, actual notice
45 of foreclosure includes, but is not limited to,
46 bankruptcy or written notice from a creditor of the
47 creditor's intent to foreclose where there is
48 reasonable belief that the creditor can force a sale
49 of the property. In computing the Iowa minimum tax
50 for a tax year beginning in the 1984 calendar year,

Page 4

1 the Iowa minimum tax of a taxpayer whose items of tax
2 preference include the gain or loss from the
3 forfeiture of an installment real estate contract, the
4 transfer of property to a creditor in cancellation of
5 a debt or from the sale or exchange of property as a
6 result of actual notice of foreclosure where the fair
7 market value of the taxpayer's assets exceeds the
8 taxpayer's liabilities immediately before such
9 forfeiture, transfer, or sale or exchange shall not be
10 greater than such excess. A taxpayer who has filed a
11 state return for such tax year may file an amended
12 state return for such tax year with the state minimum
13 tax calculated on the basis of what the federal
14 minimum tax would have been if such items had not been
15 included in the federal minimum tax calculation of net
16 capital gain or with the state minimum tax calculated
17 on the basis of such limitation on the amount of state

18 minimum tax.

19 Sec. 5. 1985 Iowa Acts, Senate File 395, section
20 102 is retroactive to January 1, 1985.

21 Sec. 6. Except for sections 4 and 5, this Act is
22 retroactive to January 1, 1985 for tax years beginning
23 on or after that date. Section 4 of this Act is
24 retroactive to January 1, 1984 for tax years beginning
25 on or after January 1, 1984 and beginning before
26 January 1, 1985."

Tabor of Jackson in the chair at 3:16 p.m.

Skow of Guthrie offered the following amendment H—4166, to the committee amendment H—4140, filed by him and moved its adoption:

H—4166

1 Amend the Committee amendment H—4140 to Senate File
2 24 as amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, line 26, by inserting after the word
5 "contract," the following: "a default under the terms
6 of a security agreement entered into pursuant to
7 article 9 of chapter 554,".

8 2. Page 1, line 31, by inserting after the word
9 "forfeiture," the following: "default,".

10 3. Page 2, line 16, by inserting after the word
11 "contract," the following: "a default under the terms
12 of a security agreement entered into pursuant to
13 article 9 of chapter 554,".

14 4. Page 2, line 21, by inserting after the word
15 "forfeiture," the following: "default,".

16 5. Page 3, line 35, by inserting after the word
17 "contract," the following: "a default under the terms
18 of a security agreement entered into pursuant to
19 article 9 of chapter 554,".

20 6. Page 3, line 39, by inserting after the word
21 "forfeiture," the following: "default,".

22 7. Page 4, line 3, by inserting after the word
23 "contract," the following: "a default under the terms
24 of a security agreement entered into pursuant to
25 article 9 of chapter 554,".

26 8. Page 4, line 9, by inserting after the word
27 "forfeiture," the following: "default,".

A non-record roll call was requested.

The ayes were 35, nays 56.

Amendment H—4166 lost.

Skow of Guthrie offered the following amendment H—4154, to the committee amendment H—4140, filed by Skow, et al., and moved its adoption:

H—4154

- 1 Amend the Committee amendment H—4140 to Senate File
- 2 24 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, lines 32 and 33, by striking the words
- 5 "liabilities exceed the fair market value of the
- 6 taxpayer's assets" and inserting the following: "debt
- 7 to asset ratio exceeds seventy percent as computed
- 8 under generally accepted accounting practices".

Roll call was requested by Skow of Guthrie and Black of Jasper.

On the question "Shall amendment H—4154 be adopted?"

The ayes were, 58:

Beatty	Bennett	Black	Blanshan
Branstad	Carter	Cochran	Cooper
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Hatch	Hermann	Hester
Hughes	Hummel	Jay	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Maulsby	McKean	Miller	Muhlbauer
Mullins	Oxley	Paulin	Peick
Pellett	Peterson	Platt	Renken
Rensink	Royer	Sherzan	Shoning
Skow	Stromer	Stueland	Sullivan
Swearingen	Torrence	Van Camp	Van Maanen
Varn	Zimmerman		

The nays were, 42:

Arnould	Avenson	Baxter	Brammer
Buhr	Carl	Carpenter	Chapman
Clark	Connolly	Connors	Doderer
Fey	Groninga	Hammond	Haverland
Holveck	Jochum	Lloyd-Jones	Loneragan
McIntee	Metcalf	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich
Poney	Renaud	Rosenberg	Running
Schneklath	Shoultz	Siegrist	Spear
Sturgeon	Swartz	Teaford	Welden
Woods	Mr. Speaker		
	(Tabor)		

Absent or not voting, none.

Amendment H—4154 was adopted.

Holveck of Polk asked and received unanimous consent to defer action on amendment H—4215 filed by him from the floor.

Doderer of Johnson asked and received unanimous consent that Senate File 24 be deferred and that the bill retain its place on the calendar.

(The committee amendment H—4140, as amended, pending.)

Speaker Avenson in the chair at 4:53 p.m.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

Also: That the Senate has on May 2, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 761, a bill for an act relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions.

Also: That the Senate has, on May 2, 1985, insisted on its amendment to House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state, and the members of the conference committee, on the part of the Senate, are: The Senator from Polk, Senator Palmer, Chair; the Senator from Story, Senator Bruner; the Senator from Pottawattamie, Senator Gronstal; the Senator from Scott, Senator Holden; and, the Senator from Clay, Senator Holt.

Also: That the Senate has on May 2, 1985, refused to concur in the House amendment to the following bill:

Senate File 364, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

Also: That the Senate has on May 2, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 49, providing for an interim study of school finance.

Also: That the Senate has on May 2, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 51, relating to commercial and industrial development in the state.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE APPOINTED (House File 570)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 570: Brammer of Linn, Chair; Parker of Jasper, Swartz of Marshall, Hummel of Benton and Halvorson of Clayton.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for meetings of the committees on ways and means and appropriations upon recess.

The House stood at ease at 5:03 p.m., until the fall of the gavel.

The House resumed session at 7:17 p.m., Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 779, by committee on appropriations, a bill for an act providing a soil conservation tax credit for certain uses of agricultural land, and providing an effective date.

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

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty members present, twenty absent.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 777.

CONSIDERATION OF BILLS Appropriations Calendar

House File 777, a bill for an act relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds, was taken up for consideration.

Jochum of Dubuque offered the following amendment H—4202 filed by him and moved its adoption:

H—4202

- 1 Amend House File 777 as follows:
- 2 1. Page 1, lines 4 and 5, by striking the words
- 3 and figure "four hundred eighty-nine thousand
- 4 (489,000)" and inserting the following: "three
- 5 hundred nine thousand (309,000)".

Amendment H—4202 was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 777)

The ayes were, 90:

Arnould
Black
Carl
Clark

Baxter
Blanshan
Carpenter
Cochran

Beatty
Brammer
Carter
Connolly

Bennett
Buhr
Chapman
Connors

Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swearingen	Taber	Teaford
Torrence	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 8:

Branstad	Grandia	Hermann	Maulsby
McKean	Renken	Stueland	Van Maanen

Absent or not voting, 2:

Swartz	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 777)

Norland of Worth asked and received unanimous consent to immediately message House File 777 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House Concurrent Resolution 43.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 43

Blanshan of Greene called up for consideration House Concurrent Resolution 43, authorizing the payment of fees for legal services rendered the Iowa General Assembly, and moved its adoption.

A non-record roll call was requested.

The ayes were 73, nays 18.

The motion prevailed and the resolution was adopted.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 775.

Appropriations Calendar

House File 775, a bill for an act relating to and appropriating certain petroleum overcharge funds, was taken up for consideration.

Knapp of Dubuque offered the following amendment H—4211 filed by him from the floor and moved its adoption:

H—4211

- 1 Amend House File 775 as follows:
- 2 1. Page 1, line 20, by striking the figure "42.2"
- 3 and inserting the figure "37.2".
- 4 2. Page 2, by inserting before line 1 the
- 5 following:
- 6 "e. To the energy policy council
- 7 for the administration costs resulting
- 8 from this Act and the consent decrees . . . 5.0 percent".

Amendment H—4211 was adopted.

SENATE FILE 587 SUBSTITUTED FOR HOUSE FILE 775

Knapp of Dubuque asked and received unanimous consent to substitute Senate File 587 for House File 775.

Senate File 587, a bill for an act relating to and appropriating petroleum overcharge funds, was taken up for consideration.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 587)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shozan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrance	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Blanshan	Swartz	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 775 WITHDRAWN

Knapp of Dubuque asked and received unanimous consent to withdraw House File 775 from further consideration by the House, placing out of order amendment H-4189 filed by Mullins, et al., on May 1, 1985.

House File 776, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of

federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, was taken up for consideration.

SENATE FILE 585 SUBSTITUTED FOR HOUSE FILE 776

Jochum of Dubuque asked and received unanimous consent to substitute Senate File 585 for House File 776.

Senate File 585, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, was taken up for consideration.

Mullins of Kossuth offered the following amendment H-4214 filed by her from the floor and moved its adoption:

H-4214

- 1 Amend Senate File 585 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by striking lines 5 and 6 and
- 4 inserting the following: "the sum of one hundred
- 5 fifty-five thousand nine hundred sixty-three (155,963)
- 6 dollars, or so much thereof as is actually".
- 7 2. Page 17, by striking lines 21 and 22 and
- 8 inserting the following: "human services, one hundred
- 9 fifty-five thousand nine hundred sixty-three (155,963)
- 10 dollars, or so much thereof as is".

Amendment H-4214 was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 585)

The ayes were, 98:

Arnould
Black
Buhr
Chapman

Baxter
Blanshan
Carl
Clark

Beatty
Brammer
Carpenter
Cochran

Bennett
Branstad
Carter
Connolly

Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Swartz

Welden

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following to the Senate: House Concurrent Resolution 43 and Senate Files 585 and 587.

HOUSE FILE 776 WITHDRAWN

Jochum of Dubuque asked and received unanimous consent to withdraw House File 776 from further consideration by the House, placing out of order amendment H-4179 filed by Mullins of Kossuth on May 1, 1985.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 349, 574 and 560.

Ways and Means Calendar

Senate File 349, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles, was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—4167 filed by him and Sturgeon of Woodbury and moved its adoption:

H—4167

1 Amend Senate File 349 as passed by the Senate as
2 follows:
3 1. Page 1, by inserting after line 13 the
4 following:
5 "Sec._____. Section 99B.7, subsection 1, paragraph
6 o, Code 1985, is amended to read as follows:
7 o. A Except as provided in subsection 6, paragraph
8 "a", a person shall not conduct, promote, administer,
9 or assist in the conducting, promoting or
10 administering of a bingo occasion, unless the person
11 regularly participates in activities of the qualified
12 organization other than conducting bingo occasions or
13 participates in an educational, civic, public,
14 charitable, patriotic, or religious organization to
15 which the net receipts are dedicated by the qualified
16 organization.
17 Sec._____. Section 99B.7, subsection 6, paragraph
18 a, Code 1985, is amended to read as follows:
19 a. A Except as provided in this paragraph, a
20 person shall not be compensated for services rendered
21 in connection with a game of skill, game of chance, or
22 raffle conducted under this section. This section
23 forbids payment of compensation to persons including,
24 but not limited to, managers, callers, cashiers, floor
25 workers, janitorial personnel, accountants and
26 bookkeepers. The privilege of selling merchandise on
27 the premises during a bingo occasion is deemed to be
28 compensation. However, not more than four persons per
29 one hundred players, participating in the bingo
30 occasion may be employed. An employee under this
31 paragraph need not be a member of the qualified
32 organization or a regular participant in the
33 activities of the qualified organization or in an
34 educational, civic, public, charitable, patriotic, or
35 religious organization to which the net receipts are
36 dedicated by the qualified organization. The wages of
37 an employee shall not exceed the federal minimum wage.
38 This section does not prohibit the employment of one

39 or more individuals to serve as security officers. A
 40 person who knowingly pays or receives compensation in
 41 violation of this section commits a fraudulent
 42 practice."
 43 2. Renumber as necessary.

Amendment H—4167 was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 349)

The ayes were, 80:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Oxley	Parker	Paulin	Pavich
Peterson	Platt	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swearingen	Torrence	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 18:

Bennett	Branstad	Carpenter	Corey
Daggett	Grandia	Hammond	Holveck
Hummel	Osterberg	Peick	Pellett
Rensink	Shultz	Stueland	Tabor
Teaford	Van Maanen		

Absent or not voting, 2:

Swartz Welden

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

Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax, with report of committee recommending passage was taken up for consideration.

Schnekloth of Scott offered the following amendment H—4165 filed by Schnekloth, et al., and moved its adoption:

H—4165

- 1 Amend Senate File 574 as amended; passed, and re-
- 2 printed by the Senate as follows:
- 3 1. Page 1, by striking lines 17 and 18 and in-
- 4 serting the following: "When used by a manufacturer
- 5 of food products, electricity, steam, and other
- 6 taxable services are sold for processing when used to
- 7 produce marketable".

Amendment H—4165 was adopted.

Renken of Grundy in the chair at 8:01 p.m.

Schnekloth of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 574)

The ayes were, 94:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie

Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker (Renken)		

The nays were, 4:

Hammond	Holveck	Osterberg	Sherzan
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Absent or not voting, 2:

Swartz	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district, with report of committee recommending passage was taken up for consideration.

Schnekloth of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 560)

The ayes were, 71:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hermann
Hester	Holveck	Hughes	Jochum
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Parker
Paulin	Pavich	Peterson	Renaud

Rensink	Rosenberg	Royer	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Varn	Zimmerman	Mr. Speaker (Renken)	

The nays were, 27:

Black	Branstad	Carter	Cooper
Corey	Grandia	Hatch	Hummel
Jay	Johnson	Knapp	Koenigs
Maulsby	McKean	Mullins	Osterberg
Oxley	Peick	Pellett	Platt
Poncy	Running	Skow	Stueland
Van Camp	Van Maanen	Woods	

Absent or not voting, 2:

Swartz	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

REPORTS OF COMMITTEE ON APPROPRIATIONS

Senate File 156, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, and to change the method of administering the state scholarship program.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1985.

Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4218**, May 2, 1985.

Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4219**, May 2, 1985.

Senate File 588, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1985.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 309, 588 and 156.

Unfinished Business Calendar

The House resumed consideration of **Senate File 309**, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties, deferred and placed on the unfinished business calendar on April 19, 1985.

Renaud of Polk offered the following amendment H—3746 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3746

- 1 Amend Senate File 309 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 7, by striking the words "in an
- 4 amount equal to one hundred dollars or".
- 5 2. Page 1, line 9, by striking the words "
- 6 whichever is greater".
- 7 3. Page 1, line 13, by inserting after the word
- 8 "defendant" the words "by restricted certified mail".

The committee amendment H—3746 was adopted.

Holveck of Polk offered the following amendment H—3881 filed by Holveck, et al., and moved its adoption:

H—3881

- 1 Amend Senate File 309 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 5, by striking the words "for

- 4 lack of funds or credit or"
5 2. Page 1, by striking lines 18 through 26.

Roll call was requested by Stromer of Hancock and Bennett of Ida.

On the question "Shall amendment H—3881 be adopted?"

The ayes were, 18:

Beatty	Brammer	Branstad	Buhr
De Groot	Hammond	Haverland	Holveck
Hughes	Jochum	Johnson	Lloyd-Jones
O'Kane	Ollie	Osterberg	Rosenberg
Sturgeon	Van Camp		

The nays were, 75:

Arnould	Avenson	Baxter	Bennett
Black	Blanshan	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Hatch	Hermann	Hester
Hummel	Jay	Knapp	Koenigs
Kremer	Lageschulte	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Rensink
Royer	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Spear	Stromer
Stueland	Sullivan	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker (Renken)	

Absent or not voting, 7:

Doderer	Oxley	Parker	Running
Skow	Swartz	Welden	

Amendment H—3881 lost.

Peick of Linn asked and received unanimous consent to withdraw amendment H—3905 filed by her on April 18, 1985.

Rosenberg of Story asked and received unanimous consent to temporarily defer action on amendment H—3874.

Osterberg of Linn asked and received unanimous consent to temporarily defer action on amendment H—4102.

Speaker Avenson in the chair at 8:42 p.m.

Peick of Linn offered the following amendment H—3906 filed by her:

H—3906

- 1 Amend Senate File 309 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking lines 12 through 17 and
- 4 inserting the following: "awarded only if all the
- 5 following are true:
- 6 a. The plaintiff made written demand by restricted
- 7 certified mail of the defendant for payment of the
- 8 amount of the check, draft, or order not less than
- 9 thirty days before commencing the action.
- 10 b. The defendant has failed to tender to the
- 11 plaintiff, prior to commencement of the action, an
- 12 amount of money not less than the amount demanded.
- 13 c. The plaintiff clearly and conspicuously posted
- 14 a notice at the usual place of payment, or in a
- 15 billing statement of the plaintiff, stating that civil
- 16 damages pursuant to this section would be sought upon
- 17 dishonorment."

Norland of Worth asked and received unanimous consent that Senate File 309 be deferred and that the bill retain its place on the calendar.

(Amendment H—3906 pending.)

Senate File 588, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance, with report of committee recommending passage was taken up for consideration.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 588)

The ayes were, 96:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renk	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Baxter	Koenigs	Swartz	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 156, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, and to change the method of administering the state scholarship program, with report of committee recommending passage was taken up for consideration.

Varn of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 156)

The ayes were, 84:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Daggett	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Peterson	Platt	Poney
Renaud	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Sturgeon	Sullivan	Swearingen
Tabar	Teaford	Torrence	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 10:

Branstad	Corey	De Groot	Grandia
Handorf	Maulsby	Pellet	Renken
Stueland	Van Maanen		

Absent or not voting, 6:

Baxter	Hatch	Koenigs	Parker
Swartz	Welden		

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

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 586.

Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H—4219 filed by the committee on appropriations and moved its adoption:

H—4219

- 1 Amend Senate File 586 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 7, by striking the words "persons
- 4 and pay" and inserting the words "persons, pay".
- 5 2. Page 1, line 7, by inserting after the word
- 6 "committee" the words ", or other expenses approved by
- 7 the committee".

The committee amendment H—4219 was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 586)

The ayes were, 52:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Connolly	Connors	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Halvorson, R. N.	Hatch	Haverland	Holveck
Hughes	Joy	Jochum	Johnson
Knapp	Koenigs	Lonergan	McIntee
Metcalf	Muhlbauer	Norland	O'Kane
Ollie	Parker	Paulin	Pavich
Pellett	Renaud	Sherzan	Siegrist
Spear	Stromer	Sullivan	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 44:

Bennett	Clark	Cochran	Cooper
Corey	Daggett	De Groot	Grandía
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hermann	Hummel	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McKean
Miller	Mullins	Osterberg	Oxley
Peick	Peterson	Platt	Poney
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Shoning	Shultz
Skow	Stueland	Sturgeon	Swearingen
Teaford	Torrence	Van Camp	Van Maanen

Absent or not voting, 4:

Gruhn

Hester

Swartz

Welden

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: Senate Files 349, 574, 560, 588, 156 and 586.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 578.

Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H-4218 filed by the committee on appropriations:

H-4218

- 1 Amend Senate File 578, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1.
- 6 1. Except as provided in subsection 2, the salary
- 7 rates specified in this section are effective for the
- 8 fiscal year indicated and the salary rates for January
- 9 1, 1987, are effective for subsequent fiscal years
- 10 until otherwise provided by the general assembly. The
- 11 salaries provided for in this section shall be paid
- 12 from funds appropriated to the department or agency
- 13 specified in this section pursuant to any Act of the
- 14 general assembly or if the appropriation is not
- 15 sufficient, from the salary adjustment fund. The
- 16 following annual salary rates shall be paid to the
- 17 person holding the position indicated:

	1986-1987
	Fiscal Year
	Effective
	<u>January 1, 1987</u>
18	
19	
20	
21	
22	
23	
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Page 2

1 effective on an earlier date as specified by the
2 executive council.
3 Sec. 2.
4 1. Except as provided in subsection 2, the salary
5 rates specified in this section are effective for the
6 fiscal year indicated and the salary rates for January
7 1, 1987, are effective for subsequent fiscal years
8 until otherwise provided by the general assembly. The
9 salaries provided for in this section shall be paid
10 from funds appropriated to the department which the
11 person represents. The following annual salary rates
12 shall be paid to the persons holding the positions
13 indicated:

	1986-1987 Fiscal Year Effective January 1, 1987
14	
15	
16	
17	
18 a. Chief justice of	
19 the supreme court	\$ 69,600
20 b. Each justice of the	
21 supreme court	\$ 64,000
22 c. Chief judge of the	
23 court of appeals	\$ 62,100
24 d. Each associate judge	
25 of the court of appeals	\$ 60,700
26 e. Each chief judge of	
27 a judicial district	\$ 59,400
28 f. Each district court	
29 judge except the chief judge	
30 of a judicial district	\$ 56,700
31 g. Each district asso-	
32 ciate judge	\$ 47,000
33 h. Each part-time ju-	
34 dicial magistraté	\$ 13,100

35 2. The salary rates for the justices, judges, and
 36 magistrates indicated in subsection 1 for the fiscal
 37 period beginning July 1, 1985 and ending December 31,
 38 1986, are the same as for the fiscal year beginning
 39 July 1, 1984. However, with the approval of the
 40 executive council, the salary rates specified in
 41 subsection 1 which are to become effective on January
 42 1, 1987, shall become effective on an earlier date as
 43 specified by the executive council.

44 Sec. 3. The salary rates specified in this section
 45 are effective for the fiscal years indicated and the
 46 salary rates for January 1, 1987, are effective for
 47 subsequent fiscal years until otherwise provided by
 48 the general assembly. The salaries provided for in
 49 this section shall be paid from funds appropriated to
 50 the department or agency specified in this section.

Page 3

1 The following annual salary rates shall be paid to the
 2 persons holding the positions indicated:

	1985-1986 Fiscal Year Effective January 1, 1986	1986-1987 Fiscal Year Effective January 1, 1987
3		
4		
5		
6		
7 1. Chairman of the		
8 public employment relations		
9 board	\$ 42,800	\$ 44,500
10 2. Two members of the		
11 public employment relations		
12 board, each	\$ 39,700	\$ 41,300

13 Sec. 4. Persons receiving the salary rates
14 established under section 1, 2, or 3 of this Act shall
15 not receive any additional salary adjustments provided
16 by this Act.

17 Sec. 5. The governor shall establish a salary for
18 appointed nonelected persons in the executive branch
19 of state government holding a position enumerated in
20 section 6 of this Act within the range provided by
21 considering, among other items, the experience of the
22 individual in the position, changes in the duties of
23 the position, the incumbent's performance of assigned
24 duties, the availability of qualified candidates for
25 the position, and subordinates' salaries.

26 The governor, in establishing salaries as provided
27 in section 6 of this Act, shall take into
28 consideration other employee benefits which may be
29 provided for an individual including, but not limited
30 to, housing.

31 The governor shall not grant a salary increase to
32 an appointed nonelected officer enumerated in section
33 6 of this Act during the fiscal period beginning July
34 1, 1985 and ending December 31, 1986 if the annual
35 salary of the officer during the fiscal year beginning
36 July 1, 1984, is more than thirty thousand dollars.
37 However, a salary increase may be granted upon
38 approval by a majority of the members of the executive
39 council.

40 A person whose salary is established by section 7
41 of this Act and who is a full-time permanent employee
42 of the state shall not receive any other remuneration
43 from the state or from any other source for the
44 performance of that person's duties unless the
45 additional remuneration is first approved by the
46 governor or authorized by law; however, this provision
47 does not exclude necessary travel and expenses
48 incurred in the performance of duties or fringe
49 benefits normally provided to employees of the state.

50 Sec. 6. The following annual salary ranges are

Page 4

1 effective for the positions specified in this section
2 and for the fiscal years indicated. The ranges,
3 effective January 1, 1987, are effective for
4 subsequent fiscal years until otherwise provided by
5 the general assembly. The governor shall determine
6 the salary to be paid to the person indicated at a
7 rate within the salary ranges indicated from funds
8 appropriated by the general assembly for that purpose
9 subject to section 5.

10 1. The following salary ranges are effective for
11 persons holding the positions indicated:

	1985-1986		1986-1987	
	Fiscal Year		Fiscal Year	
	Effective		Effective	
	January 1, 1986		January 1, 1987	
	Minimum	Maximum	Minimum	Maximum
a. Range 1	\$ 6,000	\$18,200	\$ 6,300	\$19,110
b. Range 2	\$21,800	\$36,400	\$22,890	\$38,220
c. Range 3	\$30,400	\$42,400	\$31,920	\$44,520
d. Range 4	\$36,400	\$48,600	\$38,220	\$51,030
e. Range 5	\$42,400	\$54,600	\$44,520	\$57,330

22 2. The following are range one positions: members
 23 of the board of parole, members of the state health
 24 facilities council, and members of the transportation
 25 commission of the department of transportation.

26 3. The following are range two positions:
 27 executive director of the commission on the aging,
 28 director of the Iowa civil rights commission,
 29 executive director of the college aid commission,
 30 executive secretary of the Iowa criminal and juvenile
 31 justice planning agency, executive secretary of the
 32 committee on employment of the handicapped, members of
 33 the appeal board of the Iowa department of job
 34 service, director of disaster services of the
 35 department of public defense, director of the real
 36 estate commission, and director of the department of
 37 substance abuse.

38 4. The following are range three positions:
 39 appellate defender, director of the Iowa state arts
 40 council, director of the commission for the blind,
 41 administrator of the credit union department, director
 42 of the energy policy council, secretary of the state
 43 fair board, state geologist, industrial commissioner,
 44 labor commissioner, director of the department of soil
 45 conservation, director of the law enforcement academy,
 46 state librarian, and superintendent of the
 47 transportation regulation authority.

48 5. The following are range four positions:
 49 superintendent of banking, director of the beer and
 50 liquor control department, director of the state

Page 5

1 conservation commission, director of the department of
 2 public broadcasting network, director of the Iowa
 3 merit employment department, director of the depart-
 4 ment of corrections, director of the state historical
 5 department, director of the Iowa department of job
 6 service, director of the department of general
 7 services, commissioner of health, director of the
 8 office for planning and programming, executive
 9 director of the department of water, air and waste

10 management, commissioner of insurance, and
 11 commissioner of public safety.
 12 6. The following are range five positions: state
 13 comptroller, superintendent of public instruction,
 14 executive secretary of the state board of regents,
 15 director of the department of revenue, director of the
 16 development commission, commissioner of human
 17 services, members of the Iowa state commerce
 18 commission, consumer advocate, director of the de-
 19 partment of transportation, the secretary of the
 20 racing commission, and the commissioner of the
 21 lottery.

22 Sec. 7. The following annual salary range is
 23 effective for the position specified in this section
 24 and for the fiscal years indicated. The range,
 25 effective January 1, 1987, is effective for subsequent
 26 fiscal years until otherwise provided by the general
 27 assembly. The salary shall be paid to the person
 28 indicated at a rate determined as otherwise provided
 29 by law within the salary ranges from funds provided
 30 for that purpose:

	1985-1986		1986-1987	
	Fiscal Year		Fiscal Year	
	Effective		Effective	
	January 1, 1986		January 1, 1987	
	<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
36 For the court				
37 administrator	\$36,800	\$49,100	\$38,200	\$51,000

38 Sec. 8. Except as otherwise provided in this Act,
 39 the annual salary rates or ranges provided in sections
 40 1, 2, 3, 6 and 7 of this Act become effective for the
 41 fiscal year beginning July 1, 1985, with the pay
 42 period beginning December 13, 1985, and for the fiscal
 43 year beginning July 1, 1986, with the pay period
 44 beginning December 12, 1986.

45 Sec. 9. Funds appropriated to the salary
 46 adjustment fund and other funds appropriated to the
 47 various state departments and agencies shall be used
 48 to fund the following annual pay adjustments, expense
 49 reimbursement, and benefits not in conflict with the
 50 Code:

Page 6

- 1 a. The collective bargaining agreement negotiated
- 2 pursuant to chapter 20 for employees in the blue
- 3 collar bargaining unit.
- 4 b. The collective bargaining agreement negotiated
- 5 pursuant to chapter 20 for employees in the public
- 6 safety bargaining unit.
- 7 c. The collective bargaining agreement negotiated

8 pursuant to chapter 20 for employees in the security
9 bargaining unit.

10 d. The collective bargaining agreement negotiated
11 pursuant to chapter 20 for employees in the technical
12 bargaining unit.

13 e. The collective bargaining agreement negotiated
14 pursuant to chapter 20 for employees in the
15 professional fiscal and staff bargaining unit.

16 f. The collective bargaining agreement negotiated
17 pursuant to chapter 20 for employees in the university
18 of northern Iowa faculty bargaining unit.

19 g. The collective bargaining agreement negotiated
20 pursuant to chapter 20 for employees in the clerical
21 bargaining unit.

22 h. The collective bargaining agreement negotiated
23 pursuant to chapter 20 for employees in the social
24 services bargaining unit.

25 i. The annual pay adjustments, related benefits,
26 and expense reimbursement referred to in sections 10
27 and 11 of this Act for employees not covered by a
28 collective bargaining agreement.

29 Sec. 10.

30 1. The merit system pay plan and executive council
31 exempt pay plan provided for in section 19A.9,
32 subsection 2, as they exist for the fiscal years
33 ending June 30, 1985 and June 30, 1986, shall be
34 increased for employees who are not included in a
35 collective bargaining agreement made final under
36 chapter 20 by one percent for the fiscal year
37 beginning July 1, 1985, effective with the pay period
38 beginning December 13, 1985, and by four percent for
39 the fiscal year beginning July 1, 1986, effective with
40 the pay period beginning December 12, 1986. The merit
41 employment commission shall revise the merit system
42 pay plan and the governor shall revise the executive
43 council exempt pay plan as provided under section
44 19A.9, subsection 2, by increasing the salary levels
45 for the various grades and steps within the respective
46 plans. In addition to the increase specified above,
47 employees may receive merit increases or the
48 equivalent of a merit increase.

49 2. The pay plans for state employees who are
50 exempt from chapter 19A and who are included in the

Page 7

1 state comptroller's payroll system, the department of
2 transportation's payroll system, and the board office
3 employees of the state board of regents shall be
4 increased by the same percent and in the same manner
5 included in subsection 1 of this section.

6 3. This section does not apply to members of the
7 general assembly, board members, commission members,
8 salaries of persons set by the general assembly
9 pursuant to this Act or set by the governor, employees
10 designated under section 19A.3, subsection 6, and
11 employees under the state board of regents, but
12 subsection 2 of this section does apply to office
13 employees of the state board of regents.

14 4. Each appointing authority shall determine the
15 percentage increase for each professional and
16 managerial employee's salary provided for under this
17 section and may increase the base salaries of the
18 professional and managerial employees by different
19 percentages in accordance with rules of the merit
20 employment department and policies of the state
21 comptroller, but the average percentage increase for
22 all professional and managerial employees under each
23 appointing authority's jurisdiction made using the
24 appropriations authorized by this Act for the fiscal
25 years beginning July 1, 1985 and July 1, 1986, shall
26 not exceed the average increase provided for in
27 subsection 1 of this section. As used in this
28 section, "professional and managerial employee," means
29 a professional employee as defined in section 20.3,
30 subsection 11 or a representative of a public employer
31 or supervisory employee as defined in section 20.4,
32 subsection 2.

33 5. The policies for implementation of this section
34 shall be approved by the governor except those
35 policies governing the board office employees of the
36 state board of regents, employees of the legislative
37 department, or employees of the judicial department.

38 Sec. 11. The funds allocated to the state board of
39 regents for the purpose of providing increases for
40 employees not covered by a collective bargaining
41 agreement shall be used as follows:

42 1. The amount necessary to fund the fiscal year
43 beginning July 1, 1985, an average base salary
44 increase of two percent and the fiscal year beginning
45 July 1, 1986, an average base salary increase of five
46 point five percent of the base salaries of faculty
47 members and professional and scientific staff members,
48 except board office employees as provided for in
49 section 10, paid during the preceding fiscal year, to
50 be allocated to faculty members and professional and

Page 8

1 scientific staff members at the discretion of the
2 state board of regents.

3 2. For employees under the state board of regents'

4 merit system who are not included in the collective
5 bargaining agreement made final under chapter 20,
6 except board office employees, the amount necessary to
7 increase the state board of regents' merit system pay
8 plans as they exist for the fiscal year beginning July
9 1, 1985, by increasing the salary levels for each
10 grade and step within the plans by one percent for the
11 fiscal year beginning July 1, 1985, effective with the
12 pay period beginning January 1, 1986, and by four
13 percent for the fiscal year beginning July 1, 1986,
14 effective with the pay period beginning January 1,
15 1987. In addition to the increase specified above,
16 employees may receive merit increases or the
17 equivalent of a merit increase.

18 Sec. 12. All funds appropriated to the salary
19 adjustment fund for the department of transportation
20 and for the state agencies paid through the state
21 comptroller's centralized payroll system shall be used
22 to fund salary and fringe benefit expenditures for the
23 following periods of time:

24 1. For the fiscal years beginning July 1, 1985,
25 beginning with the biweekly pay date of July 5, 1985,
26 and ending with the biweekly pay date of June 21,
27 1986.

28 2. For the fiscal year beginning July 1, 1986,
29 beginning with the biweekly pay date of July 4, 1986,
30 and ending with the biweekly pay date of June 19,
31 1987.

32 Sec. 13. Section 2.10, subsections 1, 2 and 3,
33 Code 1985, are amended to read as follows:

34 1. Every member of the general assembly except the
35 speaker of the house and majority and minority floor
36 leaders of the senate and house shall receive an
37 annual salary of ~~fourteen~~ fifteen thousand six ~~three~~
38 hundred dollars for the year ~~1985~~ 1987 and subsequent
39 years while serving as a member of the general
40 assembly. The majority and minority floor leaders of
41 the senate and house shall receive an annual salary of
42 ~~seventeen~~ eighteen thousand ~~one~~ hundred dollars for
43 the year ~~1985~~ 1987 and subsequent years while serving
44 in such capacity. In addition, each such member shall
45 receive the sum of ~~forty~~ fifty dollars per day for
46 expenses of office, except travel, for each day the
47 general assembly is in session commencing with the
48 first day of a legislative session and ending with the
49 day of final adjournment of each legislative session
50 as indicated by the journals of the house and senate,

Page 9

1 except that in the event the length of the first
2 regular session of the general assembly exceeds one
3 hundred ten calendar days and the second regular
4 session exceeds one hundred calendar days, such
5 payments shall be made only for one hundred ten
6 calendar days for the first session and one hundred
7 calendar days for the second session. However,
8 members from Polk county shall receive ~~twenty-five~~
9 thirty-five dollars per day. Travel expenses shall be
10 paid at the rate established by section 18.117 for
11 actual travel in going to and returning from the seat
12 of government by the nearest traveled route for not
13 more than one time per week during a legislative
14 session. However, any increase from time to time in
15 the mileage rate established by section 18.117 shall
16 not become effective for members of the general
17 assembly until the convening of the next general
18 assembly following the session in which the increase
19 is adopted; and this provision shall prevail over any
20 inconsistent provision of any present or future
21 statute.

22 2. The lieutenant governor shall receive an annual
23 salary of ~~twenty-one~~ twenty-three thousand nine
24 ~~hundred~~ dollars for the year ~~1985~~ 1987 and subsequent
25 years. Personal expense and travel allowances shall
26 be the same for the lieutenant governor as for a
27 senator. The lieutenant governor while performing
28 administrative duties of the office of lieutenant
29 governor when the general assembly is not in session
30 or serving as the president of the senate during
31 special sessions of the general assembly shall receive
32 ~~sixty~~ seventy dollars per diem and reimbursement for
33 expenses incurred in performing such duties. The
34 salary, per diem, and expenses of the lieutenant
35 governor provided for under this subsection, including
36 office and staff expenses, shall be paid from funds
37 appropriated to the office of the lieutenant governor
38 by the general assembly.

39 3. The speaker of the house shall receive an
40 annual salary of ~~twenty-one~~ twenty-three thousand nine
41 ~~hundred~~ dollars for the year ~~1985~~ 1987 and subsequent
42 years while serving as the speaker of the house.
43 Expense and travel allowances shall be the same for
44 the speaker of the house as provided for other members
45 of the general assembly.

46 Sec. 14. Section 217.23, subsection 2, Code 1985,
47 is amended to read as follows:

48 2. The department is hereby authorized to expend
49 moneys from the support allocation of the department
50 as reimbursement for replacement or repair of personal

Page 10

- 1 items of the department's employees damaged or
- 2 destroyed by clients of the department during the
- 3 employee's tour of duty. However, the reimbursement
- 4 shall not exceed ~~seventy-five~~ one hundred fifty
- 5 dollars for each item. The department shall establish
- 6 rules in accordance with chapter 17A to carry out the
- 7 purpose of this section."
- 8 2. Amend the title, by striking lines 4 and 5 and
- 9 inserting the following: "and per diem, and making
- 10 coordinating amendments to the Code."

The House stood at ease at 9:12 p.m., until the fall of the gavel.

The House resumed session and consideration of the committee amendment H—4218 to Senate File 578 at 10:25 p.m., Speaker Avenson in the chair.

Sherzan of Polk in the chair at 10:32 p.m.

Varn of Johnson offered the following amendment H—4227, to the committee amendment H—4218 filed by him from the floor and moved its adoption:

H—4227

- 1 Amend the Committee amendment, H—4218, to Senate
- 2 File 578, as amended, passed and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 5, line 10, by inserting after the word
- 5 "insurance," the following: "executive secretary of
- 6 the state board of regents,".
- 7 2. Page 5, by striking line 14.

Amendment H—4227 lost.

Metcalf of Polk asked and received unanimous consent to temporarily defer action on amendment H—4229, filed by her from the floor.

Speaker Avenson in the chair at 10:42 p.m.

Mullins of Kossuth offered the following amendment H—4228, to the committee amendment H—4218, filed from the floor by Mullins, Clark, Lageschulte, Daggett, Shoning, Pellett, Maulsby, Van Camp, Miller, McKean, Paulin, Van Maanen, Corey, Metcalf,

Royer, Torrence, Hester, Carpenter and De Groot and moved its adoption:

H—4228

- 1 Amend the Committee amendment, H—4218, to Senate
- 2 File 578, as amended, passed and reprinted by the
- 3 Senate, as follows:
- 4 1. By striking page 8, line 32 through page 9,
- 5 line 45.
- 6 2. By renumbering sections as necessary.

Norland of Worth asked and received unanimous consent that Senate File 578 be deferred and that the bill retain its place on the calendar.

(Amendment H—4228, to the committee amendment H—4218, pending.)

Connors of Polk in the chair at 10:53 p.m.

Sherzan of Polk called up for consideration **Senate File 364**, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in bargaining unit, and the remedial powers of the public employment relations board.

Norland of Worth asked and received unanimous consent that Senate File 364 be deferred and that the bill retain its place on the calendar.

Speaker Avenson in the chair at 11:06 p.m.

Senate File 13, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years, with report of committee recommending passage was taken up for consideration.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 13)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shorning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Brammer	Hermann	Parker	Swartz
Woods			

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

IMMEDIATE MESSAGE (Senate File 13)

Norland of Worth asked and received unanimous consent to immediately message Senate File 13 to the Senate.

HOUSE INSISTS

The House resumed consideration of **Senate File 364**, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

Sherzan of Polk moved that the House insist on its amendment.

Stromer of Hancock moved that Senate File 364 be referred to the committee on labor and industrial relations.

The Speaker ruled the motion not in order pursuant to joint rules.

Stromer of Hancock asked for unanimous consent to defer action on Senate File 364.

Objection was raised.

Stromer of Hancock moved that Senate File 364 be deferred and retain its place on the calendar.

A non-record roll call was requested.

The ayes were 28, nays 49.

The motion to defer lost.

On the motion by Sherzan of Polk that the House insist on its amendment, a non-record roll call was requested.

The ayes were 54, nays 33.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 364)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 364: Sherzan of Polk, Chair; Varn of Johnson, Groth of Buena Vista, Bennett of Ida and Corey of Louisa.

IMMEDIATE MESSAGE
(Senate File 364)

Norland of Worth asked and received unanimous consent to immediately message Senate File 364 to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 590, a bill for an act relating to establishing nonpartisan mobile deputy registrars.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILL

House File 780, by committee on appropriations, a bill for an act appropriating funds relating to the compensation and benefits for public officials and employees.

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

SENATE MESSAGE CONSIDERED

Senate File 590, by Junkins and Hultman, a bill for an act relating to establishing nonpartisan mobile deputy registrars.

Read first time and referred to committee on **state government**.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2nd day of May, 1985: House Files 454, 682, 726, 728 and 741.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 2, 1985, he approved and transmitted to the Secretary of State the following bill:

House File 642, an act relating to and making appropriations to the Department of Banking, State Comptroller, Department of General Services, the Iowa Lottery Agency, the Iowa Development Commission, and Office of Disaster Services and providing an effective date.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighty fifth grade students from Orange City Elementary School, Orange City, accompanied by Paul Koets, Wilma Leslie and Phil Bach. By Rensink of Sioux.

Twenty-one tenth grade students from Bennett Senior High School, Bennett, accompanied by Bill Huckstadt. By Osterberg of Linn.

Seventy eighth grade students from Sigourney Middle School, Sigourney, accompanied by Mr. Howard and Mr. Kitzman. By Swearingen of Keokuk.

Fifteen first through sixth grade students from Lamoni Elementary School, Lamoni, accompanied by Mrs. Boswell. By Daggett of Taylor.

Forty sixth grade students from Clarion Elementary School, Clarion, accompanied by Mrs. Aldrich and Mrs. Rohrer. By Stromer of Hancock.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, court imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative

closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4217**, May 2, 1985

Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4222**, May 2, 1985.

Senate File 579, a bill for an act relating to the substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1985.

Committee Bill, appropriating funds relating to the compensation and benefits for public officials and employees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 2, 1985.

COMMITTEE ON WAYS AND MEANS

Senate File 568, a bill for an act relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and imposing rates for its use, benefit, and connection.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1985.

Senate File 584, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication.

Fiscal Note is required.

Recommended **Do Pass** May 2, 1985.

RESOLUTIONS FILED

HCR 44, by Fogarty, Pellett, Gruhn, Carter, Handorf and Branstad,

a concurrent resolution requesting creation of a study committee to study gasohol exemptions.

Laid over under **Rule 25**.

SCR 49, by committee on rules and administration, a concurrent resolution calling for an interim study of school finance.

Laid over under **Rule 25**.

SCR 51, by committee on small business and economic development, a concurrent resolution relating to commercial and industrial development in the state.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4203	H.F.	778	Varn of Johnson
H-4204	S.F.	577	McIntee of Black Hawk
H-4210	S.F.	575	Jochum of Dubuque
H-4212	H.F.	648	Senate Amendment
H-4213	H.F.	761	Senate Amendment
H-4216	S.F.	577	Parker of Jasper
H-4217	S.F.	570	Committee on Appropriations
H-4220	S.F.	309	Osterberg of Linn
H-4221	S.F.	309	Osterberg of Linn
H-4222	S.F.	575	Committee on Appropriations
H-4223	S.F.	24	Doderer of Johnson
H-4224	S.F.	24	Doderer of Johnson
H-4225	S.F.	24	Brammer of Linn
H-4226	S.F.	24	Doderer of Johnson
H-4230	S.F.	578	Lageschulte of Bremer

On motion by Norland of Worth, the House adjourned at 11:50 p.m., until 9:30 a.m., Friday, May 3, 1985.

JOURNAL OF THE HOUSE

One Hundred Tenth Calendar Day—Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 3, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Arthur Beumler, Jr., pastor of the Morningside Presbyterian Church, Sioux City.

The Journal of Thursday, May 2, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Haverland of Polk, until his arrival, on request of Ollie of Clinton; Skow of Guthrie, for the remainder of the week, on request of Black of Jasper; Handorf of Marshall, until his arrival, on request of Lageschulte of Bremer.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on May 1, 1985, adopted the conference committee report and passed House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products.

Also: That the Senate has, on May 1, 1985, adopted the conference committee report and passed House File 686, a bill for an act relating to plans and programs for educational development in Iowa.

Also: That the Senate has, on May 1, 1985, adopted the conference committee report and passed House File 730, a bill for an act relating to the licensure of dietitians and nutritionists.

Also: That the Senate has on May 1, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 34, concerning the sale of Consolidated Rail Corporation (Conrail).

Also: That the members of the conference committee, on the part of the Senate, appointed May 3, 1985, to Senate File 364, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, are: The Senator from Polk, Senator Mann, Chair; the Senator from Poweshiek, Senator Brown; the Senator from Pottawattamie, Senator Gronstal; the Senator from Montgomery, Senator Hultman; and, the Senator from Bremer, Senator Jensen.

Also: That the Senate has on May 1, 1985, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 564, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Regular Calendar

Senate File 507, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 507 be deferred and that the bill retain its place on the calendar.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 570.

SPECIAL PRESENTATION

Groninga of Cerro Gordo escorted to the front of the well and presented to the House six members of the Diet of Yamanashi Prefecture of Japan, which is the equivalent of our House of Representatives in Iowa.

The group is on their way from Kofu to visit their sister state in Brazil. Kofu is the sister city to Des Moines and is the capital of Yamanashi Prefecture.

The following members were introduced by Mr. Takashi Yamanaka, interpreter: Mr. Sueo Omori, Mr. Tomiaki Aonuma, Mr. Kazue Nishimura, Mr. Kiyokazu Takata, Mr. Shigematsu Maejima, and Mr. Nitsugi Katsumata.

The House rose and expressed its welcome.

Appropriations Calendar

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures, with report of committee recommending amendment and passage was taken up for consideration.

Swartz of Marshall offered amendment H-4217 filed by the committee on appropriations. Division was requested as follows:

H-4217

- 1 Amend Senate File 570, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-4217A

- 3 1. Page 2, line 8, by striking the words
- 4 "paragraph "a" " and inserting the following:
- 5 "subsection 1".
- 6 2. Page 8, by striking lines 13 through 19 and
- 7 inserting the following: "programming the following
- 8 information related to each district court conviction
- 9 for, acquittal of, or dismissal of a felony, an
- 10 aggravated misdemeanor, or a serious misdemeanor:
- 11 a. The name of the convicted offender or
- 12 defendant.
- 13 b. The statutory citation and character of the of-
- 14 fense of which the offender was convicted or the
- 15 defendant charged."
- 16 3. Page 11, line 3, by striking the words "One
- 17 fifth" and inserting the following: "Three tenths".
- 18 4. Page 11, line 6, by striking the words "Two
- 19 fifths" and inserting the following: "Three tenths".

H-4217B

20 5. Page 11, by inserting after line 8 the
21 following:

22 "Sec. . Section 602.9103, Code 1985, is amended
23 to read as follows:

24 602.9103 NOTICE BY JUDGE IN WRITING APPLICATION.

25 This Except as provided in section 602.11115, this
26 article shall not apply applies to any judge of the
27 municipal, superior, or district court, including a
28 district associate judge, or a judge of the court of
29 appeals or of the supreme court, until the judge gives
30 notice in writing, while serving as a judge, to the
31 state comptroller and treasurer of state, of the
32 judge's purpose to come within its purview. Judges of
33 the municipal and superior courts shall at the same
34 time give a copy of such notice to the city treasurer
35 and county auditor within the district of such court.
36 Such notice shall be given within one year after the
37 effective date hereof or within one year after any
38 date on which the judge takes oath of office as such
39 judge.

40 Sec. _____. Section 602.9104, subsection 1, Code
41 1985, is amended to read as follows:

42 1. Each judge coming within the purview of this
43 article shall, on or before retirement, pay to the
44 court administrator for deposit with the treasurer of
45 state to the credit of a fund to be known as the
46 "judicial retirement fund", hereinafter called the
47 "fund", a sum equal to four percent of the judge's
48 basic salary for services as such judge for the total
49 period of service as a judge of a municipal, superior,
50 district or supreme court, or the court of appeals,

Page 2

1 including district associate judges, before the date
2 of said notice July 1, 1985, and on and after the date
3 of the notice July 1, 1985 there shall be deducted and
4 withheld from the basic salary of each judge coming
5 within the purview of this article a sum equal to four
6 percent the following percentages of such basic
7 salary: Provided that, to vary according to the years
8 of service as a judge of the municipal, superior, or
9 district court, including a district associate judge,
10 or a judge of the court of appeals or of the supreme
11 court, or as a judge of any combination of the courts:
12 for less than seven years of service, seven percent;
13 for seven through twelve years of service, six
14 percent; for thirteen through eighteen years of
15 service, five percent; and for more than eighteen
16 years of service, four percent.

H-4217B

17 PARAGRAPH DIVIDED. However, the maximum amount
18 which any judge shall be required to contribute for
19 past service shall not exceed for municipal or
20 superior or district associate judges thirty-five
21 hundred dollars, for district judges four thousand
22 dollars, for court of appeals judges four thousand
23 five hundred dollars, and for supreme court judges
24 five thousand dollars.
25 Sec._____. Section 602.9109, Code 1985, is amended
26 by adding the following new unnumbered paragraph:
27 NEW UNNUMBERED PARAGRAPH. Annuities granted under
28 this article are exempt from taxation either as income
29 or as personal property."

H-4217A

30 6. Page 16, line 27, by striking the word "Four"
31 and inserting the following: "Five".
32 7. Page 16, line 30, by striking the words "six
33 seven" and inserting the following: "six".
34 8. Page 16, lines 31 and 32, by striking the
35 words "two dollars" and inserting the following: "one
36 dollar".
37 9. Page 17, line 4, by striking the word "seven"
38 and inserting the following: "six".
39 10. Page 23, by striking lines 5 and 6.
40 11. Page 23, by inserting after line 6 the
41 following:
42 "Sec._____. JUDICIAL RETIREMENT ACTUARIAL
43 VALUATION. The court administrator shall cause an
44 actuarial valuation to be made of the assets and
45 liabilities of the judicial retirement fund for the
46 fiscal year beginning July 1, 1984 and for subsequent
47 fiscal years. Following the actuarial valuation, the
48 court administrator shall determine the condition of
49 the system and shall report the system's condition and
50 the court administrator's recommendations regarding

Page 3

1 the system to the general assembly by January 15,
2 1986. The cost of the actuarial valuation shall be
3 paid from the judicial retirement fund."
4 12. By renumbering as necessary.

Connors of Polk in the chair at 10:04 a.m.

On motion by Swartz of Marshall, the committee amendment H-4217A was adopted.

Swartz of Marshall moved the adoption of the committee amendment H-4217B.

A non-record roll call was requested.

The ayes were 49, nays 33.

The committee amendment H-4217B was adopted.

Chapman of Linn offered the following amendment H-4232 filed by her from the floor and moved its adoption:

H-4232

- 1 Amend Senate File 570, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 7, by striking lines 10 through 16.
- 4 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 48, nays 39.

Amendment H-4232 was adopted.

Halvorson of Clayton offered the following amendment H-4233 filed by him and Harbor of Mills from the floor and moved its adoption:

H-4233

- 1 Amend Senate File 570, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by striking lines 9 through 14.
- 4 2. By renumbering as necessary.

Amendment H-4233 was adopted.

Swartz of Marshall offered amendment H-4234 filed by him from the floor and requested division as follows:

H-4234

- 1 Amend Senate File 570 as amended, passed and
- 2 reprinted by the Senate, as follows:

H-4234A

- 3 1. Page 23, by inserting after line 6 the
- 4 following:
- 5 "Sec. _____. Sections 8, 9, and 20 of this Act take
- 6 effect on July 1, 1986. The state court administrator
- 7 shall prescribe rules to coordinate and consolidate
- 8 the offset procedures required to forward necessary
- 9 offset information to the department of revenue."

H-4234B

- 10 2. Title page, lines 3 and 4, by striking the
- 11 words "and the setoff of income tax refunds and
- 12 rebates".

Swartz of Marshall asked and received unanimous consent to withdraw amendment H-4234B.

On motion by Swartz of Marshall, amendment H-4234A was adopted.

Swartz of Marshall offered the following amendment H-4238 filed by him from the floor and moved its adoption:

H-4238

- 1 Amend Senate File 570, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, by inserting after line 12 the
- 4 following:
- 5 "NEW UNNUMBERED PARAGRAPH. Until July 1, 1986 the
- 6 county shall remain responsible for necessary fees and
- 7 costs related to certain court reporters. Effective
- 8 July 1, 1986 the state shall assume the responsibility
- 9 for necessary fees and costs related to certain court
- 10 reporters."
- 11 2. Page 23, by inserting after line 6 the
- 12 following:
- 13 "Sec. _____. The third new unnumbered paragraph of
- 14 section 29 of this Act applies retroactively to July
- 15 1, 1983."
- 16 3. Title page, line 6, by inserting after the
- 17 word "procedures" the following: "and making certain
- 18 procedures retroactive".
- 19 4. By renumbering as necessary.

Amendment H—4238 was adopted.

Halvorson of Webster offered the following amendment H—4239 filed by him and Jay of Appanoose from the floor and moved its adoption:

H—4239

- 1 Amend Senate File 570, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 32 and inserting the
- 4 following: "person who, upon conviction of violating
- 5 a law regulating the operation of a motor vehicle, has
- 6 failed to pay the criminal fine or penalty,".
- 7 2. Page 8, by striking line 26 and inserting the
- 8 following: "criminal fines or penalties, surcharges,
- 9 or court costs related to the violation of a law
- 10 regulating the operation of a motor vehicle."

Amendment H—4239 was adopted.

Swartz of Marshall moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 570)

The ayes were, 79:

Arnould	Avenson	Baxter	Beatty
Brammer	Buhr	Carl	Carpenter
Cochran	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Shoning	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	
		(Connors)	

The nays were, 17:

Bennett	Black	Blanshan	Branstad
Carter	Chapman	Clark	Connolly
Doderer	Jay	Knapp	McIntee
Mullins	O'Kane	Poncy	Running
Siegrist			

Absent or not voting, 4:

Sherzan	Shoultz	Skow	Teaford
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 3, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 26, encouraging the establishment of the United States Institute of Peace in Iowa.

Also: That the Senate has on May 3, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 29, requesting and urging the Congress of the United States to take certain actions to assist farmers.

Also: That the Senate has on May 3, 1985, amended and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 41, providing for bonding by the board of regents for the ten-year building program.

Also: That the Senate has on May 3, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 42, relating to the operation of motor vehicles and other modes of transportation and recreation while under the influence of intoxicants or intoxicated, and other collateral issues regarding the use of alcoholic beverages and drugs.

Also: That the Senate has on May 2, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 589, a bill for an act related to the licensure of dietitians.

Also: That the Senate has on May 3, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 52, providing for interim studies to be considered by the Legislative Council.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 589, by Junkins and Hultman, a bill for an act related to the licensure of dietitians.

Read first time and referred to committee on **state government**.

IMMEDIATE MESSAGE (Senate File 570)

Norland of Worth asked and received unanimous consent to immediately message Senate File 570 to the Senate.

Ways and Means Calendar

Senate File 581, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association, with report of committee recommending amendment and passage was taken up for consideration.

Speaker Avenson in the chair at 11:45 a.m.

Cochran of Webster offered the following amendment H-4149 filed by the committee on ways and means and moved its adoption:

H-4149

- 1 Amend Senate File 581 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 26, by striking the figure
- 4 "182.3" and inserting the figure "182.2".
- 5 2. Page 4, line 18, by striking the figure
- 6 "182.2" and inserting the figure "182.1".
- 7 3. Page 5, line 4, by striking the figure
- 8 "182.10" and inserting the figure "182.9".

The committee amendment H-4149 was adopted.

Cochran of Webster offered the following amendment H—4235 filed by him and Pellett of Cass from the floor and moved its adoption:

H—4235

- 1 Amend Senate File 581, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Amend the title by striking all of the title
- 4 after the word "Act" in line 1 and inserting the
- 5 following: "providing for the promotion of the pork
- 6 industry in this state by creating an Iowa pork
- 7 producers council, authorizing an assessment on the
- 8 sale of porcine animals, and imposing penalties."

Amendment H—4235 was adopted.

Cochran of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 581)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Muhlbauer

Skow

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE
(Senate File 581)

Norland of Worth asked and received unanimous consent to immediately message Senate File 581 to the Senate.

SENATE AMENDMENTS CONSIDERED

Carl of Poweshiek called up for consideration **House File 700**, a bill for an act relating to the endangering of certain persons and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H—4177:

H—4177

- 1 Amend House File 700 as passed by the House as
- 2 follows:
- 3 1. Page 2, by striking lines 2 through 6 and
- 4 inserting the following: "emotional health. For
- 5 purposes of this paragraph, the failure to provide
- 6 specific medical treatment shall not for that reason
- 7 alone be considered willful deprivation of health care
- 8 if the person can show that such treatment would
- 9 conflict with the tenets and practice of a recognized
- 10 religious denomination of which the person is an
- 11 adherent or member. This exception does not in any
- 12 manner".

The motion prevailed and the House concurred in the Senate amendment H—4177.

Carl of Poweshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 700)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Parker Skow

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

Hammond of Story called up for consideration **House File 648**, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, amended by the Senate, and moved that the House concur in the following Senate amendment H-4212:

H-4212

- 1 Amend House File 648 as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting after line 10, the
- 4 following: "Nothing in this section shall be

- 5 construed as prohibiting (1) any bona fide
 6 religious institution from imposing qualifications
 7 based on religion when such qualifications are
 8 related to a bona fide religious purpose or (2)
 9 any institution from admitting students of only
 10 one sex."

The motion prevailed and the House concurred in the Senate amendment H-4212.

Hammond of Story moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 648)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Grandia

Van Maanen

Absent or not voting, 1:

Skow

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

Rosenberg of Story called up for consideration **House File 761**, a bill for an act relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions, amended by the Senate, and moved that the House concur in the following Senate amendment H—4213:

H—4213

- 1 Amend House File 761 as passed by the House as
- 2 follows:
- 3 1. Page 3, by inserting after line 31 the
- 4 following:
- 5 "Sec._____. Section 633.554, 1985 Iowa Acts, Senate
- 6 File 531, section 2, is amended to read as follows:
- 7 633.554 NOTICE TO PROPOSED WARD.
- 8 If the proposed ward is an adult, notice of the
- 9 filing of the petition shall be served upon the
- 10 proposed ward in the manner of an original notice and
- 11 the content of the notice is governed by the rules of
- 12 civil procedure governing original notice. If the
- 13 proposed ward is a minor or if the proposed ward is an
- 14 adult under a ~~standby order~~ petition and the court
- 15 determines, pursuant to section 633.561, subsection 1,
- 16 that the proposed ward is entitled to representation,
- 17 notice in the manner of original notice, or another
- 18 form of notice ordered by the court, given to the
- 19 attorney appointed to represent the ward is notice to
- 20 the proposed ward.
- 21 Sec._____. Section 633.561, subsection 1, 1985 Iowa
- 22 Acts, Senate File 531, section 3, is amended to read
- 23 as follows:
- 24 1. In a proceeding for the appointment of a
- 25 guardian, if the proposed ward is an adult and is not
- 26 the petitioner, the proposed ward is entitled to
- 27 representation. In a proceeding for the appointment
- 28 of a guardian, if the proposed ward is a minor or if
- 29 the proposed ward is an adult under a ~~standby order~~

30 petition, the court shall determine whether, under the
31 circumstances of the case, the proposed ward is
32 entitled to representation. The determination
33 regarding representation shall be made only after
34 notice to the proposed ward is made as the court deems
35 necessary.

36 Sec._____. Section 633.568, 1985 Iowa Acts, Senate
37 File 531, section 5, is amended to read as follows:

38 633.568, NOTICE ON TO PROPOSED WARD.

39 If the proposed ward is an adult, notice of the
40 filing of the petition shall be served upon the
41 proposed ward in the manner of an original notice and
42 the content of the notice is governed by the rules of
43 civil procedure governing original notice. If the
44 proposed ward is a minor and the court determines,
45 pursuant to section ~~633.561~~ 633.575, subsection 1,
46 that the proposed ward is entitled to representation,
47 notice in the manner of original notice, or another
48 form of notice ordered by the court, given to the
49 attorney appointed to represent the ward is notice to
50 the proposed ward.

Page 2

1 Sec._____. Section 633.575, subsections 3, 4 and 5,
2 1985 Iowa Acts, Senate File 531, section 6 are amended
3 to read as follows:

4 3. If the proposed ward is entitled to
5 representation and is indigent or incapable of
6 requesting counsel, the court shall appoint an
7 attorney to represent the proposed ward. The cost of
8 court appointed counsel for indigents shall be
9 assessed against the county in which the proceedings
10 are pending. For the purposes of this subsection, the
11 court may find a person is indigent if the person's
12 income and resources do not exceed one hundred fifty
13 percent of the federal poverty level or the person
14 would be unable to pay such costs without prejudicing
15 the person's financial ability to provide economic
16 necessities for the person or the person's dependents.

17 4. An attorney appointed pursuant to this section,
18 to the extent possible, shall:

19 a. Ensure that the proposed ward has been properly
20 advised of the nature of the proceeding and its
21 purpose.

22 b. Ensure that the proposed ward has been properly
23 advised of the ward's rights in a conservatorship
24 proceeding.

25 c. Personally interview the proposed ward.

26 d. File a written report stating whether there is
27 a return on file showing that proper service on the

28 proposed ward has been made and also stating that
 29 specific compliance with paragraphs "a" through "c"
 30 has been made or stating the inability to comply by
 31 reason of the proposed ward's condition.
 32 d e. Represent the proposed ward.
 33 e f. Ensure that the conservatorship procedures
 34 conform to the statutory and due process requirements
 35 of Iowa law.
 36 5. In the event that an order of appointment is
 37 entered, the attorney appointed pursuant to this
 38 section, to the extent possible, shall:
 39 f a. Inform the proposed ward of the effects of
 40 any order entered by the court, including the effects
 41 of an the order entered for appointment of
 42 conservator.
 43 g b. Advise the ward, if an order for appointment
 44 of conservator is entered, of the ward's rights to
 45 petition for modification or termination of
 46 conservatorship.
 47 h c. Advise the ward, if a conservator is
 48 appointed, of the rights retained by the ward.
 49 5. An attorney appointed pursuant to this section
 50 shall file an answer stating whether there is a return

Page 3

1 on file showing that proper service on the proposed
 2 ward has been made. The answer shall also state that
 3 specific compliance with subsection 4 has been made by
 4 the attorney or stating the inability to comply with
 5 subsection 4 by reason of the proposed ward's
 6 condition."

The motion prevailed and the House concurred in the Senate amendment H—4213.

Rosenberg of Story moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 761)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper

Corey	Daggett	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 7:

Branstad	De Groot	Grandia	Hummel
Maulsby	Renken	Van Maanen	

Absent or not voting, 2:

Carl	Skow
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULE 57 SUSPENDED

Lloyd-Jones of Johnson asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a committee on state government meeting upon recess.

On motion by Norland of Worth, the House was recessed at 12:08 p.m., until 12:40 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-four members present, forty-six absent.

CONSIDERATION OF BILLS
Regular Calendar

The House resumed consideration of **Senate File 507**, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city, previously deferred.

Siegrist of Pottawattamie offered the following amendment H-4241 filed by him from the floor and moved its adoption:

H-4241

- 1 Amend Senate File 507, as passed by the Senate as
- 2 follows:
- 3 1. Page 1, lines 17 and 18, by striking the words
- 4 "the E1/4 of the SE1/4 of Section 23" and inserting
- 5 the words "the E1/2 of the SE1/4 of Section 23".

Amendment H-4241 was adopted.

Siegrist of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 507)

The ayes were, 88:

Arnould	Baxter	Bennett	Blanshan
Brammer	Branstad	Buhr	Carl
Carpenter	Chapman	Clark	•Cochran
Cannolly	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley

Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Shoning	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Black	Running
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Absent or not voting, 10:

Beatty	Carter	Connors	Doderer
Groninga	Kremer	Sherzan	Shoultz
Skow	Tabor		

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

IMMEDIATE MESSAGE (Senate File 507)

Norland of Worth asked and received unanimous consent to immediately message Senate File 507 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 584.

Ways and Means Calendar

Senate File 584, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication, with report of committee recommending passage was taken up for consideration.

Schnekloth of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 584)

The ayes were, 89:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Shoning	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Beatty	Connors	Doderer	Fey
Hughes	Lloyd-Jones	Sherzan	Shultz
Siegrist	Skow	Tabor	

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 81**, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle, deferred and placed on the unfinished business calendar on April 19, 1985.

Pavich of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 81)

The ayes were, 76:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Cooper
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rosenberg	Royer	Running
Schnekloth	Shoning	Shultz	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Teaford	Van Camp
Varn	Welden	Woods	Mr. Speaker

The nays were, 13:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Grandia
Handorf	Renken	Rensink	Torrence
Van Maanen			

Absent or not voting, 11:

Beatty	Connors	Doderer	Hughes
Lloyd-Jones	Osterberg	Sherzan	Siegrist
Skow	Tabor	Zimmerman	

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 37

Peick of Linn called up for consideration House Concurrent Resolution 37, relating to telephone service for legislators, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 1:20 p.m., until the fall of the gavel.

The House resumed session at 1:42 p.m., Connors of Polk in the chair.

The House stood at ease at 1:43 p.m., until the fall of the gavel.

The House resumed session at 2:50 p.m., Speaker Avenson in the chair.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 577.

Regular Calendar

Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for incentives for lending institutions to participate in the operating assistance program, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, by modifying the investment powers of the state chartered savings and loan associations and savings banks, providing for out-of-state bank holding companies to acquire interests in Iowa banks if those bank holding companies had entered into contracts on or before July 1, 1984, to directly or indirectly acquire voting shares, an interest in all or substantially all of the assets of, or control of bank holding companies or banks located in this state, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee, was taken up for consideration.

Parker of Jasper offered the following amendment H-4194 filed by the committee on economic development:

H-4194

- 1 Amend Senate File 577 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 22, line 17, by striking the word "seven"
- 4 and inserting the word "five".

- 5 2. Page 22, line 19, by striking the words "REAL
6 PROPERTY" and inserting the following: "AGRICULTURAL
7 LAND".
- 8 3. Page 22, line 20, by striking the words "Real
9 property" and inserting the following: "Agricultural
10 land".
- 11 4. Page 22, line 26, by striking the words "the
12 same type of real property" and inserting the
13 following: "agricultural land".
- 14 5. Page 22, line 27, by striking the words "real
15 property" and inserting the following: "agricultural
16 land".
- 17 6. Page 22, line 31, by striking the words "real
18 property" and inserting the words "agricultural land".
- 19 7. Page 23, line 16, by striking the word "three"
20 and inserting the following: "five".
- 21 8. Page 23, line 18, by striking the words "Real
22 property" and inserting the following: "Agricultural
23 land".
- 24 9. Page 23, line 22, by striking the words "the
25 same type of real property" and inserting the
26 following: "agricultural land".
- 27 10. Page 23, line 23, by striking the words "real
28 property" and inserting the following: "agricultural
29 land".
- 30 11. Page 23, line 30, by striking the words "real
31 property" and inserting the words "agricultural land".
- 32 12. Page 23, line 32, by striking the words "real
33 property" and inserting the following: "agricultural
34 land".
- 35 13. Page 23, line 33, by striking the words "real
36 property" and inserting the following: "agricultural
37 land".
- 38 14. By striking page 23, line 34 through page 24,
39 line 32.
- 40 15. By striking page 24, line 33 through page 26,
41 line 4.
- 42 16. Page 26, line 13, by striking the words "real
43 property" and inserting the following: "agricultural
44 land".
- 45 17. Page 26, line 19, by striking the words "real
46 property" and inserting the following: "agricultural
47 land".
- 48 18. By striking page 26, line 25 through page 27,
49 line 17.
- 50 19. By striking page 27, line 18 through page 28,

Page 2

- 1 line 33.
2 20. By striking page 28, line 34 through page 29,

3 line 6, and inserting the following:

4 "Sec._____. An interim study committee is created
5 for the purpose of studying farm financial stress.
6 There shall be at least ten members on the study
7 committee who shall be appointed by the legislative
8 council and whose membership may include, but shall
9 not be limited to, members of the general assembly
10 representing both houses and both political parties,
11 persons representing the lending industry and the
12 agricultural industry, and other persons deemed
13 necessary by the legislative council. The study
14 committee shall coordinate its efforts with Iowa state
15 university. The study committee shall be under the
16 management and control of the legislative council.
17 The study committee may investigate, research, hold
18 hearings, and make recommendations accompanied by bill
19 drafts designed to carry out those recommendations,
20 and generally exercise the powers and duties provided
21 for legislative committees and study committees as
22 provided in chapter 2. Specific purposes of the study
23 committee are to review new data and develop better
24 understandings about the causes and trends in farm
25 financial stress; to monitor the private and public
26 actions and programs at work to resolve the crisis; to
27 examine the probable "ripple" or general economic
28 effects of farm financial stress and the effects on
29 rural non-farm businesses, lenders, cooperatives, and
30 main street businesses; to analyze the ownership
31 patterns of farms and control of input supply
32 businesses, farm related factories, grain elevators
33 and meat processing plants; to anticipate the effect
34 on the Iowa economy and local communities if no action
35 is taken; and to evaluate current or proposed remedies
36 and alternatives such as modification of the Uniform
37 Commercial Code, a limited foreclosure moratorium,
38 permission for lenders to hold land, special education
39 for adults through programs such as ASSIST, the Rural
40 Concerns Hotline, the displaced farmers program, tax
41 exempt state bonds to provide low interest credit,
42 loan guarantees, state or federal appropriations for
43 interest rate "buydowns", an agricultural adjustment
44 corporation, and an agricultural investment bank. The
45 study committee shall make periodic reports to the
46 legislative council and make a final report to the
47 legislative council and the members of the general
48 assembly by January 15, 1986."

49 21. Page 29, by inserting after line 13 the
50 following:

Page 3

1 "Sec. _____. Sections 1 through 23 of this Act are
2 effective March 1, 1986."

3 22. Title page, line 6, by striking the word
4 "seven-year" and inserting the following: "five-
5 year".

6 23. Title page, lines 10 through 12, by striking
7 the words "by modifying the investment powers of the
8 state chartered savings and loan associations and
9 savings banks,".

10 24. Title page, lines 12 through 17, by striking
11 the words "providing for out-of-state bank holding
12 companies to acquire interests in Iowa banks if those
13 bank holding companies had entered into contracts on
14 or before July 1, 1984, to directly or indirectly
15 acquire voting shares, an interest in all or
16 substantially all of the assets of, or control of bank
17 holding companies or banks located in this state,".

18 25. Title page, by striking line 19, and
19 inserting the following: "an alternative nonjudicial
20 voluntary foreclosure procedure including providing
21 for redemption periods for lienholders,".

22 26. Title page, by striking line 20.

23 27. Title page, by striking line 21 and inserting
24 the following: "providing for an interim study
25 committee, and providing an effective date."

Parker of Jasper offered the following amendment H—4243, to the committee amendment H—4194, filed from the floor by Parker, Swartz, Halvorson of Clayton and Hummel and moved its adoption:

H—4243

1 Amend amendment H—4194 to Senate File 577 as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 "_____. Page 1, by inserting before line 1 the
7 following:

8 "Sec. 101. Section 117.46, subsection 1, Code
9 1985, is amended to read as follows:

10 1. Each real estate broker shall maintain a common
11 trust account in a bank, ~~or~~ a savings and loan
12 association, savings bank, or credit union for the
13 deposit of all down payments, earnest money deposits,

14 or other trust funds received by the broker or the
15 broker's salespersons on behalf of the broker's
16 principal, except that a broker acting as a
17 salesperson shall deposit these funds in the common
18 trust account of the broker for whom the broker acts
19 as salesperson. The account shall be an interest-
20 bearing account. The interest on the account shall be
21 transferred quarterly to the treasurer of state and
22 deposited in the title guaranty fund and used for
23 public purposes and the benefit of the public pursuant
24 to section 220.91 unless there is a written agreement
25 between the buyer and seller to the contrary. The
26 broker shall not benefit from interest received on
27 funds of others in the broker's possession."

28 2. Page 1, by inserting after line 18 the
29 following:

30 "_____. Page 23, by inserting after line 5 the
31 following:

32 "Sec. 102. Section 220.1, subsection 28,
33 unnumbered paragraph 1, Code 1985, is amended to read
34 as follows:

35 "Small business" means a profit or nonprofit
36 business entity organized for profit, including but
37 not limited to an individual, partnership,
38 corporation, joint venture, association or
39 cooperative, to which the following apply:

40 Sec. 103. Section 220.1, Code 1985, is amended by
41 adding the following new subsections:

42 NEW SUBSECTION. 34. "Title Guaranty" means a
43 guaranty against loss or damage caused by defective
44 title to real property.

45 NEW SUBSECTION. 35. "Division" means the title
46 guaranty division.

47 Sec. 104. Section 220.2, subsection 1, Code 1985,
48 is amended by striking the subsection and inserting
49 the following:

50 1. The Iowa finance authority is established, and

Page 2

1 constituted a public instrumentality and agency of the
2 state exercising public and essential governmental
3 functions, to undertake programs which assist in
4 attainment of adequate housing for low or moderate
5 income families, elderly families, and families which
6 include one or more persons who are handicapped or
7 disabled, and to undertake the Iowa homesteading
8 program and the small business loan program. The

9 powers of the authority are vested in and shall be
10 exercised by a board of nine members appointed by the
11 governor subject to confirmation by the senate. No
12 more than five members shall belong to the same
13 political party. As far as possible the governor
14 shall include within the membership persons who
15 represent community and housing development
16 industries, housing finance industries, the real
17 estate sales industry, elderly families, minorities,
18 lower income families, very low income families,
19 handicapped and disabled families, average taxpayers,
20 local government, and any other person specially
21 interested in community housing.

22 A title guaranty division is created within the
23 authority. The powers of the division as relating to
24 the issuance of title guaranties shall be vested in
25 and exercised by a division board of five members
26 appointed by the governor subject to confirmation by
27 the senate. The membership of the board shall include
28 an attorney, an abstractor, a real estate broker, a
29 representative of a mortgage-lender and a
30 representative of the housing development industry.
31 The executive director of the authority shall appoint
32 a director of the title guaranty division who shall be
33 an attorney and shall serve as an ex officio member of
34 the board. The appointment of and compensation for
35 the division director shall be exempt from the
36 provisions of chapter 19A.

37 a. Members of the board of the division shall be
38 appointed by the governor for staggered terms of six
39 years beginning and ending as provided in section
40 69.19. A person shall not serve on the division board
41 while serving on the authority board. A person
42 appointed to fill a vacancy shall serve only for the
43 unexpired portion of the term. A member is eligible
44 for reappointment. A member of the division board may
45 be removed from office by the governor for
46 misfeasance, malfeasance or willful neglect of duty or
47 for other just cause, after notice and hearing, unless
48 notice and hearing is expressly waived in writing.

49 b. Three members of the board shall constitute a
50 quorum. An affirmative vote of a majority of the

Page 3

1 appointed members is necessary for any substantive
2 action taken by the division.

3 c. Members of the board are entitled to receive
4 forty dollars per diem for each day spent in
5 performance of duties as members and shall be
6 reimbursed for all actual and necessary expenses
7 incurred in the performance of duties as members.

8 d. Members of the board and the director shall
9 give bond as required for public officers in chapter
10 64.

11 e. Meetings of the board shall be held at the call
12 of the chair of the board or on written request of two
13 members.

14 f. Members shall elect a chair and vice chair
15 annually and other officers as they determine. The
16 director shall serve as secretary to the board.

17 g. The net earnings of the division, beyond that
18 necessary for reserves, backing, guaranties issued or
19 to otherwise implement the public purposes and
20 programs authorized, shall not inure to the benefit of
21 any person other than the state and are subject to
22 section 220.2, subsection 8.

23 Sec. 105. Section 220.3, Code 1985, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 14. The abstract-attorney's title
26 opinion system promotes land title stability for
27 determining the marketability of land titles and is a
28 public purpose. A public purpose will be served by
29 providing, as an adjunct to the abstract-attorney's
30 title opinion system, a low cost mechanism to provide
31 for additional guaranties of real property titles in
32 Iowa. The title guaranties will facilitate mortgage
33 lenders participation in the secondary market and add
34 to the integrity of the land-title transfer system in
35 the state.

36 Sec. 106. Section 220.5, Code 1985, is amended by
37 adding the following new subsection:

38 NEW SUBSECTION. 16. Through the title guaranty
39 division, make and issue title guaranties on Iowa real
40 property in a form acceptable to the secondary market,
41 to fix and collect the charges for the guaranties and
42 to procure reinsurance against any loss in connection
43 with the guaranties.

44 Sec. 107. NEW SECTION. 220.40 COMMITMENT COSTS
45 FUND.

46 A commitment costs fund is created within the
47 treasurer of state's office. The moneys shall be used
48 by the authority to cover initial commitment costs of
49 authority bond issues and loans in order to facilitate
50 and ensure equal access across the state to funds for

Page 4

1 programs for first time home buyers. Moneys in the
2 fund shall not revert to the general fund and interest
3 on the moneys in the fund shall be retained as part of
4 the fund and not accrue to the general fund.

5 Sec. 108. NEW SECTION. 220.91 TITLE GUARANTY
6 PROGRAM.

7 1. The authority through the title guaranty
8 division shall initiate and operate a program in which
9 the division shall offer guaranties of real property
10 titles in this state. The terms, conditions and form
11 of the guaranty contract shall be forms approved by
12 the division board. The division shall fix a charge
13 for the guaranty in an amount sufficient to permit the
14 program to operate on a self-sustaining basis,
15 including payment of administrative costs and the
16 maintenance of an adequate reserve against claims
17 under the title guaranty program. A title guaranty
18 fund is created in the office of the treasurer of
19 state. Funds collected under this program shall be
20 placed in the title guaranty fund and are available to
21 pay all claims, necessary reserves and all
22 administrative costs of the title guaranty program.
23 Moneys in the fund shall not revert to the general
24 fund and interest on the moneys in the fund shall be
25 retained as a part of the fund and shall not accrue to
26 the general fund. If the authority board in
27 consultation with the division board determines that
28 there are surplus funds in the title guaranty fund
29 after providing for adequate reserves and operating
30 expenses of the division, the surplus funds shall be
31 transferred to the commitment costs fund created
32 pursuant to section 220.40.

33 2. A title guaranty issued under this program is
34 an obligation of the division only and claims are
35 payable solely and only out of the moneys, assets and
36 revenues of the title guaranty fund and are not an
37 indebtedness or liability of the state. The state is
38 not liable on the guaranties.

39 3. With the approval of the authority board the
40 division and its board shall consult with the
41 insurance department in developing a guaranty contract
42 acceptable to the secondary market and developing any
43 other feature of the program with which the department
44 may have special expertise. The department shall
45 establish the amount for a loss reserve fund. Except
46 as provided in this subsection, the title guaranty
47 program is not subject to the jurisdiction of or
48 regulation by the insurance department or the
49 commissioner of insurance.

50 4. Each participating mortgage lender, attorney

Page 5

1 and abstractor shall pay an annual participation fee
2 to be eligible to participate in the title guaranty
3 program. The fee shall be set by the division,
4 subject to the approval of the authority.

5 5. The participation of abstractors, attorneys
6 and lenders shall be in accordance with rules
7 established by the division and adopted by the
8 authority pursuant to chapter 17A. Each participant
9 shall at all times maintain liability coverage in
10 amounts approved by the division. Upon payment of a
11 claim by the division, the division shall be
12 subrogated to the rights of the claimant against all
13 persons relating to the claim.

14 6. Prior to the issuance of a title guaranty, the
15 division shall require evidence that an abstract of
16 title to the property in question has been brought up-
17 to-date and certified by a participating abstractor in
18 a form approved by division rules and a title opinion
19 issued by a participating attorney in the form
20 approved in the rules stating the attorney's opinion
21 as to the title. The division shall require evidence
22 of the abstract being brought up-to-date and the
23 abstractor shall retain evidence of the abstract as
24 determined by the board.

25 7. The attorney rendering a title opinion shall be
26 authorized to issue a title guaranty certificate
27 subject to the rules of the authority. A person or
28 mortgage lender participating in the title guaranty
29 program shall not charge or receive any portion of the
30 charge for the guaranty as a result of their
31 participation in the title guaranty program.

32 8. A participating mortgage lender shall notify
33 the division when the mortgage covered by a title
34 guaranty has been satisfied of record.

35 9. The authority shall adopt rules pursuant to
36 chapter 17A that are necessary for the implementation
37 of the title guaranty program as established by the
38 division and that have been approved by the
39 authority." "

40 3. Page 1, by inserting before line 19 the
41 following:

42 "_____. Page 23, by inserting after line 5 the
43 following:

44 "Sec._____. Section 511.8, subsection 4, Code 1985,
45 is amended to read as follows:

46 4. INTERNATIONAL BANK BONDS. Bonds or other
47 evidence of indebtedness issued, assumed or guaranteed
48 by the International Bank for reconstruction and
49 development, in an amount not to exceed two percent of
50 its total assets as shown by the last annual report,

Page 6

1 or by the Inter-American Development Bank in an amount
2 not to exceed two percent of its total assets as shown
3 by the last annual report or by the Asian Development
4 Bank in an amount not to exceed two percent of its
5 total assets as shown by the last annual report or by
6 the African Development Bank in an amount not to
7 exceed two percent of its total assets as shown by the
8 last annual report. However, the combined investment
9 in bonds or evidences of indebtedness permitted by
10 this subsection shall not exceed four percent of its
11 total assets as shown by the last annual report." "

12 4. Page 1, by inserting before line 19 the
13 following:

14 "_____. Page 23, by inserting after line 5 the
15 following:

16 "Sec. 109. Section 524.103, Code 1985, is amended
17 by adding the following new subsection:

18 NEW SUBSECTION. 27. "Bankers' bank" means a bank
19 which is organized under the laws of any state or
20 under federal law, and whose shares are owned
21 exclusively by other banks or by a bank holding
22 company whose shares are owned exclusively by other
23 banks, except for directors' qualifying shares when
24 required by law, and which engages exclusively in
25 providing services for depository institutions and
26 officers, directors and employees of those depository
27 institutions.

28 Sec. 110. NEW SECTION. 524.109 BANKERS' BANK
29 AUTHORIZED.

30 A state bank may be organized under this chapter as
31 a bankers' bank. The bankers' bank is subject to all
32 rights, privileges, duties, restrictions, penalties,
33 liabilities, conditions and limitations applicable to
34 state banks generally except as limited in the
35 definition of bankers' bank contained in the section
36 524.103, subsection 27. However, a bankers' bank
37 shall have the same powers as those granted by federal
38 law and regulation to a national bank organized as a
39 bankers' bank under 12 U.S.C. § 27." "

40 5. Page 1, by inserting after line 37 the
41 following:

42 "_____. Page 23, by inserting after line 33 the
43 following:

44 "Sec. 111. Section 524.901, Code 1985, is amended
45 by adding the following new subsection:

46 NEW SUBSECTION. 5. A state bank may invest for
47 its own account in the shares of a bankers' bank or in
48 the shares of a bank holding company which owns a
49 bankers' bank. A state bank shall not invest in more
50 than one bankers' bank or in more than one bank

Page 7

1 holding company which owns a bankers' bank. A state
2 bank shall not invest an amount greater than ten
3 percent of its capital and surplus in the shares of a
4 bankers' bank or in the shares of a bank holding
5 company which owns a bankers' bank. A state bank
6 shall not invest any amount if after the investment
7 the state bank would own or control more than five
8 percent of any class of the voting shares of a
9 bankers' bank or a bank holding company which owns a
10 bankers' bank." "

11 6. Page 1, by inserting before line 38 the
12 following:

13 "_____. Page 23, by inserting after line 33 the
14 following:

15 "Sec. 112. Section 524.1202, Code 1985, is amended
16 by adding the following new subsection:

17 **NEW SUBSECTION. 3.** Notwithstanding subsection 1,
18 if the assets of a state or national bank in existence
19 on January 1, 1985 are transferred to a different
20 state or national bank in the state which is located
21 in the same county or a county contiguous to or
22 cornering upon the county in which the principal place
23 of business of the acquired bank is located, the
24 resulting or acquiring bank may convert to and operate
25 as its bank office any one or more of the business
26 locations occupied as the principal place of business
27 or as a bank office of the bank whose assets are so
28 acquired. The limitations on bank office locations
29 contained in unnumbered paragraph 1 of this section,
30 and the limitation on the number of bank offices
31 within the municipality or urban complex of the
32 resulting or acquiring bank contained in subsection 2
33 shall be applicable to any bank office otherwise
34 authorized by this subsection. A bank office
35 established under the authority of this subsection is
36 subject to the approval of the superintendent, shall
37 be operated in accordance with this chapter relating
38 to the operation of bank offices, and may be augmented
39 by an integral facility when approved under subsection
40 2, paragraph "d". "

41 7. Page 1, by striking lines 38 and 39.

42 8. Page 1, by inserting after line 41 the
43 following:

44 "_____. Page 26, by inserting before line 5 the
45 following:

46 "Sec. 113. Section 535.8, subsection 2, paragraph
47 b, Code 1985, is amended by adding the following new
48 subparagraph:

49 (10) The cost of a title guaranty issued by the
50 Iowa finance authority pursuant to chapter 220.

Page 8

1 Sec. 114. NEW SECTION. 535A.9 TITLE GUARANTY
2 PROGRAM DISCLOSED.

3 A financial institution shall advise prospective
4 borrowers of the availability of the title guaranty
5 program provided for in chapter 220 and also provide
6 the prospective borrower with information about the
7 title guaranty program as provided to the financial
8 institution by the title guaranty board." "

9 9. Page 1, by inserting before line 42 the
10 following:

11 "_____. Page 26, by inserting before line 5 the
12 following:

13 "Sec. _____. Section 554.9402, subsection 4, Code
14 1985, is amended to read as follows:

15 4. A Except as provided in this subsection, a
16 financing statement may be amended by filing a writing
17 signed by both the debtor and the secured party.
18 However, an amendment is sufficient when it is signed
19 only by the secured party if it is filed to show a
20 change of the name of the secured party. An amendment
21 showing only a change of the name of the secured party
22 shall be filed without fee. An amendment does not
23 extend the period of effectiveness of a financing
24 statement. If any amendment adds collateral, it is
25 effective as to the added collateral only from the
26 filing date of the amendment. In this Article, unless
27 the context otherwise requires, the term "financing
28 statement" means the original financing statement and
29 any amendments." "

30 10. Page 1, by inserting after line 47 the
31 following:

32 "_____. Page 26 by inserting after line 24 the
33 following:

34 "Sec. 115. NEW SECTION. 628.29 REDEMPTION BY
35 CREDITOR PURSUANT TO ALTERNATIVE FORECLOSURE.

36 A lienholder of record may redeem real property
37 which has been foreclosed by a mortgagee pursuant to
38 the alternative voluntary foreclosure procedure
39 provided in section 654.16. The junior lienholders'
40 redemption period shall be thirty days commencing the
41 day the notice required by section 654.16, subsection
42 1, paragraph "e" is sent. The redemption shall be
43 made by payment to the mortgagee of the amount of the
44 debt secured by the mortgage including any protective
45 advances made pursuant to chapter 629. Upon payment,
46 the mortgagee shall convey the property by special
47 warranty deed to the redeeming junior lienholder.

48 Sec. 116. Section 654.1, Code 1985, is amended to
49 read as follows:

50 654.1 EQUITABLE PROCEEDINGS.

1 No Except as provided in section 654.16, a deed of
 2 trust or mortgage of real estate shall not be
 3 foreclosed in any other manner than by action in court
 4 by equitable proceedings.

5 Sec. 117. NEW SECTION. 654.16 ALTERNATIVE
 6 NONJUDICIAL VOLUNTARY FORECLOSURE PROCEDURE.

7 1. Upon the mutual written agreement of the
 8 mortgagor and mortgagee, a real estate mortgage may be
 9 foreclosed pursuant to this section by doing all of
 10 the following:

11 a. The mortgagor shall convey to the mortgagee all
 12 interest in the real property subject to the mortgage.

13 b. The mortgagee shall accept the mortgagor's
 14 conveyance and waive any rights to a deficiency or
 15 other claim against the mortgagor arising from the
 16 mortgage.

17 c. The mortgagee shall have immediate access to
 18 the real property for the purposes of maintaining and
 19 protecting the property.

20 d. The mortgagor and mortgagee shall file a
 21 jointly executed document with the county recorder in
 22 the county where the real property is located stating
 23 that the mortgagor and mortgagee have elected to
 24 follow the alternative voluntary foreclosure
 25 procedures pursuant to this section.

26 e. The mortgagee shall send by certified mail a
 27 notice of the election to all junior lienholders as of
 28 the date of the conveyance under paragraph "a",
 29 stating that the junior lienholders have thirty days
 30 from the date of mailing to exercise any rights of
 31 redemption. The notice may also be given in the
 32 manner prescribed in section 656.3 in which case the
 33 junior lienholders have thirty days from the
 34 completion of publication to exercise the rights of
 35 redemption.

36 f. At the time the mortgagor signs the written
 37 agreement pursuant to subsection 1, the mortgagee
 38 shall furnish the mortgagor a completed form in
 39 duplicate, captioned "Disclosure and Notice of
 40 Cancellation". The form shall be attached to the
 41 written agreement, shall be in ten point boldface type
 42 and shall be in the following form:

43 "DISCLOSURE AND NOTICE OF CANCELLATION
 44
 45 (enter date of transaction)

46 Under a forced foreclosure Iowa law requires that
 47 you have the right to reclaim your property within one
 48 year of the date of the foreclosure and that you may
 49 continue to occupy your property during that time. If
 50 you agree to a voluntary foreclosure under this

Page 10

1 procedure you will be giving up your right to reclaim
 2 or occupy your property.
 3 Under a forced foreclosure, if your mortgage lender
 4 does not receive enough money to cover what you owe
 5 when the property is sold, you will still be required
 6 to pay the difference. If your mortgage lender
 7 receives more money than you owe, the difference must
 8 be paid to you. If you agree to a voluntary
 9 foreclosure under this procedure you will not have to
 10 pay the amount of your debt not covered by the sale of
 11 your property but you also will not be paid any extra
 12 money, if any, over the amount you owe.

13 NOTE: There may be other advantages and
 14 disadvantages, including an effect on your income tax
 15 liability, to you depending on whether you agree or do
 16 not agree to a voluntary foreclosure. If you have any
 17 questions or doubts, you are advised to discuss them
 18 with your mortgage lender or an attorney.

19 You may cancel this transaction, without penalty or
 20 obligation, within five business days from the above
 21 date.

22 This transaction is entirely voluntary. You cannot
 23 be required to sign the attached foreclosure
 24 agreement.

25 This voluntary foreclosure agreement will become
 26 final unless you sign and deliver or mail this notice
 27 of cancellation to

28 _____ before midnight of _____
 29 (name of mortgagee) (enter proper date)

30 I HEREBY CANCEL THIS TRANSACTION.

31 _____
 32 DATE SIGNATURE"

33 2. A junior lienholder may redeem the real
 34 property pursuant to section 628.29. If a junior
 35 lienholder fails to redeem its lien as provided in
 36 subsection 1, its lien shall be removed from the
 37 property.

38 3. Until the completion of foreclosure pursuant to
 39 this section, the mortgagee shall hold the real
 40 property subject to liens of record at the time of the
 41 conveyance by the mortgagor. However, the lien of the
 42 mortgagee shall remain prior to liens which were
 43 junior to the mortgage at the time of conveyance by
 44 the mortgagor to the mortgagee and may be foreclosed
 45 as provided otherwise by law.

46 4. A mortgagee who agrees to a foreclosure
 47 pursuant to this section shall not report to a credit
 48 bureau that the mortgagor is delinquent on the
 49 mortgage. However, the mortgagee may report that this
 50 foreclosure procedure was used."

Page 11

- 1 11. By striking page 1, line 50 through page 2,
2 line 1.
- 3 12. Page 2, by inserting after line 48 the
4 following:
5 "Sec. _____. The legislative council shall establish
6 a joint interim committee of the senate and of the
7 house to study the necessity and desirability of
8 initiating a title guarantee program as passed by the
9 house on March 28, 1985 or the establishment or
10 authorization of other title guarantee or insurance
11 programs. The committee shall report its findings and
12 recommendations, including any proposed legislation,
13 to the general assembly by January 15, 1986." "
- 14 13. Page 3, by inserting after line 2 the
15 following:
16 "_____. Page 29, by inserting before line 14 the
17 following:
18 "Sec. 118. It is the intent of the general
19 assembly that the Iowa finance authority shall not
20 make any title guaranties under the title guaranty
21 program prior to January 1, 1987.
22 Sec. 119. The Code editor may change any reference
23 to the "Iowa housing finance authority" or the "state
24 housing finance authority" remaining in the Code to
25 the "Iowa finance authority" or "state finance
26 authority"." "
- 27 14. Page 3, by inserting after line 2 the
28 following:
29 "_____. Title page, line 1, by inserting after the
30 word "Iowa," the following: "by amending the
31 definition of small business for purposes of the Iowa
32 housing finance authority's program for which bonds
33 may be issued, by changing the name of the Iowa
34 housing finance authority, by requiring that real
35 estate brokers' trust accounts be deposited in
36 interest-bearing accounts and the interest transferred
37 quarterly to the treasurer of state and deposited in
38 the title guaranty fund, by providing that the Iowa
39 housing finance authority initiate a self-sustaining
40 title guarantee program for titles of real property,
41 creating a commitment costs fund, creating a title
42 guaranty fund, by modifying the limitations on bank
43 offices upon merger or acquisition, by providing for
44 an alternative nonjudicial voluntary foreclosure
45 procedure including providing for redemption periods
46 of lienholders under the procedure, permitting the
47 charging of fees incurred under the title guaranty
48 program, requiring the disclosure of the availability
49 of the title guaranty program and making penalties
50 applicable." "

Page 12

- 1 15. Page 3, by striking lines 6 through 9.
- 2 16. Page 3, by striking line 22.
- 3 17. Page 3, lines 24 and 25, by striking the
- 4 words "an interim study committee" and inserting the
- 5 following: "interim study committees".
- 6 18. Page 3, by inserting after line 5 the
- 7 following:
- 8 "_____. Title page, line 7, by inserting after the
- 9 word "program" the following: "permitting life
- 10 insurance companies and associations to invest in
- 11 bonds of the African development bank,".
- 12 19. Page 3, by inserting after line 17 the
- 13 following:
- 14 "_____. Title page, by inserting after line 17 the
- 15 following: "revising the requirements of amendments
- 16 to a uniform commercial code financing statement,".

Amendment H—4243 was adopted.

Parker of Jasper offered the following amendment H—4199, to the committee amendment H—4194, filed by him and moved its adoption:

H—4199

- 1 Amend amendment H—4194 to Senate File 577 as
- 2 amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. Page 3, by striking line 1, and inserting the
- 5 following:
- 6 "Sec._____. Section 19 of this Act is".

Amendment H—4199 was adopted.

On motion by Parker of Jasper the committee amendment H—4194, as amended, was adopted.

Parker of Jasper offered the following amendment H—4216 filed by him and moved its adoption:

H—4216

- 1 Amend Senate File 577 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 18, by striking lines 23 through 26.

Amendment H—4216 was adopted.

Blanshan of Greene offered amendment H—4201 filed by him and requested division as follows:

H—4201

1 Amend Senate File 577 as amended, passed and
2 reprinted by the Senate as follows:

H—4201A

3 1. Page 22, by striking lines 28 through 33, and
4 inserting the following: "Iowa state university of
5 science and technology. If an appraisal conducted by
6 an independent real estate appraiser is available for
7 the current year, the five-year county average shall
8 be adjusted by either adding or subtracting from the
9 five-year average the percentage by which the
10 particular farm's current appraised value exceeds or
11 is less than the current year's county average value.
12 To the extent permitted by federal law, national banks
13 may value agricultural land on the same basis as state
14 banks. The value".

15 2. Page 23, by striking lines 24 through 29, and
16 inserting the following: "of science and technology.
17 If an appraisal conducted by an independent real
18 estate appraiser is available for the current year,
19 the five-year county average shall be adjusted by
20 either adding or subtracting from the five-year
21 average the percentage by which the particular farm's
22 current appraised value exceeds or is less than the
23 current year's county average value. To the extent
24 permitted by federal law, national banks may value
25 agricultural land on the same basis as state banks.
26 Before the state bank sells or otherwise".

H—4201B

27 3. Page 26, by inserting after line 4 the
28 following:
29 "Sec._____. Section 567.3, subsection 3, Code 1985,
30 is amended by striking the subsection and inserting
31 the following:

32 3. The restriction set forth in subsection 1 of
33 this section does not apply to the following:
34 a. Agricultural land acquired by devise or
35 descent.
36 b. A bona fide encumbrance on agricultural land
37 taken for purposes of security.
38 c. Agricultural land acquired by a process of law
39 in the collection of debts, by a deed in lieu of
40 foreclosure, pursuant to a forfeiture of a contract

H-4201B

41 for deed, or by any procedure for the enforcement of a
 42 lien or claim on the land, whether created by mortgage
 43 or otherwise. However, agricultural land so acquired
 44 shall be converted to a purpose other than farming,
 45 sold, or otherwise disposed of within five years after
 46 title is transferred. Pending the sale, disposition,
 47 or the development of the agricultural land for a
 48 purpose other than farming, the land shall not be used
 49 for farming except under lease to an individual,
 50 trust, corporation, partnership or other business

Page 2

1 entity not subject to the restriction on the increase
 2 in agricultural land holdings imposed by section
 3 172C.4.
 4 d. Agricultural land acquired for research or
 5 experimental purposes, if commercial sales from the
 6 agricultural land are incidental to the research and
 7 experimental objectives of the nonresident alien,
 8 foreign business, or foreign government, or an agent,
 9 trustee, or fiduciary thereof, and if the agricultural
 10 land is used for the testing, development, or
 11 production of seeds, animals, or plants for sale or
 12 resale to farmers, or for incidental activities.
 13 Commercial sales are incidental to research and
 14 experimental objectives when they are less than
 15 twenty-five percent of the gross sales of the primary
 16 product of the research or experimentation.
 17 .e. An interest in agricultural land, not to exceed
 18 three hundred twenty acres, acquired for an immediate
 19 or pending use other than farming. However, a
 20 nonresident alien, foreign business or foreign
 21 government, or an agent, trustee or fiduciary thereof,
 22 who lawfully owns over three hundred twenty acres on
 23 January 1, 1980, may continue to own or hold the land,
 24 but shall not purchase or otherwise acquire additional
 25 agricultural land in this state except by devise or
 26 descent from a nonresident alien. Pending the
 27 development of the agricultural land for a purpose
 28 other than farming, the land shall not be used for
 29 farming except under lease to an individual, trust,
 30 corporation, partnership or other business entity not
 31 subject to the restriction on the increase in
 32 agricultural land holdings imposed by section 172C.4."

H-4201A

33 4. Page 26, lines 8 and 9, by striking the word
 34 and figure "section 628.26A" and inserting the

H-4201A

35 following: "either section 628.26A or section
36 654.16".

37 5. Page 27, by inserting after line 17 the
38 following:

39 "Sec._____. NEW SECTION. 654.16 DEED IN LIEU OF
40 FORECLOSURE.

41 In lieu of a foreclosure action in court due to
42 default on a recorded mortgage or deed of trust of
43 real property, if the subject property is agricultural
44 land used for farming, as defined in section 172C.1,
45 the mortgagee and mortgagor may enter into an
46 agreement in which the mortgagor agrees to transfer
47 the agricultural land to the mortgagee in satisfaction
48 of all or part of the mortgage obligation as agreed
49 upon by the parties. The agreement may grant the
50 mortgagor a right to purchase the agricultural land

Page 3

1 for a period not to exceed five years, and may entitle
2 the mortgagor to lease the agricultural land. The
3 agreement shall be recorded with the deed transferring
4 title to the mortgagee. A transfer of title and
5 agreement pursuant to this section does not constitute
6 an equitable mortgage."

H-4201B

7 6. Title page, by inserting after line 17 the
8 following: "permitting certain persons to take and
9 foreclose on security interests in agricultural land
10 and to own agricultural land for purposes of research
11 and experimentation,".

H-4201A

12 7. Title page, by inserting after line 19 the
13 following: "providing for the execution of
14 foreclosure judgments,".

On motion by Blanshan of Greene, amendment H-4201A was adopted, placing out of order lines 17 and 18, page 1, of the committee amendment H-4194, previously adopted.

Halvorson of Webster in the chair at 3:08 p.m.

Van Camp of Scott offered the following amendment H-4178 filed by him:

H—4178

1 Amend Senate File 577 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 26, by inserting after line 4 the
4 following:

5 "Sec. _____, NEW SECTION. 535.14 ANNUAL INTEREST
6 STATEMENT — PENALTY.

7 A person who lends money to another person or sells
8 an item on a contract, written or oral, and charges
9 interest on the loan or the sale shall during the
10 month of January of each year send to the person
11 paying interest pursuant to the loan or sales contract
12 a written notice of the amount of interest paid during
13 the preceding calendar year. If a person entitled to
14 notice under this section has not received the notice
15 by February 1, then the person may send a written
16 demand by certified mail for the notice. If the
17 person obligated to provide the notice under this
18 section then fails to provide the notice within ten
19 days of the date of mailing of the demand, the person
20 obligated to provide the notice is liable to the
21 person entitled to the notice in an amount of one
22 hundred dollars and reasonable attorney's fees
23 incurred to obtain compliance with this section."

24 2. Title page, line 10, by inserting after the
25 word "bank," the following: "requiring an annual
26 statement of interest received by a person charging
27 interest on a loan or contract for sale and providing
28 a civil penalty,".

29 3. Renumber as necessary.

Parker of Jasper rose on a point of order that amendment
H—4178 was not germane.

The Speaker ruled the point well taken and amendment
H—4178 not germane.

The House resumed consideration of amendment H—4201B.

Blanshan of Greene asked and received unanimous consent to
withdraw amendment H—4201B.

McIntee of Black Hawk offered the following amendment
H—4204 filed by him:

H—4204

1 Amend Senate File 577, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 27, by inserting after line 17 the
4 following:

5 "Sec. _____, Section 654.14, Code 1985, is amended
6 to read as follows:

7 654.14 PREFERENCE IN RECEIVERSHIP — APPLICATION
8 OF RENTS.

9 In any action to foreclose a real estate mortgage,
10 a receiver may be appointed at any time while the
11 foreclosure action is pending, at the time a judgment
12 is rendered, or during the redemption period. where
13 Where a receiver is appointed to take charge of the
14 real estate, the receiver shall be entitled to
15 possession of the real estate notwithstanding the
16 provisions of section 628.3, but preference shall be
17 given to the owner in actual possession, subject to
18 approval of the court, in leasing the mortgaged
19 premises. The rents, profits, avails and/or and
20 income derived from said the real estate shall be
21 applied as follows:

22 1. To the cost of receivership.

23 2. To the payment of taxes due or becoming due
24 during ~~said~~ the receivership.

25 3. To pay the insurance on buildings on the
26 premises ~~and/or such~~ and other benefits to the real
27 estate as may be ordered by the court.

28 4. The balance shall be paid and distributed as
29 determined by the court."

30 2. Title page, by inserting after line 19 the
31 following: "providing for possession of real property
32 subject to foreclosure,".

Parker of Jasper rose on a point of order that amendment
H-4204 was not germane.

The Speaker ruled the point well taken and amendment
H-4204 not germane.

Speaker Avenson in the chair at 3:23 p.m.

Chapman of Linn called up for consideration the motion filed by
her from the floor to reconsider the committee amendment H-4194
and moved to reconsider the vote by which the committee amend-
ment H-4194, as amended, was adopted by the House on May 3,
1985.

Roll call was requested by Chapman of Linn and Baxter of Des
Moines.

On the question "Shall the committee amendment H—4194, as amended, be reconsidered?"

The ayes were, 40:

Baxter	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Connors
Diemer	Doderer	Groninga	Groth
Handorf	Haverland	Hermann	Hester
Jay	Jochum	Johnson	Koenigs
McIntee	Metcalf	Muhlbauer	O'Kane
Paulin	Pavich	Pellett	Poncy
Rosenberg	Running	Schnekloth	Sherzan
Shoning	Siegrist	Spear	Sturgeon
Sullivan	Teaford	Welden	Zimmerman

The nays were, 56:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Fey	Fogarty	Grandia
Gruhn	Halvorson, R. A.	Hanson	Harbor
Hatch	Holveck	Hughes	Hummel
Knapp	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McKean	Miller
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Peick	Peterson
Platt	Renaud	Renken	Rensink
Royer	Shoultz	Stromer	Stueland
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Woods

Absent or not voting, 4:

Halvorson, R. N.	Hammond	Skow	Mr. Speaker
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The motion to reconsider lost.

The House stood at ease at 3:26 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 577 at 3:45 p.m., Speaker Avenson in the chair.

Baxter of Des Moines offered the following amendment H—4249 filed by her from the floor:

H-4249

1 Amend Senate File 577 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 24, by inserting after line 33 the
4 following:

5 "Sec. _____. Section 524.1202, subsection 1, Code
6 1985, is amended to read as follows:

7 1. Except as otherwise provided in subsection 2 of
8 this section or section 524.1421, no a state bank
9 shall not establish a bank office outside the
10 corporate limits of a municipal corporation or in a
11 municipal corporation in which there is already an
12 established state or national bank or office, however,
13 However, the subsequent chartering and establishment
14 of any a state or national bank, through the opening
15 of its principal place of business within the
16 municipal corporation where the bank office is
17 located, shall not affect the right of the bank office
18 to continue in operation in that municipal
19 corporation. The existence and continuing operation
20 of a bank office shall not be affected by the
21 subsequent discontinuance of a municipal corporation
22 pursuant to the provisions of sections 368.11 to
23 368.22. A bank office existing and operating on July
24 1, 1976, which is not located within the confines of a
25 municipal corporation, shall be allowed to continue
26 its existence and operation without regard to this
27 subsection."

28 2. Page 26, by inserting before line 5 the
29 following:

30 "Sec. _____. **NEW SECTION. 524.1421 REORGANIZATION**
31 **OF BANK AFFILIATES.**

32 1. Notwithstanding any other provision of this
33 chapter, the resulting bank of a merger or
34 consolidation of two or more banks, which have been
35 affiliates as defined in section 524.1101 for more
36 than five years prior to the effective date of the
37 merger or consolidation, may retain and operate as its
38 retained bank offices the principal places of business
39 and all bank offices of the affiliate banks which are
40 merged or consolidated into the resulting bank.

41 2. The resulting bank may establish bank offices
42 allowed by other sections of this chapter to the same
43 extent as if the merger or consolidation had not
44 occurred.

45 3. This section does not permit the resulting bank
46 to establish after the effective date of the merger or
47 consolidation any bank offices in addition to those
48 allowed to the resulting bank by other sections of
49 this chapter. However, the resulting bank may
50 establish and operate facilities which in the absence

Page 2

1 of the merger or consolidation would be considered
2 under section 524.1202, subsection 2, paragraphs "c"
3 and "d", to be an integral part of the former
4 principal places of business of the affiliates which
5 are merged or consolidated into the resulting bank.
6 4. Retained bank offices as provided in subsection
7 1 shall be operated by the resulting bank in the same
8 manner as bank offices established under section
9 524.1201. The banks which are merged or consolidated
10 under this section shall retain an advisory board of
11 directors to advise on the operations of the retained
12 bank office. The board shall be comprised of citizens
13 residing in the area served by the bank office.

14 5. This section does not alter the limitations
15 upon bank holding companies contained in section
16 524.1802.

17 6. The privileges of this section are available on
18 the same conditions to national banks.

19 7. This section shall be strictly construed as an
20 exception to the bank office location limitations
21 contained in section 524.1202 and it is the intent of
22 the general assembly that a court or regulatory agency
23 interpreting this section shall not interpret it to
24 permit statewide branch banking or the location of a
25 bank office in this state other than as provided in
26 this section and in sections 524.312 and 524.1202.
27 This section does not authorize the establishment of
28 bank offices at any time or by any bank except when
29 done as the direct and immediate consequence of a
30 merger or consolidation, does not authorize the
31 establishment of the principal place of business of
32 the resulting bank of a merger or consolidation at any
33 location other than one actually occupied and operated
34 as a principal place of business of one of the parties
35 to the merger or consolidation, does not authorize a
36 bank office at any location other than one actually
37 occupied and operated as a principal place of business
38 or bank office by one of the parties to the merger or
39 consolidation, and does not authorize a greater number
40 of bank offices within the municipality or urban
41 complex of the principal place of business of the
42 resulting bank than is expressly permitted by section
43 524.1202, subsection 2."

44 3. Title page, line 19, by inserting after the
45 word "foreclosure," the following: "by providing for
46 the reorganization of bank affiliates".

47 4. Renumber as necessary.

Parker of Jasper rose on a point of order that amendment H—4249 was not germane.

The Speaker ruled the point well taken and amendment H—4249 not germane.

Baxter of Des Moines asked for unanimous consent to consider amendment H—4249.

Objection was raised.

Baxter of Des Moines moved that the rules be suspended to consider amendment H—4249.

A non-record roll call was requested.

The ayes were 31, nays 54.

The motion lost.

Parker of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 577)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running

Sherzan	Shoning	Shultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 3:

Daggett	Hermann	Schnekloth
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Absent or not voting, 4:

Branstad	Connolly	Doderer	Skow
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (Senate File 577)

Norland of Worth asked and received unanimous consent to immediately message Senate File 577 to the Senate.

The House resumed consideration of **Senate File 24**, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive, and the committee amendment H-4140 (found on pages 2158 through 2162 of the House Journal), as amended, deferred May 2, 1985.

Doderer of Johnson asked and received unanimous consent to withdraw amendment H-4224, to the committee amendment H-4140, filed by her on May 2, 1985.

Rosenberg of Story offered the following amendment H-4237, to the committee amendment H-4140, filed by him from the floor and moved its adoption:

H-4237

- 1 Amend the Committee on Ways and Means amendment, H-
- 2 4140, to Senate File 24, as amended, passed, and
- 3 reprinted by the Senate as follows:
- 4 1. Page 1, line 35, by inserting after the word
- 5 "dollars." the following: "In determining a
- 6 taxpayer's net worth at the end of the tax year a

7 taxpayer shall include any asset transferred within
8 one hundred twenty days prior to such forfeiture,
9 transfer, or sale or exchange."
10 2. Page 2, line 22, by inserting after the word
11 "excess" the following: ", including any asset
12 transferred within one hundred twenty days prior to
13 such forfeiture, transfer, or sale or exchange".

Amendment H—4237 was adopted.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendment H—4226, to the committee amendment H—4140.

Brammer of Linn asked and received unanimous consent to withdraw amendment H—4225, to the committee amendment H—4140, filed by him on May 2, 1985.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendment H—4223, to the committee amendment H—4140.

Doderer of Johnson offered the following amendment H—4244, to the committee amendment H—4140, filed by her from the floor and moved its adoption:

H—4244

1 Amend the Committee on Ways and Means amendment, H—
2 4140, to Senate File 24, as amended, passed, and
3 reprinted by the Senate, as follows:
4 1. Page 1, line 35, by inserting after the word
5 "dollars." the following: "In determining the
6 taxpayer's debt to asset ratio, the taxpayer shall
7 include any asset transferred, within one hundred
8 twenty days prior to such forfeiture, transfer, or
9 sale or exchange, without adequate and full
10 consideration in money or money's worth."

Amendment H—4244 was adopted.

Doderer of Johnson offered the following amendment H—4223, to the committee amendment H—4140, filed by her and moved its adoption:

H—4223

- 1 Amend the Committee on Ways and Means amendment, H—
- 2 4140, to Senate File 24, as amended, passed, and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 1, line 11, by striking the word "nine"
- 5 and inserting the words "ten and one-half".

A non-record roll call was requested.

The ayes were 46, nays 40.

Amendment H—4223 was adopted.

Holveck of Polk asked and received unanimous consent to withdraw amendment H—4215 (previously deferred), to the committee amendment H—4140, filed by him on May 2, 1985.

Doderer of Johnson asked and received unanimous consent to withdraw amendment H—4226 (previously deferred), to the committee amendment H—4140, filed by her on May 2, 1985.

On motion by Doderer of Johnson, the committee amendment H—4140, as amended, was adopted.

Doderer of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 24)

The ayes were, 65:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Carl	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Daggett	De Groot	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Hanson	Hatch	Haverland	Hester
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lloyd-Jones
Lonergan	Maulsby	McKean	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Pellett	Peterson	Rensink	Rosenberg
Sherzan	Spear	Stromer	Sturgeon

Sullivan Van Maanen Mr. Speaker	Swartz Varn	Swearingen Weiden	Teaford Zimmerman
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The nays were, 32:

Bennett	Buhr	Carpenter	Connors
Corey	Diemer	Halvorson, R. A.	Handorf
Harbor	Hermann	Holveck	Hummel
Lageschulte	McIntee	Metcalf	Miller
Mullins	Peick	Platt	Poncy
Renaud	Renken	Royer	Running
Schnekloth	Shoning	Siegrist	Stueland
Tabor	Torrence	Van Camp	Woods

Absent or not voting, 3:

Branstad	Shoultz	Skow
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (Senate File 24)

Norland of Worth asked and received unanimous consent to immediately message Senate File 24 to the Senate.

Ways and Means Calendar

The House resumed consideration of **Senate File 565**, a bill for an act relating to taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the economic development emergency fund for use in road or street projects which promote economic development in the state, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid on a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, and making penalties applicable, and the committee amendment H-4131, as amended (found on pages 2050 through 2055 of the House Journal), previously deferred.

The House resumed consideration of amendment H—4162 (previously deferred and found on pages 2113 and 2114 of the House Journal), to the committee amendment H—4131.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4162.

Hughes of Union in the chair at 4:24 p.m.

Groth of Buena Vista offered the following amendment H—4193, to the committee amendment H—4131, filed by him and moved its adoption:

H—4193

- 1 Amend the Committee amendment, H—4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, line 12, by inserting after the word
- 5 "to" the following: "sixty-three percent of".
- 6 2. Page 1, line 14; by inserting after the word
- 7 "following" the following: ", and shall credit
- 8 monthly from the road use tax fund to the secondary
- 9 road fund the revenue accruing to the road use tax
- 10 fund in the amount equal to thirty-seven percent of
- 11 two thirds of the revenues collected under each of the
- 12 following".
- 13 3. Page 2, line 30, by striking the words "or
- 14 counties".
- 15 4. Page 2, line 33, by striking the words "or
- 16 counties".
- 17 5. Page 2, by striking lines 39 through 44 and
- 18 inserting the following:
- 19 "1. Seventy-one percent for the use of the
- 20 department on primary road projects.
- 21 2. Twenty-nine percent for the use of cities on
- 22 city street projects."
- 23 6. Page 2, line 50, by striking the words
- 24 "counties and".
- 25 7. Page 3, line 1, by striking the words
- 26 "Counties and cities" and inserting the following:
- 27 "Cities".
- 28 8. Page 3, lines 15 and 16, by striking the words
- 29 "or boards of supervisors of participating counties,".
- 30 9. Page 3, lines 24 and 25, by striking the words
- 31 "or counties".
- 32 10. Page 3, line 26, by striking the words "or
- 33 counties".

- 34 11. Page 3, line 27, by striking the words "or
35 county".
- 36 12. Page 3, by striking lines 29 through 35.
- 37 13. Page 3, line 36, by striking the figure "3"
38 and inserting the following: "2".
- 39 14. Page 3, line 43, by striking the words
40 "county or".
- 41 15. Page 3, line 44, by striking the words
42 "secondary road or".
- 43 16. Page 3, line 45, by striking the word and
44 figure "or 3".
- 45 17. Page 4, line 16, by striking the words
46 "counties and".
- 47 18. Page 4, lines 18 and 19, by striking the
48 words "counties or".
- 49 19. Page 6, by striking lines 9 through 15 and
50 inserting the following:

Page 2

- 1 "Sec._____. Section 384.24, subsection 2, Code
2 1985,".
- 3 20. Page 6, line 28, by striking the words
4 "counties and".

Roll call was requested by Lageschulte of Bremer and Stueland of Clinton.

Rule 75 was invoked.

On the question "Shall amendment H-4193, to the committee amendment H-4131, be adopted?"

The ayes were, 45:

Bennett	Black	Clark	Cooper
Corey	Daggett	De Groot	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Handorf	Harbor	Hermann	Hester
Hummel	Knapp	Koenigs	Kremer
Lageschulte	Loneragan	Maulsby	Miller
Muhlbauer	Mullins	Oxley	Paulin
Peick	Pellett	Peterson	Renaud
Renken	Rensink	Royer	Schneklath
Shoning	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Woods
Mr. Speaker (Hughes)			

The nays were, 49:

Arnould	Avenson	Baxter	Beatty
Blanshan	Buhr	Carl	Carpenter
Carter	Chapman	Cochran	Connolly
Connors	Diemer	Fey	Groninga
Halvorson, R. N.	Hammond	Hanson	Hatch
Haverland	Holveck	Jay	Jochum
Johnson	Lloyd-Jones	McIntee	McKean
Metcalf	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Platt
Poncy	Rosenberg	Running	Shoultz
Siegrist	Spears	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Zimmerman			

Absent or not voting, 6:

Brammer	Branstad	Doderer	Sherzan
Skow	Welden		

Amendment H—4193 lost.

Division of the committee amendment H—4131 was requested as follows:

Page 1, lines 3 through 50; all of pages 2 and 3; page 4, lines 1 through 34; page 5, lines 44 through 50; page 6, lines 1 through 42, amendment H—4131A.

Page 4, lines 35 through 50 and page 5, lines 1 through 43, amendment H—4131B.

Speaker Avenson in the chair at 5:04 p.m.

Fey of Scott moved to reconsider the vote by which amendment H—4139 (found on page 2063 of the House Journal), to the committee amendment H—4131A, was adopted by the House on April 30, 1985.

Roll call was requested by Lageschulte of Bremer and De Groot of Lyon.

On the question "Shall amendment H—4139, to the committee amendment H—4131A, be reconsidered?"

The ayes were, 49:

Arnould	Baxter	Beatty	Blanshan
Buhr	Carl	Carpenter	Carter
Chapman	Connolly	Connors	Diemer
Doderer	Fey	Groninga	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Holveck	Jochum	Lloyd-Jones	McIntee
Metcalf	Norland	O'Kane	Ollie
Parker	Pavich	Peick	Platt
Poney	Rosenberg	Running	Sherzan
Shoning	Shoultz	Siegrist	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Van Camp	Varn	Zimmerman
Mr. Speaker			

The nays were, 46:

Bennett	Black	Clark	Cochran
Cooper	Corey	Daggett	De Groot
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Handorf	Harbor	Hermann
Hester	Hughes	Hummel	Jay
Johnson	Koenigs	Kremer	Lageschulte
Maulsby	McKean	Miller	Muhlbauer
Mullins	Osterberg	Oxley	Paulin
Pellett	Peterson	Renaud	Renken
Rensink	Royer	Schneklath	Stromer
Stueland	Swearingen	Torrence	Van Maanen
Welden	Woods		

Absent or not voting, 5:

Brammer	Branstad	Knapp	Loneragan
Skow			

The motion prevailed and amendment H-4139 was re-considered.

Jay of Appanoose moved the adoption of amendment H-4139, to the committee amendment H-4131A.

Roll call was requested by Pellett of Cass and Lageschulte of Bremer.

Rule 75 was invoked.

On the question "Shall amendment H-4139, to the committee amendment H-4131A, be adopted?"

The ayes were, 48:

Bennett	Black	Clark	Cochran
Cooper	Corey	Daggett	De Groot
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Handorf	Harbor	Hermann
Hester	Hughes	Hummel	Jay
Johnson	Koenigs	Kremer	Lageschulte
Lonergan	Maulsby	McKean	Miller
Muhlbauer	Mullins	Oxley	Paulin
Peick	Pellett	Peterson	Renaud
Renken	Rensink	Royer	Schnekloth
Stromer	Stueland	Swearingen	Torrence
Van Maanen	Welden	Woods	Zimmerman

The nays were, 49:

Arnould	Baxter	Beatty	Blanshan
Buhr	Carl	Carpenter	Carter
Chapman	Connolly	Connors	Diemer
Doderer	Fey	Groninga	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Holveck	Jochum	Knapp	Lloyd-Jones
McIntee	Metcalf	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich
Platt	Poncy	Rosenberg	Running
Sherzan	Shoning	Shoultz	Siegrist
Spear	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Van Camp	Varn
Mr. Speaker			

Absent or not voting, 3:

Brammer	Branstad	Skow
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Amendment H—4139 lost.

On motion by Fey of Scott, the committee amendment H—4131A, as amended, was adopted, placing out of order amendment H—4137 filed by Fey of Scott on April 30, 1985.

Van Camp of Scott rose on a point of order that the committee amendment H—4131B was not germane.

The Speaker ruled the point well taken and the committee amendment H—4131B not germane.

Norland of Worth asked for unanimous consent to consider the committee amendment H—4131B.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider the committee amendment H—4131B.

A non-record roll call was requested.

The ayes were 51, nays 35.

The motion prevailed and the rules were suspended to consider the committee amendment H—4131B.

Fey of Scott moved the adoption of the committee amendment H—4131B, as amended.

A non-record roll call was requested.

The ayes were 43, nays 47.

The committee amendment H—4131B, as amended, lost, placing out of order amendments H—4173A (found on page 2103 of the House Journal) and H—4144 (found on page 2102 of the House Journal) previously adopted and lines 4 through 8 of amendment H—4147 (found on page 2104 of the House Journal) also previously adopted, and all to the committee amendment H—4131B.

Harbor of Mills asked and received unanimous consent to withdraw amendment H—4098 filed by him on April 29, 1985.

Van Camp of Scott offered the following amendment H—4164 filed by Van Camp, et al., and moved its adoption:

H—4164

- 1 Amend Senate File 565 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting before line 4 the
- 4 following:
- 5 "Sec. _____, Section 324.2, subsection 7, Code 1985,
- 6 is amended to read as follows:
- 7 7. "Gasohol" means motor fuel containing at least
- 8 ten percent alcohol distilled from ~~agricultural~~
- 9 ~~products~~ cereal grains."
- 10 2. Page 3, line 12, by striking the words
- 11 "agricultural products" and inserting the following:
- 12 "~~agricultural products~~ cereal grains".

Amendment H—4164 was adopted.

Fogarty of Palo Alto asked and received unanimous consent to withdraw amendment H—4135 filed by him on April 30, 1985.

Groth of Buena Vista in the chair at 5:40 p.m.

Fogarty of Palo Alto offered the following amendment H—4141 filed by him and Pellett of Cass:

H—4141

- 1 Amend Senate File 565 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, line 3, by striking the word
- 4 "fourteen" and inserting the word "thirteen".
- 5 2. Page 4, line 4, by inserting after the figure
- 6 "1985," the words "fourteen cents per gallon for the
- 7 period beginning January 1, 1986 and ending June 30,
- 8 1987,".
- 9 3. Page 4, line 5, by striking the words "January
- 10 1, 1986" and inserting the words "July 1, 1987".

Speaker Avenson in the chair at 5:54 p.m.

Fogarty of Palo Alto moved the adoption of amendment H—4141.

Roll call was requested by Fey of Scott and Connolly of Dubuque.

On the question "Shall amendment H—4141 be adopted?"

The ayes were, 44:

Bennett	Black	Brammer	Clark
Cochran	Corey	Daggett	De Groot
Fogarty	Grandia	Groth	Gruhn
Halvorson, R. A.	Handorf	Harbor	Hester
Hughes	Hummel	Johnson	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Maulsby
McKean	Metcalfe	Miller	Muhlbauer
Mullins	Osterberg	Oxley	Paulin
Pellett	Peterson	Rensink	Royer
Schnekloth	Shoning	Stromer	Stueland
Swearingen	Torrence	Van Maanen	Zimmerman

The nays were, 52:

Arnould	Baxter	Beatty	Blanshan
Buhr	Carl	Carpenter	Carter
Chapman	Connolly	Connors	Diemer
Doderer	Fey	Groninga	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Hermann	Holveck	Jay	Jochum
Knapp	Loneragan	McIntee	Norland
O'Kane	Ollie	Parker	Pavich
Peick	Platt	Poncy	Renaud
Renken	Rosenberg	Running	Sherzan
Shoultz	Siegrist	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Van Camp	Varn	Welden	Mr. Speaker

Absent or not voting, 4:

Branstad	Cooper	Skow	Woods
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Amendment H—4141 lost.

Harbor of Mills asked and received unanimous consent to withdraw amendment H—4117 filed by him on April 29, 1985.

Bennett of Ida offered the following amendment H—4143 filed by him and moved its adoption:

H—4143

- 1 Amend Senate File 565 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 9, line 32, by striking the figure "326"
- 4 and inserting the figure "326,".
- 5 2. By striking page 9, line 33 through page 10,
- 6 line 2, and inserting the following: "section 423.5
- 7 notwithstanding. This subsection applies".

A non-record roll call was requested.

The ayes were 35, nays 48.

Amendment H—4143 lost.

Osterberg of Linn offered the following amendment H—4170 filed by him and moved its adoption:

H—4170

- 1 Amend Senate File 565 as amended, passed and
2 reprinted by the Senate as follows:
3 1. By striking page 9, line 32 through page 10,
4 line 4.
5 2. Page 10, line 5, by striking the figure "11"
6 and inserting the figure "10".
7 3. Page 10, line 8, by striking the figure "12"
8 and inserting the figure "11".
9 4. Title page, lines 6 and 7, by striking the
10 words "by providing an exemption from the use tax for
11 certain vehicles registered under chapter 326,".

Amendment H—4170 lost.

Arnould of Scott asked and received unanimous consent to withdraw amendment H—4161 filed by him on April 30, 1985.

Varn of Johnson offered the following amendment H—4186 filed by him:

H—4186

- 1 Amend Senate File 565 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 10, by inserting after line 14 the
4 following:
5 "Sec. _____. For the fiscal year beginning July 1,
6 1985 and ending June 30, 1986, the treasurer of state,
7 before making the allotments provided for in section
8 312.2, shall credit from the road use tax fund the sum
9 of four hundred thousand dollars to the legislative
10 council to pay the costs of conducting a study
11 pursuant to this section. The legislative council
12 shall employ a consulting firm or person with a
13 background and expertise in transportation to conduct
14 an independent study of the state department of
15 transportation to determine staff requirements,
16 administrative structure, and general efficiency of
17 the department. The study shall include a study of
18 the feasibility of contracting with road contractors
19 for highway maintenance services. However, a
20 consulting firm or person who has worked for the state
21 department of transportation within the last five
22 years shall not be eligible to conduct the study
23 required under this section.
24 The report of the study shall be submitted to the
25 Seventy-first General Assembly not later than January
26 13, 1986."

27 2. Title page, line 15, by inserting after the
 28 word "vessels," the words "by providing for a study of
 29 the staff requirements, administrative structure, and
 30 general efficiency of the state department of
 31 transportation,".
 32 3. Renumber as necessary.

Fey of Scott rose on a point of order that amendment H-4186 was not germane.

The Speaker ruled the point well taken and amendment H-4186 not germane.

Varn of Johnson asked for unanimous consent to consider amendment H-4186.

Objection was raised.

Varn of Johnson moved that the rules be suspended to consider amendment H-4186.

A non-record roll call was requested.

The ayes were 30, nays 49.

The motion lost.

Renken of Grundy in the chair at 6:55 p.m.

Speaker Avenson in the chair at 7:33 p.m.

Fey of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 565)

The ayes were, 51:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Cochran	Connolly	Connors
Diemer	Doderer	Fey	Fogarty

Groninga	Gruhn	Halvorson, R. N.	Hammond
Hanson	Hatch	Haverland	Hermann
Holveck	Jochum	Knapp	Lloyd-Jones
McIntee	Norland	O'Kane	Ollie
Parker	Paulin	Peick	Platt
Poncy	Rosenberg	Running	Sherzan
Shoultz	Spear	Stromer	Sullivan
Swartz	Tabor	Teaford	Van Camp
Varn	Zimmerman	Mr. Speaker	

The nays were, 45:

Bennett	Black	Carter	Clark
Cooper	Corey	Daggett	De Groot
Grandia	Groth	Halvorson, R. A.	Handorf
Harbor	Hester	Hughes	Hummel
Jay	Johnson	Koenigs	Kremer
Lageschulte	Lonergan	Maulsby	McKean
Metcalf	Miller	Muhlbauer	Mullins
Osterberg	Oxley	Pavich	Pellett
Peterson	Renaud	Renken	Rensink
Royer	Schneklath	Shoning	Siegrist
Stueland	Sturgeon	Swearingen	Torrence
Van Maanen			

Absent or not voting, 4:

Branstad	Skow	Welden	Woods
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

(Senate File 565)

Norland of Worth asked and received unanimous consent to immediately message Senate File 565 to the Senate.

The House stood at ease at 7:48 p.m., until the fall of the gavel.

The House resumed session at 9:22 p.m., Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that, the Senate has on

May 3, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment.

Also: That the Senate has on May 3, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

Also: That the Senate has on May 3, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation.

Also: That the Senate has on May 2, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 768, a bill for an act relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes.

Also: That the Senate has on May 2, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Also: That the Senate has, on May 3, 1985, insisted on its amendment to the House amendment, to Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, and update provisions relating to court reorganization, and the members of the conference committee, on the part of the Senate, are: The Senator from Kossuth, Senator Priebe, Chair; the Senator from Scott, Senator Deluhery; the Senator from Marion, Senator Dieleman; the Senator from Sioux, Senator Ritsema; and, the Senator from Marshall, Senator Soorholtz.

Also: That the Senate has on May 2, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 473, a bill for an act relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness and providing an effective date and an appropriation.

Also: That the Senate has on May 2, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 532, a bill for an act relating to bovine brucellosis, by providing vaccination requirements, providing definitions, providing for the adoption of rules, providing for the movement of cattle, and providing for indemnification for slaughtered cattle.

Also: That the Senate has, on May 3, 1985, failed to override the Governor's Item Veto to Section 4 of Senate File 552, a bill for an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Also: That the Senate has on May 3, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395.

Also: That the Senate has on May 2, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 591, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE APPOINTED (Senate File 329)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 329: Jay of Appanoose, Chair; Chapman of Linn, Peterson of Carroll, Kremer of Buchanan and Maulsby of Calhoun.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 579.

Appropriations Calendar

Senate File 579, a bill for an act relating to substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application, with report of committee recommending passage was taken up for consideration.

Norland of Worth asked and received unanimous consent that Senate File 579 be deferred and that the bill retain its place on the calendar.

SENATE AMENDMENT CONSIDERED

Chapman of Linn called up for consideration **House File 701**, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, waivers of the right to remain silent, juvenile court delinquency dispositions, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social investigation reports, and transferring guardianships, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases, amended by the Senate, and moved that the House concur in the following Senate amendment H-4171:

H-4171

1 Amend House File 701 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 5, by inserting after the word
4 "adjudicatory" the following: "and dispositional".
5 2. Page 1, line 16, by striking the words "five
6 ten" and inserting the following: "five".
7 3. Page 1, by inserting after line 31 the
8 following:
9 "Sec._____. Section 232.47, subsection 4, Code
10 1985, is amended by adding the following new
11 unnumbered paragraph:
12 **NEW UNNUMBERED PARAGRAPH.** The county attorney, in
13 offering evidence at the adjudicatory hearing in
14 support of the petition, shall not be permitted to
15 introduce the evidence of any witness whose testimony
16 was not summarized in the petition as required by
17 section 232.36, subsection 3, paragraph "d". However,
18 additional witnesses may be called by the county
19 attorney to give evidence at the hearing if the county
20 attorney has notified the child, the child's parent,
21 guardian, or custodian, and the child's guardian ad
22 litem, if any, in writing, not less than ten days
23 prior to commencement of the hearing, of the names,
24 cities or counties of residence, and occupations of
25 the witnesses and a full and fair summary of each
26 witness' expected testimony. If the county attorney

27 does not give the parties the required notice of a
 28 witness' testimony, the court may require the county
 29 attorney to immediately permit the discovery of the
 30 witness, grant a continuance, or, if it determines
 31 that no less severe remedy is adequate to protect the
 32 child's interests in the proceeding, disallow the
 33 testimony of the witness."

34 4. By striking page 1, line 32 through page 2,
 35 line 3.

36 5. Page 3, line 25, by striking the words " "a"
 37 and "b" " and inserting the following: " "a", "b", and
 38 "d" ".

39 6. Page 3, by inserting after line 28 the
 40 following:

41 "Sec. _____ Section 232.96, subsection 6, Code
 42 1985, is amended to read as follows:

43 6. A report, study, record, or other writing or an
 44 audiotape or videotape recording made by the
 45 department of human services, a juvenile court
 46 officer, a peace officer, or a hospital relating to a
 47 child in a proceeding under this division is
 48 admissible notwithstanding any objection to hearsay
 49 statements contained in it, provided it is relevant
 50 and material, and provided its probative value

Page 2

1 substantially outweighs the danger of unfair prejudice
 2 to the child's parent, guardian, or custodian, and it
 3 meets the requirements of section 232.97, subsection
 4 1, paragraphs "a" through "c". The circumstances of
 5 the making of the report, study, record or other
 6 writing or an audiotape or videotape recording,
 7 including the maker's lack of personal knowledge, may
 8 be proved to affect its weight."

9 7. Page 4, line 6, by inserting after the word
 10 "abuse." the following: "The sole purpose of the
 11 report shall be to advise the court of the facts
 12 relating to disposition of the petition. The report
 13 shall meet the following requirements:

14 a. The report shall only contain first level
 15 hearsay.

16 b. The report shall contain the source of the
 17 hearsay or in the case of a hearsay statement, the
 18 identity of the hearsay declarant and the time and
 19 date of the statement.

20 c. The report shall contain the identity of all
 21 persons present when the hearsay statement was made.
 22 If no other persons were present, the report shall so
 23 state."

24 8. Page 4, by inserting after line 6 the
 25 following:

26 "Sec. _____. Section 232.97, Code 1985, is amended
27 by adding the following new subsection after
28 subsection 1 and renumbering the subsequent
29 subsections:

30 **NEW SUBSECTION. 2.** The court may disregard any
31 portion of a social report or any report, study,
32 record, writing, or recording admitted pursuant to
33 section 232.96, subsection 6, which does not meet the
34 requirements of subsection 1."

35 9. Page 4, by inserting after line 20 the
36 following:

37 "Sec. _____. **APPLICATION.** The provisions of section
38 232.36, subsection 3, paragraph "d" and section
39 232.87, subsection 5 contained in this Act apply to
40 all petitions filed under this chapter which come
41 before the court for hearing on or after the effective
42 date of this Act."

43 10. Page 4, by inserting after line 20 the
44 following:

45 "Sec. _____. Section 633.554, 1985 Iowa Acts, Senate
46 File 531, section 2, is amended to read as follows:

47 **633.554 NOTICE TO PROPOSED WARD.**

48 If the proposed ward is an adult, notice of the
49 filing of the petition shall be served upon the
50 proposed ward in the manner of an original notice and

Page 3

1 the content of the notice is governed by the rules of
2 civil procedure governing original notice. If the
3 proposed ward is a minor or if the proposed ward is an
4 adult under a standby order petition and the court
5 determines, pursuant to section 633.561, subsection 1,
6 that the proposed ward is entitled to representation,
7 notice in the manner of original notice, or another
8 form of notice ordered by the court, given to the
9 attorney appointed to represent the ward is notice to
10 the proposed ward.

11 Sec. _____. Section 633.561, subsection 1, 1985 Iowa
12 Acts, Senate File 531, section 3, is amended to read
13 as follows:

14 1. In a proceeding for the appointment of a
15 guardian, if the proposed ward is an adult and is not
16 the petitioner, the proposed ward is entitled to
17 representation. In a proceeding for the appointment
18 of a guardian, if the proposed ward is a minor or if
19 the proposed ward is an adult under a standby order
20 petition, the court shall determine whether, under the
21 circumstances of the case, the proposed ward is
22 entitled to representation. The determination
23 regarding representation shall be made only after
24 notice to the proposed ward is made as the court deems

25 necessary.

26 Sec. _____. Section 633.568, 1985 Iowa Acts, Senate
27 File 531, section 5, is amended to read as follows:

28 633.568 NOTICE ON TO PROPOSED WARD.

29 If the proposed ward is an adult, notice of the
30 filing of the petition shall be served upon the
31 proposed ward in the manner of an original notice and
32 the content of the notice is governed by the rules of
33 civil procedure governing original notice. If the
34 proposed ward is a minor and the court determines,
35 pursuant to section ~~633.564~~ 633.575, subsection 1,
36 that the proposed ward is entitled to representation,
37 notice in the manner of original notice, or another
38 form of notice ordered by the court, given to the
39 attorney appointed to represent the ward is notice to
40 the proposed ward.

41 Sec. _____. Section 633.575, subsections 3, 4 and 5,
42 1985 Iowa Acts, Senate File 531, section 6 are amended
43 to read as follows:

44 3. If the proposed ward is entitled to
45 representation and is indigent or incapable of
46 requesting counsel, the court shall appoint an
47 attorney to represent the proposed ward. The cost of
48 court appointed counsel for indigents shall be
49 assessed against the county in which the proceedings
50 are pending. For the purposes of this subsection, the

Page 4

1 court may find a person is indigent if the person's
2 income and resources do not exceed one hundred fifty
3 percent of the federal poverty level or the person
4 would be unable to pay such costs without prejudicing
5 the person's financial ability to provide economic
6 necessities for the person or the person's dependents.

7 4. An attorney appointed pursuant to this section,
8 to the extent possible, shall:

9 a. Ensure that the proposed ward has been properly
10 advised of the nature of the proceeding and its
11 purpose.

12 b. Ensure that the proposed ward has been properly
13 advised of the ward's rights in a conservatorship
14 proceeding.

15 c. Personally interview the proposed ward.

16 d. File a written report stating whether there is
17 a return on file showing that proper service on the
18 proposed ward has been made and also stating that
19 specific compliance with paragraphs "a" through "c"
20 has been made or stating the inability to comply by
21 reason of the proposed ward's condition.

22 d e. Represent the proposed ward.

23 e f. Ensure that the conservatorship procedures

24 conform to the statutory and due process requirements
25 of Iowa law.

26 5. In the event that an order of appointment is
27 entered, the attorney appointed pursuant to this
28 section, to the extent possible, shall:

29 f a. Inform the proposed ward of the effects of
30 any order entered by the court, including the effects
31 of an the order entered for appointment of
32 conservator.

33 g b. Advise the ward, if an order for appointment
34 of conservator is entered, of the ward's rights to
35 petition for modification or termination of
36 conservatorship.

37 h c. Advise the ward, if a conservator is
38 appointed, of the rights retained by the ward.

39 5. An attorney appointed pursuant to this section
40 shall file an answer stating whether there is a return
41 on file showing that proper service on the proposed
42 ward has been made. The answer shall also state that
43 specific compliance with subsection 4 has been made by
44 the attorney or stating the inability to comply with
45 subsection 4 by reason of the proposed ward's
46 condition."

47 11. Title page, line 2, by inserting after the
48 word "petitions," the following: "witness'
49 testimony,".

50 12. Title page, lines 4 and 5, by striking the

Page 5

1 words "juvenile court delinquency dispositions,".

2 13. Title page, line 10, by striking the words
3 "and transferring guardianships" and inserting the
4 following: "hearsay testimony, and the transferring
5 of custody or guardianship".

6 14. By renumbering, relettering, or redesignating
7 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4171.

Chapman of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 701)

The ayes were, 96:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Beatty	Branstad	Skow	Torrence
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 570)

Brammer of Linn called up for consideration the report of the conference committee on House File 570 as follows:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 570

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve

the differences between the Senate and the House of Representatives on House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state, respectfully make the following report:

1. Amend the Senate amendment H—4175 to House File 570 as amended, passed and reprinted by the House as follows:

1. Page 1, by striking lines 15 through 32.

2. Page 2, by striking lines 13 through 19 and inserting the following:

“A corporation organized and governed by this chapter may become a mutual insurer under a plan which is approved by the commissioner of insurance. The plan shall state whether the insurer will be organized as a for-profit corporation pursuant to chapter 491 or 496A or a nonprofit corporation pursuant to chapter 504A. Upon consummation of the plan, the corporation shall thereafter fully comply with the requirements of the law that apply to a mutual insurance company. If the insurer is to be organized under chapter 504A, then at least seventy-five percent of the initial”.

3. Page 3, by inserting after line 16 the following:

“Sec. 201. There is appropriated to the department of human services for the fiscal year commencing July 1, 1985, and ending June 30, 1986, three million (3,000,000) dollars, or so much thereof as is necessary, to provide for extension and operation of the medically needy program under the medical assistance program to supplemental security income-related groups. This appropriation is in addition to other funds provided to the department, and shall be matched with available federal funds.”

4. Page 3, by striking lines 18 through 19 and inserting the following: “1985, except for the amount appropriated in section 201 of this Act, the entire increase, as determined by the commissioner of insurance and certified to the comptroller of state, or taxes paid under chapter 432 on premiums and payments on”.

5. Page 4, line 10, by inserting after the word “public” the following: “or individuals whose group health coverage is terminated because membership in the group is terminated”.

6. Page 4, line 23, by inserting after the word “coverages” the following: “and mutual service corporations operating under chapter 514 including the taxation thereof and establishing procedures for the mutualization thereof and the authority of insurance companies, making an appropriation for the extension of the medically needy program, and providing for a study”.

7. Renumber as necessary.

ON THE PART OF THE HOUSE:

PHILIP BRAMMER, Chair
EDWARD PARKER
TOM SWARTZ
ROGER HALVORSON
KYLE HUMMEL

ON THE PART OF THE SENATE:

WILLIAM PALMER, Chair
CHARLES BRUNER
MICHAEL GRONSTAL
LEE HOLT
EDGAR HOLDEN

Van Maanen of Mahaska rose on a point of order that the conference committee report was not in order.

The Speaker ruled the point not well taken and the conference committee report in order.

Chapman of Linn in the chair at 9:57 p.m.

Speaker Avenson in the chair at 10:14 p.m.

Welden of Hardin rose on a point of order that the conference committee report was not in order pursuant to Joint Rule 13.3.

The Speaker ruled the point not well taken and the conference committee report in order.

Brammer of Linn moved the adoption of the conference committee report and the amendments contained therein.

Roll call was requested by Peick of Linn and Tabor of Jackson.

On the question "Shall the conference committee report be adopted?"

The ayes were, 53:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Hatch	Holveck
Hughes	Jochum	Johnson	Kremer
Lloyd-Jones	Loneragan	Metcalf	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Peterson	Rosenberg	Running	Sherzan
Shoultz	Siegrist	Sturgeon	Swartz
Tabor	Teaford	Varn	Zimmerman
Mr. Speaker			

The nays were, 42:

Bennett	Black	Carl	Cochran
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Corey	Daggett	De Groot	Grandia
Groth	Handorf	Harbor	Haverland
Hermann	Hester	Jay	Knapp
Koenigs	Lageschulte	Maulsby	McIntee
McKean	Miller	Oxley	Paulin
Pellett	Platt	Poncy	Renaud
Renken	Rensink	Royer	Schnekloth
Shoning	Spear	Stromer	Stueland
Sullivan	Swearingen	Van Camp	Van Maanen
Welden	Woods		

Absent or not voting, 5:

Beatty	Branstad	Hummel	Skow
Torrence			

The motion prevailed and the report was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 570)

The ayes were, 53:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carpenter	Carter	Chapman
Clark	Connolly	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hatch	Holveck	Hughes
Jochum	Johnson	Kremer	Lloyd-Jones
Lonergan	McIntee	Metcalf	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Peterson	Platt	Rosenberg	Sherzan
Shoultz	Siegrist	Sturgeon	Swartz
Tabor	Teaford	Varn	Zimmerman
Mr. Speaker			

The nays were, 43:

Bennett	Black	Carl	Cochran
Corey	Daggett	De Groot	Grandia
Groth	Handorf	Hanson	Harbor

Haverland	Hermann	Hester	Hummel
Jay	Knapp	Koenigs	Lageschulte
Maulsby	McKean	Miller	Oxley
Paulin	Pellett	Poncy	Renaud
Renken	Rensink	Royer	Running
Schnekloth	Shoning	Spear	Stromer
Stueland	Sullivan	Swearingen	Van Camp
Van Maanen	Welden	Woods	

Absent or not voting, 4:

Beatty	Branstad	Skow	Torrence
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 570)

Norland of Worth asked and received unanimous consent to immediately message House File 570 to the Senate.

SENATE AMENDMENT CONSIDERED

Varn of Johnson called up for consideration **House Concurrent Resolution 41**, (found on pages 2138 through 2140 of the House Journal) relating to the board of regents ten-year building program, amended by the Senate, and moved that the House concur in the following Senate amendment H-4240:

H-4240

- 1 Amend House Concurrent Resolution 41, as amended,
- 2 passed, and reprinted by the House as follows:
- 3 1. Page 2, by striking lines 15 and 16 and
- 4 inserting the following: "chapter 262A in a total
- 5 amount not to exceed twenty-two million seven hundred
- 6 seventy thousand (22,770,000) dollars, the".
- 7 2. Page 3, by striking lines 5 and 6 and
- 8 inserting the following: "is twenty-two million seven
- 9 hundred seventy thousand (22,770,000) dollars, all or
- 10 any part of which may be issued during".
- 11 3. Page 3, by striking lines 17 and 18 and
- 12 inserting the following: "262A in a total amount not
- 13 to exceed twenty-two million seven hundred seventy
- 14 thousand (22,770,000) dollars:".
- 15 4. Page 3, by inserting after line 24 the
- 16 following:
- 17 "Industrial education building remodeling".

Roll call was requested by Welden of Hardin and Jay of Appanoose.

On the question "Shall the House concur in the Senate amendment H—4240?"

The ayes were, 60:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groth	Gruhn	Hammond
Hatch	Haverland	Hermann	Holveck
Hughes	Jay	Johnson	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McIntee	Metcalf	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peick	Platt	Poncy
Renaud	Rensink	Rosenberg	Sherzan
Shoning	Shoultz	Siegrist	Spear
Sturgeon	Sullivan	Swearingen	Tabor
Teaford	Varn	Woods	Mr. Speaker

The nays were, 35:

Bennett	Carpenter	Carter	Corey
Daggett	De Groot	Grandia	Groninga
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Hester	Hummel	Jochum
Knapp	Maulsby	McKean	Miller
Muhlbauer	Oxley	Paulin	Pellett
Peterson	Renken	Royer	Running
Schnekloth	Stromer	Stueland	Van Camp
Van Maanen	Welden	Zimmerman	

Absent or not voting, 5:

Beatty	Branstad	Skow	Swartz
Torrence			

The motion prevailed and the House concurred in the Senate amendment H—4240.

Varn of Johnson moved the adoption of the resolution.

A non-record roll call was requested.

The ayes were 64, nays 25.

The motion prevailed and the resolution, as amended, was adopted.

GOVERNOR'S ITEM VETO MESSAGE

May 3, 1985

The Honorable Donald Avenson
Speaker
House of Representatives
State Capitol Building
L O C A L

Dear Mr. Speaker:

I hereby transmit House File 747, an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

House File 747 is approved May 3, 1985 with the following exceptions which I hereby disapprove.

I am unable to approve of the item designated as Section 6, Subsection 1(c), which reads as follows:

c. As a condition of the appropriation made in paragraph "a", the department of public instruction shall expend at least twenty-five thousand (25,000) dollars of the moneys appropriated in paragraph "a" to provide increased compensation for individuals employed by the department in consultant positions in order to bring their compensation up to a level that is more competitive with compensation received by individuals employed in other professional positions that have similar educational requirements.

The state of Iowa is currently in the process of implementing a state-wide comparable worth policy. The system is based on comprehensive evaluations of the "worth" of the tasks done by employees in all state classifications, and in all state agencies.

The Department of Public Instruction's consultant pay classifications were evaluated as part of the comparable worth study. Now, even as comparable worth is just being implemented on a state-wide basis, this section would go outside the comparable worth system to make adjustments to the salaries of a few employees in one department. These arbitrarily-chosen adjustments are inappropriate at this time and would not be in the interests of developing a sound comparable worth system for the state as a whole.

I am also unable to approve Sections 5, 18, and 19, which read as follows:

Sec. 5. There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1985, and ending June 30, 1986, the sum of fifteen thousand (15,000) dollars, or as much thereof as may be necessary, to make reimbursement payments to teachers under the guaranteed student loan payment program established in section 261.45.

Sec. 18. Sec. 261.45, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Received reimbursement payments under this section during the fiscal year beginning July 1, 1984.

Sec. 19. Sec. 261.45, unnumbered paragraph 3, Code 1985, is amended by striking the unnumbered paragraph.

Taken together, these three sections effectively eliminate the guaranteed loan payment program established in 1983. This program encourages college students to become certified and teach advanced mathematics and advanced science courses in Iowa. Individuals who graduated from college in 1983 or later, and who teach qualifying subjects, are reimbursed by this program for up to \$1,000 of their guaranteed student loan payments for each year they teach. Teachers may receive up to \$6,000 in reimbursements under this program.

Many studies have indicated that there is an impending shortage of qualified teachers in the advanced math and science areas. This program encourages graduates in these shortage areas to teach in Iowa.

In its two years of existence, this program has provided incentives to 30 new Iowa teachers. These are all teachers who are providing instruction in Iowa schools in these high demand areas, and who graduated from college since 1983. The program is clearly a success at encouraging math and science instruction for a minimal cost to the state.

In light of its success, this program should be retained to complement the forgivable loan program established in House File 225. The forgivable loan program provides assistance to Iowa residents who attend higher education institutions in Iowa. However, that new program does not provide teaching incentives for Iowa residents who attended out-of-state institutions, or for residents of other states who attended Iowa colleges. The guaranteed loan payment program provides incentives for these teachers, and no cost accrues to the Iowa taxpayers until the teacher has actually taught here for one year. Thus the guaranteed loan payment program is a valuable complement to the new forgivable loan. It should be retained.

For the above reasons, I hereby respectfully disapprove of these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 747 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

MOTION TO OVERRIDE GOVERNOR'S ITEM VETO

Poncy of Wapello called up for consideration **House File 747**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state, item vetoed by the Governor on May 3, 1985.

Poncy of Wapello moved that the House on reconsideration agree to pass House File 747, the objections (to Section 6, Subsection 1(c); Sections 5, 18 and 19) of the Governor to the contrary notwithstanding.

On the question "Shall the House on reconsideration pass the bill, the objections of the Governor to the contrary notwithstanding?" (H.F. 747)

The ayes were, 58:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Hatch	Haverland	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Lonergan	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 37:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Siegrist
Stromer	Stueland	Swearingen	Van Camp
Van Maanen			

Absent or not voting, 5:

Beatty	Branstad	Carl	Skow
Torrence			

The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's item veto was sustained.

Appropriations Calendar

The House resumed consideration of **Senate File 578**, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds, and amendment H—4228 (found on page 2194 of the House Journal), to the committee amendment H—4218 (found on pages 2183 through 2193 of the House Journal), deferred May 2, 1985.

Mullins of Kossuth asked and received unanimous consent to defer action on amendment H—4228.

Norland of Worth asked and received unanimous consent to take up out of order amendment H—4252.

Jochum of Dubuque offered the following amendment H—4252, to the committee amendment H—4218, filed by him from the floor and moved its adoption:

H—4252

- 1 Amend the Committee amendment, H—4218, to Senate
- 2 File 578, as amended, passed, and reprinted by the
- 3 Senate, as follows:
- 4 1. By striking page 1, line 6 through page 5,
- 5 line 44 and inserting the following:
- 6 "The annual salaries set by the governor for
- 7 appointed nonelected persons in the executive branch
- 8 of state government for the fiscal biennium beginning
- 9 July 1, 1985 and ending June 30, 1987 shall be the
- 10 same as the annual salaries received by those persons
- 11 or established for the person's position as of January
- 12 1, 1985, and those annual salaries shall be effective
- 13 for subsequent fiscal years until otherwise provided
- 14 by the general assembly. The appointment of an
- 15 appointed nonelected person to a position shall be at
- 16 an annual salary which does not exceed the annual
- 17 salary of the appointee's predecessor. The annual
- 18 salary for a new position shall be established as
- 19 otherwise provided by law."
- 20 2. By striking page 8, line 32 through page 9,
- 21 line 45.
- 22 3. By renumbering sections as necessary.

Amendment H—4252 was adopted, placing the following amendments, to the committee amendment H—4218, out of order:

H—4228 filed by Mullins, et al., and previously deferred.

H—4229 filed by Metcalf of Polk and Carpenter of Polk (previously deferred) on May 2, 1985.

Jochum of Dubuque offered the following amendment H—4255, to the committee amendment H—4218, filed by him from the floor and moved its adoption:

H—4255

- 1 Amend the Committee amendment, H—4218, to Senate
- 2 File 578 as amended, passed, and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 8, by inserting after line 31 the fol-
- 5 lowing:
- 6 "Sec. _____. COMPARABLE WORTH ADJUSTMENTS.
- 7 In the implementation of comparable worth adjust-
- 8 ments as otherwise provided by law, no job titles
- 9 except nursing service director, director of nursing,
- 10 and director of public health nursing shall be raised
- 11 above pay grade thirty-two."

Amendment H—4255 was adopted.

Lageschulte of Bremer offered the following amendment H—4230, to the committee amendment H—4218, filed by him:

H—4230

- 1 Amend the Committee amendment, H—4218, to Senate
- 2 File 578, as amended, passed, and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 9, by inserting after line 45, the fol-
- 5 lowing:
- 6 "Sec. _____. Section 18.117, unnumbered paragraph 1,
- 7 Code 1985, is amended to read as follows:
- 8 A state officer or employee shall not use a state-
- 9 owned motor vehicle for personal private use, nor
- 10 shall the officer or employee be compensated for
- 11 driving a privately owned motor vehicle unless it is
- 12 done on state business with the approval of the state
- 13 vehicle dispatcher, and in that case the officer or
- 14 employee shall receive twenty-two twenty and one-half
- 15 cents per mile effective July 1, 1981, and twenty-four
- 16 cents per mile effective July 1, 1982. A statutory
- 17 provision stipulating necessary mileage, travel, or
- 18 actual expenses reimbursement to a state officer falls

19 under the mileage reimbursement limitation provided in
20 this section unless specifically provided otherwise.
21 Any peace officer employed by the state as defined in
22 section 801.4 who is required to use a private vehicle
23 in the performance of official duties shall receive
24 reimbursement for mileage expense at the rate
25 specified in this section. However, the state vehicle
26 dispatcher may delegate authority to officials of the
27 state, and department heads, for the use of private
28 vehicles on state business up to a yearly mileage
29 figure established by the director of general services
30 and approved by the executive council. If a state
31 motor vehicle has been assigned to a state officer or
32 employee, the officer or employee shall not collect
33 mileage for the use of a privately owned vehicle
34 unless the state vehicle assigned is not usable.

35 Sec. _____. Section 79.9, Code 1985, is amended to
36 read as follows:

37 **79.9 CHARGE FOR USE OF AUTOMOBILE BY OTHER THAN**
38 **STATE OFFICER OR EMPLOYEE.**

39 When a public officer or employee, other than a
40 state officer or employee, is entitled to be paid for
41 expenses in performing a public duty, a charge shall
42 be made, allowed and paid for the use of an
43 automobile, as determined by the local governing body,
44 in an amount not exceeding ~~twenty-two~~ twenty and one
45 half cents per mile for actual and necessary travel
46 effective July 1, 1981, and in an amount not exceeding
47 twenty-four cents per mile effective July 1, 1982. A
48 statutory provision stipulating necessary mileage,
49 travel, or actual reimbursement to a local public
50 officer or employee falls within the mileage

Page 2

1 reimbursement limitation specified in this section
2 unless specifically provided otherwise. A political
3 subdivision may authorize the use of private vehicles
4 for the conduct of official business of the political
5 subdivision at an annual amount in lieu of actual and
6 necessary travel expense reimbursement provided in
7 this section. A peace officer, other than a state
8 officer or employee, as defined in section 801.4 who
9 is required to use a private vehicle in the
10 performance of official duties shall receive
11 reimbursement for mileage expense at the rate
12 specified in this section.”

13 2. By numbering sections as necessary.

Black of Jasper in the chair at 11:14 p.m.

Carpenter of Polk asked and received unanimous consent to temporarily defer action on amendment H—4230.

The House stood at ease at 11:18 p.m., until the fall of the gavel.

The House resumed session at 11:23 p.m., Speaker Avenson in the chair.

Norland of Worth asked and received unanimous consent that Senate File 578 be deferred and that the bill retain its place on the calendar.

(Amendment H—4230, to the committee amendment H—4218, pending.)

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 575.

Appropriations Calendar

Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects, with report of committee recommending amendment and passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H—4222 filed by the committee on appropriations and moved its adoption:

H—4222

- 1 Amend Senate File 575 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 30 the
- 4 following:
- 5 "_____ COMMISSION FOR THE BLIND
- 6 For beginning the installation
- 7 of a fire sprinkler system \$ 63,000".
- 8 2. Page 1, by inserting after line 30 the
- 9 following:
- 10 "Sec. 2. There is appropriated from the general
- 11 fund of the state to the state conservation commission
- 12 on the effective date of this Act the sum of forty-
- 13 three thousand five hundred fifty-four dollars and

14 twenty-seven cents (\$43,554.27) or so much as is
15 necessary to pay the drainage assessment and interest
16 for the closed tile drain work at Lake Cornelia of
17 drainage district 14, subdistrict 3, in Wright county.
18 An amount equal to the amount expended pursuant to
19 this section shall be subtracted from the funds
20 appropriated to the state conservation commission
21 under 1985 Iowa Acts, House File 225, section 301,
22 subsection 3, paragraph "a", and deposited in the
23 general fund of the state by the state comptroller.

24 Sec. 3. Section 455.50, unnumbered paragraphs 3
25 and 4, Code 1985, are amended to read as follows:

26 When any state-owned lands under the jurisdiction
27 of the state conservation commission are situated
28 within a levee or drainage district, the commissioners
29 to assess benefits shall ascertain and return in their
30 report the amount of benefits and the apportionment of
31 costs and expenses to such lands and the board of
32 supervisors shall assess the same against such lands.

33 However, the commissioners shall not assess benefits
34 to property below the ordinary high water mark in a
35 sovereign state-owned lake, marsh or stream under the
36 jurisdiction of the state conservation commission.

37 Such ~~The~~ assessments against lands used by the fish
38 and game division under the jurisdiction of the state
39 conservation commission shall be paid by the state
40 conservation commission from the state fish and game
41 protection fund executive council on due certification
42 of the amount by the county treasurer to said
43 commission, and against lands used by the division of
44 lands and waters from the state conservation funds.

45 There is appropriated from any funds in the general
46 fund not otherwise appropriated amounts sufficient to
47 pay the certified assessments.

48 Sec. 4. This Act, being deemed of immediate
49 importance, except sections 1 and 3 which take effect
50 July 1 following enactment, takes effect from and

Page 2

1 after its publication in The Cascade Pioneer-
2 Advertiser, a newspaper published in Cascade, Iowa,
3 and in The Guttenberg Press, a newspaper published in
4 Guttenberg, Iowa."

5 2. Title page, line 2, by inserting after the
6 word "projects" the words "and providing that part of
7 the Act takes effect upon publication".

The committee amendment H—4222 was adopted, placing out of
order amendment H—4210 filed by Jochum of Dubuque on May 2,
1985.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 575)

The ayes were, 94:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Beatty	Branstad	Skow	Sullivan
Torrence	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

(Senate File 575)

Norland of Worth asked and received unanimous consent to immediately message Senate File 575 to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 383**, a bill for an act relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers, deferred and placed on the unfinished business calendar on April 19, 1985.

Ollie of Clinton offered the following amendment H—3677 filed by the committee on labor and industrial relations:

H—3677

- 1 Amend Senate File 383, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 8, by inserting after the letter
- 4 "b" the following: "and if the increase in the
- 5 employer's average annual payroll is not totally
- 6 disregarded under subsection 2 due to an increase in
- 7 taxable wages under section 96.19, subsection 20 or
- 8 due to the fact that the employer is a successor
- 9 employer".
- 10 2. Page 1, line 31, by inserting after the figure
- 11 "20," the following: "or due to the fact that the
- 12 employer is a successor employer".
- 13 3. Page 2, line 17, by inserting after the word
- 14 "positive." the following: "However, this Act is null
- 15 and void from its effective date if the final decision
- 16 of the United States Department of Labor holds that
- 17 this Act places Iowa's unemployment compensation law
- 18 out of conformity with federal law."

Swartz of Marshall asked and received unanimous consent to withdraw amendment H—3928, to the committee amendment H—3677, filed by him on April 19, 1985.

On motion by Ollie of Clinton, the committee amendment H—3677 was adopted.

The following amendments filed by Halvorson of Clayton were withdrawn by unanimous consent:

- H—3731 filed on April 10, 1985.
- H—3848 filed on April 16, 1985.
- H—3732 filed on April 10, 1985.
- H—3733 filed on April 10, 1985.

Ollie of Clinton asked and received unanimous consent to withdraw amendment H—3773 filed by him on April 12, 1985.

Hatch of Polk asked and received unanimous consent to withdraw amendment H—3817 filed by Hatch, et al., on April 16, 1985, placing out of order amendment H—4158, to amendment H—3817, filed by Hatch of Polk on April 30, 1985.

Ollie of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 383)

The ayes were, 93:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Beatty	Branstad	Carpenter	Clark
Knapp	Skow	Torrence	

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

IMMEDIATE MESSAGE
(Senate File 383)

Norland of Worth asked and received unanimous consent to immediately message Senate File 383 to the Senate.

HOUSE FILE 58 WITHDRAWN

Welden of Hardin asked and received unanimous consent to withdraw House File 58 from further consideration by the House.

SENATE AMENDMENT CONSIDERED

Groninga of Cerro Gordo called up for consideration **House File 766**, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation, amended by the Senate, and moved that the House concur in the following Senate amendment H—4254:

H—4254

1 Amend House File 766, as passed by the House, as
2 follows:
3 1. Page 6, lines 17 and 18, by striking the words
4 "department of job service" and inserting the words
5 "permanent school fund".
6 2. By striking page 7, line 22 through page 8,
7 line 4, and inserting in lieu thereof the following:
8 "Sec. 8. **NEW SECTION. 280C.8 APPROPRIATIONS.**
9 Notwithstanding sections 8.6, 292.1, 302.1 and
10 302.13, there is appropriated from the permanent
11 school fund, for the fiscal period beginning July 1,
12 1985 and ending June 30, 1988 the sum of one million
13 (1,000,000) dollars to provide funds for the purposes
14 of and deposits in the area school job training fund
15 created in section 280C.6. The money appropriated un-
16 der this section is a loan from the permanent school
17 fund to the area school job training fund. The
18 interest on the loan shall be prepaid for the period
19 of the loan from funds appropriated by this section.
20 The rate of interest shall be determined by the
21 treasurer of state. Notwithstanding section 8.33,
22 moneys remaining of the appropriations made under this
23 section on June 30, 1986 and June 30, 1987 shall not
24 revert to the permanent school fund but remain in the
25 area school job training fund. All moneys in the area
26 school job training fund on June 30, 1988 and each
27 fiscal year thereafter shall revert to the permanent

28 school fund. Moneys to repay the amount of the loan
 29 from the permanent school fund shall be paid from
 30 funds to be credited to the "Surplus" account of the
 31 Iowa plan fund for economic development created in
 32 1985 Iowa Act, House File 225."

The motion prevailed and the House concurred in the Senate amendment H—4254.

Groninga of Cerro Gordo moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 766)

The ayes were, 74:

Arnould	Baxter	Black	Blanshan
Buhr	Carl	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Daggett	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Haverland
Hermann	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lloyd-Jones	Loneragan	McIntee
McKean	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Renaud	Rensink
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 19:

Bennett	Carpenter	Corey	De Groot
Grandia	Handorf	Hester	Hummel
Lageschulte	Maulsby	Metcalf	Miller
Poncy	Renken	Royer	Schnekloth
Stueland	Van Camp	Van Maanen	

Absent or not voting, 7:

Beatty	Brammer	Branstad	Pellett
Skow	Torrence	Welden	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Beatty of Warren on request of Connors of Polk.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 568.

Ways and Means Calendar

Senate File 568, a bill for an act relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and imposing rates for its use, benefit, and connection, with report of committee recommending passage was taken up for consideration.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 568)

The ayes were, 87:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Platt	Poney	Renaud	Rensink

Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 7:

Bennett	Grandia	Groth	Jay
Maulsby	Renken	Van Maanen	

Absent or not voting, 6:

Beatty	Branstad	Groninga	Peñett
Skow	Torrence		

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

SENATE AMENDMENT CONSIDERED .

Swartz of Marshall called up for consideration **House File 531**, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and making penalties applicable, amended by the Senate, and moved that the House concur in the following Senate amendment H-3916:

H-3916

- 1 Amend House File 531 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 2, by inserting after the word
- 4 "information" the following: "that is used for
- 5 qualifying a person for the purchase of real prop-
- 6 erty".

The motion prevailed and the House concurred in the Senate amendment H-3916.

Swartz of Marshall moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 531)

The ayes were, 94:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Shoning
Shoultz	Siegrist	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Beatty	Branstad	Pellett	Sherzan
Skow	Torrence		

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 449**, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication, deferred and placed on the unfinished business calendar on April 17, 1985.

Parker of Jasper asked and received unanimous consent to withdraw amendment H-3771 filed by the committee on small business and commerce on April 12, 1985, placing out of order the following amendments, to the committee amendment H-3771:

H-3859 (to page 2) filed by McIntee of Black Hawk and Halvorson of Clayton on April 17, 1985.

H-3793 (to page 15) filed by Swartz of Marshall on April 15, 1985.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H-4095 filed by him on April 29, 1985.

Parker of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 449)

The ayes were, 80:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parkef
Paulin	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Sherzan
Shoning	Shoultz	Siegrist	Spear
Stromer	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 14:

Bennett	Corey	Grandia	Hester
Maulsby	McKean	Metcalf	Miller
Mullins	Renken	Schnekloth	Stueland
Van Maanen	Welden		

Absent or not voting, 6:

Beatty
Skow

Branstad
Torrence

Johnson

Pellett

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

SENATE AMENDMENT CONSIDERED
House Refused To Concur

Doderer of Johnson called up for consideration **House File 764**, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H—4256:

H—4256

- 1 Amend House File 764, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, by inserting after line 15 the
- 4 following:
- 5 "6. Any rules or written pronouncements
- 6 interpreting the revenue laws that were made by the
- 7 director of revenue or by the director of any division
- 8 of the department of revenue prior to the effective
- 9 date of the Iowa Administrative Procedure Act shall be
- 10 deemed to have been and continue to be in full force
- 11 and effect until reversed, repealed or modified in
- 12 accordance with the provisions of the Iowa
- 13 Administrative Procedure Act or by law."
- 14 2. By striking page 2, line 31 through page 3,
- 15 line 1 and inserting the following:
- 16 "b. The department may deny the issuance of a
- 17 permit to a distributor, wholesaler, vendor or
- 18 retailer who is substantially delinquent in the
- 19 payment of a tax due, or the interest or penalty on
- 20 the tax, administered by the department at the time of
- 21 application. If the applicant is a partnership, a
- 22 permit may be denied if a partner is substantially
- 23 delinquent on".
- 24 3. Page 3, by striking lines 2 through 6 and
- 25 inserting the following: "any delinquent tax, penalty
- 26 or interest."
- 27 4. Page 3, by striking line 15 and inserting the
- 28 following: "promulgated adopted under this division,
- 29 or is substantially delinquent in the payment of a".

- 30 5. By striking page 3, line 29 through page 4,
31 line 16.
- 32 6. Page 5, line 8, by striking the words "five
33 ten" and inserting the following: "five".
- 34 7. Page 5, line 12, by striking the word "fifty"
35 and inserting the following: "~~fifty~~ seventy-five".
- 36 8. Page 5, line 16, by striking the word "fifty"
37 and inserting the following: "~~fifty~~ seventy-five".
- 38 9. Page 5, by striking lines 23 through 27 and
39 inserting the following: "The department may deny the
40 issuance of a license to an applicant who is
41 substantially delinquent in the payment of a tax due,
42 or the interest or penalty on the tax, administered by
43 the department of revenue. If the applicant is a
44 partnership, a license may be denied if a partner".
- 45 10. Page 5, by striking lines 28 through 32 and
46 inserting the following: "owes any delinquent tax,
47 penalty or interest."
- 48 11. By striking page 5, line 33 through page 6,
49 line 9.
- 50 12. Page 6, by inserting after line 9 the

Page 2

- 1 following:
- 2 "Sec. _____. Section 324.65, unnumbered paragraph 2,
3 Code 1985, is amended to read as follows:
- 4 The appropriate state agency shall not remit any
5 part of a penalty for delinquent payment where the
6 delinquency results from the fact that a check given
7 in payment is not honored because of insufficient
8 funds in the account upon which the check was drawn.
9 However, if it appears as a result of an investigation
10 or from a preponderance of the evidence adduced at a
11 hearing that there has been a deliberate attempt on
12 the part of a licensee or other person to evade
13 payment of fuel taxes there shall be added to the
14 assessment against the offending person and collected
15 a penalty of fifty seventy-five percent of the tax
16 due. Any report required of licensees or persons
17 operating under divisions I, II and III, upon which no
18 tax may be due, is subject to a penalty of ten dollars
19 if the report is not timely filed with the appropriate
20 state agency."
- 21 13. By striking page 6, line 10 through page 7,
22 line 7.
- 23 14. Page 7, by striking line 23 and inserting the
24 following: "is substantially delinquent in paying a
25 tax due, owing and administered by the department of".
- 26 15. Page 7, by inserting after line 34 the
27 following:

28 "Sec. _____. Section 421.7, subsection 2, Code 1985,
29 is amended to read as follows:

30 2. The rate of interest that shall be in effect
31 during a calendar year shall be the rate which is two
32 percentage points less than the numerical average,
33 rounded to the nearest one percent, of the respective
34 prime rates for each of the months in the twelve-month
35 period that ends September 30 of the previous calendar
36 year. The rate of interest established by this
37 subsection takes effect January 1, and applies to any
38 amount which is due or becomes payable on or after
39 that date."

40 16. Page 8, by inserting after line 29 the
41 following:

42 "_____. NEW SECTION. 421.26 LIABILITY FOR TAX DUE.

43 If a licensee or other person under section 324.65,
44 a retailer or purchaser under section 422.52, or a
45 retailer or purchaser under section 423.13 fails to
46 pay a tax under those sections when due, any officer
47 of a corporation or association, or any partner of a
48 partnership, having control or supervision of or the
49 authority for remitting the tax payments, who has
50 intentionally failed to pay the tax with the intent to

Page 3

1 evade the tax is personally liable for the payment of
2 the tax, interest and penalty due and unpaid.
3 However, this section shall not apply to taxes on
4 accounts receivable. The dissolution of a
5 corporation, association or partnership shall not
6 discharge a person's liability for failure to remit
7 the tax due."

8 17. Page 8, by inserting after line 29 the
9 following:

10 "Sec. 40. Section 422.10, unnumbered paragraph 1,
11 Code 1985, as amended by 1985 Iowa Acts, Senate File
12 561, section 5, is amended to read as follows:

13 The taxes imposed under this division shall be
14 reduced by a state tax credit for increasing research
15 activities in this state. For individuals, the credit
16 shall equal six and one-half percent of the state's
17 apportioned share of the qualifying expenditures for
18 increasing research activities. The state's
19 apportioned share of the qualifying expenditures for
20 increasing research activities is a percent equal to
21 the ratio of qualified research expenditures in this
22 state to total qualified research expenditures. For
23 purposes of this section, an individual may claim a
24 research credit for qualifying research expenditures
25 incurred by a partnership, subchapter S corporation,
26 and estate or trust electing to have the income taxed

27 directly to the individual. The amount claimed by the
 28 individual shall be based upon the pro rata share of
 29 the individual's earnings of a partnership, subchapter
 30 S corporation, or estate or trust. For purposes of
 31 this section, "qualifying expenditures for increasing
 32 research activities" means the qualifying expenditures
 33 as defined for the federal credit for increasing
 34 research activities computed which would be allowable
 35 under section 30 of the Internal Revenue Code of 1954,
 36 as amended to and including in effect on January 1,
 37 1983 1985. The research activities credit is
 38 applicable for taxable years beginning after December
 39 31, 1985 to the same extent that the credit is
 40 applicable for federal income tax purposes for taxable
 41 years beginning after December 31, 1985."

42 18. By striking page 8, line 30 through page 9,
 43 line 4.

44 19. Page 9, by inserting after line 4 the
 45 following:

46 "Sec._____. Section 422.16, subsection 10,
 47 paragraph b, unnumbered paragraph 2, Code 1985, is
 48 amended to read as follows:

49 In the case of willful failure to file a
 50 semimonthly, monthly, or quarterly deposit form with

Page 4

1 intent to evade tax or willful filing of a false
 2 semimonthly, monthly, or quarterly deposit form with
 3 intent to evade tax, in lieu of the penalty otherwise
 4 provided in this paragraph, there is added to the
 5 amount required to be shown as tax on the semimonthly,
 6 monthly, or quarterly deposit form, fifty seventy-five
 7 percent of the amount of the tax. The taxpayer shall
 8 also pay interest on the tax or additional tax at the
 9 rate in effect under section 421.7, for each month
 10 counting each fraction of a month as an entire month,
 11 computed from the date the semimonthly, monthly, or
 12 quarterly deposit form was required to be filed. The
 13 penalty and interest become a part of the tax due from
 14 the withholding agent. The penalty imposed under this
 15 subsection is not subject to waiver."

16 20. Page 9, line 35, by striking the words "five
 17 ten" and inserting the following: "five".

18 21. Page 10, line 1, by inserting after the word
 19 "due" the following: ", unless the return is amended
 20 by the taxpayer prior to the taxpayer's receiving
 21 notice of the deficiency from the department or the
 22 return is amended because of an internal revenue
 23 service audit."

24 22. Page 10, line 5, by inserting after the word
 25 "return" the following: "fifty".

26 23. Page 10, by inserting after line 34 the
27 following:

28 "Sec. 41. Section 422.33, subsection 5, unnumbered
29 paragraph 1, Code 1985, as amended by 1985 Iowa Acts,
30 Senate File 561, section 7, is amended to read as
31 follows:

32 The taxes imposed under this division shall be
33 reduced by a state tax credit for increasing research
34 activities in this state equal to six and one-half
35 percent of the state's apportioned share of the
36 qualifying expenditures for increasing research
37 activities. The state's apportioned share of the
38 qualifying expenditures for increasing research
39 activities is a percent equal to the ratio of
40 qualified research expenditures in this state to the
41 total qualified research expenditures. For purposes
42 of this subsection, "qualifying expenditures for
43 increasing research activities" means the qualifying
44 expenditures as defined for the federal credit for
45 increasing research activities ~~computed which would be~~
46 allowable under section 30 of the Internal Revenue
47 Code of 1954, as amended to and including in effect on
48 January 1, 1983 1985. The research activities credit
49 is applicable for taxable years beginning after
50 December 31, 1985 to the same extent that the credit

Page 5

1 is applicable for federal income tax purposes for
2 taxable years beginning after December 31, 1985."

3 24. By striking page 11, line 29 through page 12,
4 line 23.

5 25. Page 12, line 35, by inserting after the word
6 "sponsors." the following: "For purposes of this
7 paragraph a person sponsoring a flea market, or a
8 craft, antique, coin or stamp show or similar event
9 does not include a nonprofit organization which
10 sponsors an event less than three times a year or a
11 state, county or district agricultural fair."

12 26. Page 13, by striking lines 4 through 8 and
13 inserting the following: "business. The department
14 may deny a permit to an applicant who is substantially
15 delinquent in paying a tax due, or the interest or
16 penalty on the tax, administered by the department at
17 the time of application. If the applicant is a
18 partnership, a permit may be denied if the partner is
19 substantially delinquent in paying".

20 27. Page 13, by striking lines 9 through 13 and
21 inserting the following: "any delinquent tax, penalty
22 or interest."

23 28. Page 13, by striking line 16 and inserting
24 the following: "department adopted under this

25 division or is substantially delinquent in the payment
26 of a tax".

27 29. Page 14, line 1, by striking the words "~~ten~~
28 twenty" and inserting the following: "ten".

29 30. Page 14, line 9, by inserting after the word
30 "return" the following: "fifty".

31 31. Page 15, by striking lines 23 through 27 and
32 inserting the following: "other places of business in
33 this state. The department may deny the issuance of a
34 permit to a retailer who is substantially delinquent
35 in paying a tax due, or the interest or penalty on the
36 tax, administered by the department at the time of
37 application. If the applicant is a partnership, a
38 permit may be denied if a partner".

39 32. Page 15, by striking lines 28 through 32 and
40 inserting the following: "owes any delinquent tax,
41 penalty or interest."

42 33. By striking page 15, line 33 through page 16,
43 line 28.

44 34. Page 17, line 4, by striking the words "~~five~~
45 ten" and inserting the following: "five".

46 35. Page 17, line 12, by inserting after the word
47 "return" the following: "fifty".

48 36. Page 17, by striking line 30 and inserting
49 the following: "and adopted under this chapter, or is
50 substantially delinquent in the payment of a tax".

Page 6

1 37. Page 18, line 25, by striking the words "~~five~~
2 ten" and inserting the following: "five".

3 38. Page 18, line 30, by inserting after the word
4 return" the following: "fifty".

5 39. Page 19, line 4, by striking the words "~~five~~
6 ten" and inserting the following: "five".

7 40. By striking page 19, line 32 through page 20,
8 line 6.

9 41. Page 20, by inserting after line 6 the
10 following:

11 "Sec._____. Sections 40 and 41 of this Act are
12 retroactive to January 1, 1985 for tax years beginning
13 on or after that date."

14 42. By renumbering, relettering, or redesignating
15 and correcting internal references as necessary.

The motion lost and the House refused to concur in the Senate amendment H-4256.

IMMEDIATE MESSAGE
(House File 764)

Norland of Worth asked and received unanimous consent to immediately message House File 764 to the Senate.

The House resumed consideration of **Senate File 578**, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds, and amendment H-4230, to the committee amendment H-4218, previously deferred.

Lageschulte of Bremer asked and received unanimous consent to withdraw amendment H-4230.

Lageschulte of Bremer offered the following amendment H-4258, to the committee amendment H-4218, filed by him from the floor and moved its adoption:

H-4258

1 Amend the Committee amendment, H-4218, to Senate
2 File 578, as amended, passed, and reprinted by the
3 Senate, as follows:
4 1. Page 9, by inserting after line 45, the fol-
5 lowing:
6 "Sec. _____. Section 18.117, unnumbered paragraph 1,
7 Code 1985, is amended to read as follows:
8 A state officer or employee shall not use a state-
9 owned motor vehicle for personal private use, nor
10 shall the officer or employee be compensated for
11 driving a privately owned motor vehicle unless it is
12 done on state business with the approval of the state
13 vehicle dispatcher, and in that case the officer or
14 employee shall receive twenty-two twenty and one-half
15 cents per mile effective July 1, 1991, and twenty-four
16 cents per mile effective July 1, 1992 except as other-
17 wise provided in a collective bargaining agreement,
18 which exception shall expire on June 30, 1987. A
19 statutory provision stipulating necessary mileage,
20 travel, or actual expenses reimbursement to a state
21 officer falls under the mileage reimbursement
22 limitation provided in this section unless
23 specifically provided otherwise. Any peace officer
24 employed by the state as defined in section 801.4 who

25 is required to use a private vehicle in the
 26 performance of official duties shall receive
 27 reimbursement for mileage expense at the rate
 28 specified in this section. However, the state vehicle
 29 dispatcher may delegate authority to officials of the
 30 state, and department heads, for the use of private
 31 vehicles on state business up to a yearly mileage
 32 figure established by the director of general services
 33 and approved by the executive council. If a state
 34 motor vehicle has been assigned to a state officer or
 35 employee, the officer or employee shall not collect
 36 mileage for the use of a privately owned vehicle
 37 unless the state vehicle assigned is not usable.

38 Sec. _____ Section 79.9, Code 1985, is amended to
 39 read as follows:

40 79.9 CHARGE FOR USE OF AUTOMOBILE BY OTHER THAN
 41 STATE OFFICER OR EMPLOYEE.

42 When a public officer or employee, other than a
 43 state officer or employee, is entitled to be paid for
 44 expenses in performing a public duty, a charge shall
 45 be made, allowed and paid for the use of an
 46 automobile, as determined by the local governing body,
 47 in an amount not exceeding ~~twenty-two~~ twenty and one
 48 half cents per mile for actual and necessary travel
 49 effective July 1, 1981, and in an amount not exceeding
 50 twenty-four cents per mile effective July 1, 1982. A

Page 2

1 statutory provision stipulating necessary mileage,
 2 travel, or actual reimbursement to a local public
 3 officer or employee falls within the mileage
 4 reimbursement limitation specified in this section
 5 unless specifically provided otherwise. A political
 6 subdivision may authorize the use of private vehicles
 7 for the conduct of official business of the political
 8 subdivision at an annual amount in lieu of actual and
 9 necessary travel expense reimbursement provided in
 10 this section. A peace officer, other than a state
 11 officer or employee, as defined in section 801.4 who
 12 is required to use a private vehicle in the
 13 performance of official duties shall receive
 14 reimbursement for mileage expense at the rate
 15 specified in this section."

16 2. By numbering sections as necessary.

Roll call was requested by Bennett of Ida and Stromer of Hancock.

On the question "Shall amendment H-4258, to the committee amendment H-4218, be adopted?"

The ayes were, 40:

Bennett	Black	Carpenter	Carter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hester
Hummel	Kremer	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Mullins	Paulin	Platt	Renken
Rensink	Royer	Schnekloth	Shoning
Siegrist	Spear	Stromer	Stueland
Swearingen	Van Camp	Van Maanen	Weiden

The nays were, 54:

Arnould	Baxter	Blanshan	Brammer
Buhr	Carl	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poney	Renaud	Rosenberg	Running
Sherzan	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 6:

Beatty	Branstad	Pellet	Shultz
Skow	Torrence		

Amendment H—4258 lost.

On motion by Jochum of Dubuque, the committee amendment H—4218, as amended, was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 578)

The ayes were, 88:

Arnould	Baxter	Black	Blanshan
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Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McKean
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 6:

Bennett	Diemer	Hester	McIntee
Miller	Paulin		

Absent or not voting, 6:

Beatty	Branstad	Pellett	Shoultz
Skow	Torrence		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

(Senate File 578)

Norland of Worth asked and received unanimous consent to immediately message Senate File 578 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 780.

Appropriations Calendar

House File 780, a bill for an act appropriating funds relating to the compensation and benefits for public officials and employees, was taken up for consideration.

Jochum of Dubuque offered the following amendment H—4253 filed by him from the floor and moved its adoption:

H—4253

- 1 Amend House File 780 as follows:
- 2 1. By striking page 2, line 12 through page 3,
- 3 line 5.
- 4 2. By renumbering sections as necessary.

Amendment H—4253 was adopted.

Jochum of Dubuque offered the following amendment H—4245 filed by him from the floor and moved its adoption:

H—4245

- 1 Amend House File 780 as follows:
- 2 1. Page 4, by inserting after line 23 the
- 3 following new section:
- 4 "Sec. _____, 1985 Iowa Acts, Senate File 434,
- 5 section 14, is amended to read as follows:
- 6 SEC. 14. The amount of the funds appropriated
- 7 under section 1, except section 1, subsection 4 and
- 8 subsection 8, paragraph "b", and sections 2, 5, 7, and
- 9 8 and 9 of this Act for the fiscal year beginning July
- 10 1, 1985 and ending June 30, 1986 shall be reduced by
- 11 one percent, rounded to the nearest whole dollar, and
- 12 the provisions of this section shall prevail over any
- 13 other provisions of this Act."
- 14 2. Renumber sections and correct internal
- 15 references as necessary in accordance with this
- 16 amendment.

Amendment H—4245 was adopted.

Haverland of Polk offered the following amendment H—4246 filed by him and Sherzan of Polk from the floor:

H—4246

- 1 Amend House File 780 as follows:

2 1. Page 3, by inserting after line 23 the
 3 following:
 4 "The state board of public instruction shall
 5 formulate an auditable student counting system that
 6 uniformly reports and accounts for student credit
 7 hours in all merged area schools. This student
 8 counting system should provide the basis for
 9 allocating future state general aid, state vocational
 10 aid and federal vocational aid on an equitable basis
 11 for the fiscal year beginning July 1, 1986."

Swearingen of Keokuk rose on a point of order that amendment H—4246 was not germane.

The Speaker ruled the point well taken and amendment H—4246 not germane.

Jochum of Dubuque asked and received unanimous consent to suspend the rules to consider amendment H—4246.

On motion by Haverland of Polk, amendment H—4246 was adopted.

Jochum of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 780)

The ayes were, 89:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Cannolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg

Royer	Running	Schnekloth	Sherzan
Shoning	Siegrist	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 5:

Grandia	Maulsby	McIntee	Renken
Welden			

Absent or not voting, 6:

Beatty	Branstad	Pellett	Shoultz
Skow	Torrence		

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message House File 780 and House Concurrent Resolution 37 to the Senate.

SENATE MESSAGES CONSIDERED

Senate File 532, by committee on agriculture, a bill for an act relating to bovine brucellosis, by providing vaccination requirements, providing definitions, providing for the adoption of rules, providing for the movement of cattle, and providing for indemnification for slaughtered cattle.

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

Senate File 583, by Junkins and Hultman, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395.

Read first time and referred to committee on **ways and means**.

Senate File 591, by committee on ways and means, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by increasing

the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, by changing the name of the Iowa housing finance authority, by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes, by requiring that real estate brokers' trust accounts be deposited and interest-bearing accounts and the interest transferred quarterly to the treasurer of state deposited in the title guaranty fund, by permitting life insurance companies and associations to invest in bonds of the African development bank, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, by creating a commitment costs fund, creating a title guaranty fund, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for the reorganization of bank affiliates and merging or acquiring banks, by providing for certain investment powers of state-chartered savings and loan associations and savings banks, by revising the requirements of amendments to a uniform commercial code financing statement, by providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods of lienholders under the procedure, permitting the charging of fees incurred under the title guaranty program, requiring the disclosure of the availability of the title guaranty program and making penalties applicable, providing for an effective date, establishing an interim study committee, and providing for the repeal of portions of the Act.

Read first time and referred to committee on **ways and means**.

CONFERENCE COMMITTEE REPORT FILED

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

Senate File 364, a bill for an act relating to the scope of negotiations in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 3, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 476, an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

House File 571, an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

House File 771, an act relating to the administration and financing of services and programs under the jurisdiction of the Department of Human Services, the State Department of Health, the Foster Care Review Board, and the Commission on Children, Youth, and Families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

Senate File 434, an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Senate File 562, an act relating to and making appropriations to various state commissions, and agencies relating to business, trade, and transportation.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on the afternoon of May 3, 1985. Had I been present, I would have voted "aye" on Senate Files 81 and 584.

SIEGRIST of Pottawattamie

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty eighth grade students from Blessed Sacrament School, Waterloo, accompanied by Sue McAnly. By Shoultz, Teaford and McIntee, all of Black Hawk.

Sixty-seven fifth grade students from Carpenter Elementary School, Monticello, accompanied by Mr. Bob Furino, Mrs. Wilma Linn and Mrs. Vicky Standley. By McKean of Jones.

Twenty-seven sixth grade students from Boyden Elementary School, Boyden, accompanied by Mrs. Cox, Mr. VanderSchaaf, Mr. Huls, and Mr. and Mrs. Harmon. By De Groot of Lyon and Rensink of Sioux.

Thirty-seven seventh and eighth grade students from Mallard Middle School, Mallard, accompanied by Mrs. Krumrey and Mrs. Twait. By Fogarty of Palo Alto.

Fifteen talented and gifted fifth grade students from Windsor Elementary School, Des Moines, accompanied by Pat Ballou and John Viviano. By Holveck of Polk.

Sixty sixth grade students from Jackson Elementary School, Atlantic, accompanied by Paulette Hansen. By Pellett of Cass.

Twenty-five first through twelfth grade students from Faith Baptist Christian School, Belle Plaine, accompanied by Rollin Ring. By Hummel of Benton.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

Senate File 589, a bill for an act related to the licensure of dietitians.

Fiscal Note is not required.

Recommended **Do Pass** May 3, 1985.

Senate File 590, a bill for an act relating to establishing nonpartisan mobile deputy registrars.

Fiscal Note is not required.

Recommended Do Pass May 3, 1985.

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

May 3, 1985

The Honorable Robert T. Anderson
Lieutenant Governor
State Capitol Building
L O C A L

Dear Governor Anderson:

I hereby transmit Senate File 552, an act making appropriations to and relating to the financing of departments and agencies whose responsibilities relate to corrections, public safety, and the justice system.

Senate File 552 is approved May 3, 1985, with the following exception which I hereby disapprove.

I am unable to approve Section 4 which reads as follows:

Sec. 4. 1984 Iowa Acts, chapter 1306, section 2, subsection 2, unnumbered paragraph 3, is amended to read as follows:

The department, by January 15 July 1, 1985, shall provide the general assembly with evidence from independent experts of the validity and effectiveness of the inmate classification system and shall suggest changes in the system to make it more effective. If the department fails to comply with the requirements of this paragraph, the state comptroller shall withhold one percent of the funds appropriated under section 2, subsection 1 of this Act when the funds are allocated to the department until the evidence has been presented to the general assembly. The validation study shall determine if the classification instruments accomplish the following objectives:

Section 4 provides that the Department of Corrections shall be penalized one percent of the funds appropriated to the state office for general administration, if the study which is being completed by an independent Philadelphia research firm with federal grant money is not completed by July 1, 1985. In the 1984 appropriations bill for the Department of Corrections, the legislature stated that this study must be done. However, the legislature appropriated no money for the project.

The Department used \$5,000 from its budget which had been appropriated for other purposes to start the study and, after considerable effort, obtained a \$15,000 federal grant from the National Institute of Corrections in October of 1984 to complete

the project.

Some legislators had told the Corrections officials that the project should not be done by the Department's statisticians and should not be done using professionals from the Iowa universities. The Department solicited the work of a Philadelphia research firm which some of the legislators specifically requested. In January of 1984, the Department reported to the appropriate subcommittee of the legislature that it had provided all requested information to the Philadelphia firm and that the Department, as well as the legislators, are now waiting for the results of the study.

If some unforeseen catastrophe occurs or some problem arises which results in the experts being unable to complete the study by July 1, 1985, the general administration of the Department should not be penalized by losing one percent of its operating budget. The Department has acted in good faith to comply with the legislators' request and should not be placed in a position of losing funding over a matter which they have little control.

It should be noted that the National Institute of Corrections and not the Department has the contract with the Philadelphia firm. Because of the lack of control the Department has over the completion of the project, the penalty provision in Section 4 is unduly harsh and also unnecessary.

The veto of Section 4 does not in any way or manner indicate that the study should not be completed. On the contrary, the Department is committed to do everything possible to encourage the experts to complete the study. The study has merit and should be completed as quickly as possible without sacrificing quality.

For the above reasons, I hereby respectfully disapprove of this item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 552 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

RESOLUTION FILED

SCR 52, by committee on rules and administration, a concurrent resolution relating to interim studies.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4242	S.F.	579	Jay of Appanoose
H-4248	S.F.	540	Halvorson of Webster
Lloyd-Jones of Johnson			Swartz of Marshall
Running of Linn			Carter of Henry

Teaford of Black Hawk	Hughes of Union
Mullins of Kossuth	Hanson of Delaware
Peterson of Carroll	Johnson of Winneshiek
Miller of Cherokee	Rosenberg of Story
Holveck of Polk	Platt of Muscatine
Carl of Poweshiek	Lonergan of Boone
Gruhn of Dickinson	Beatty of Warren
Hammond of Story	Haverland of Polk
Arnould of Scott	Groth of Buena Vista
Fey of Scott	Cochran of Webster
Sullivan of Van Buren	Muhlbauer of Crawford
Poncy of Wapello	Jay of Appanoose
Van Camp of Scott	Doderer of Johnson
Groninga of Cerro Gordo	Zimmerman of Dallas
Knapp of Dubuque	Osterberg of Linn
Sturgeon of Woodbury	Blanshan of Greene
Clark of Cerro Gordo	Buhr of Polk
Chapman of Linn	O'Kane of Woodbury
Connolly of Dubuque	Shoultz of Black Hawk
Brammer of Linn	Jochum of Dubuque
H-4250	H.F. 438
	Senate Amendment

On motion by Norland of Worth, the House adjourned at 12:44 a.m., Saturday, May 4, until 10:00 a.m., Saturday, May 4, 1985.

JOURNAL OF THE HOUSE

One Hundred Eleventh Calendar Day -- Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, May 4, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Randy Hughes, state representative from Union County.

The Journal of Friday, May 3, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor, until his arrival, on request of Maulsby of Calhoun; Branstad of Winnebago on request of Bennett of Ida.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 3, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 753, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date.

Also: That the Senate has, on May 4, 1985, insisted on its amendment to House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, and the members of the conference committee, on the part of the Senate, are: The Senator from Story, Senator Bruner, Chair; the Senator from Scott, Senator Holden; the Senator from Audubon; Senator Hutchins; the Senator from Polk, Senator Mann; and, the Senator from Sioux, Senator Ritsema.

Also: That the Senate has, on May 3, 1985, adopted the conference committee report and passed Senate File 364, a bill for an act relating to the scope of negotiation in public employment contract negotiations.

Also: That the Senate has on May 3, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A.

K. MARIE THAYER, Secretary

SENATE AMENDMENT CONSIDERED
House Refused To Concur

Swartz of Marshall called up for consideration **Senate File 570**, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4259 to the House amendment:

H-4259

- 1 Amend the amendment, S-4220, to Senate File 570 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 25 through 28.
- 5 2. By striking page 1, line 49 through page 2,
- 6 line 38.
- 7 3. Page 2, by striking lines 40 through 47.
- 8 4. Page 3, by striking line 7.
- 9 5. Page 3, by striking lines 22 through 26.

A non-record roll call was requested.

The ayes were 43, nays 47.

The motion lost and the House refused to concur in the Senate amendment H-4259.

IMMEDIATE MESSAGE
(Senate File 570)

Norland of Worth asked and received unanimous consent to immediately message Senate File 570 to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 309**, a bill for

an act relating to dishonored checks, drafts, or orders for payment and providing penalties, and amendment H—3906 (found on page 2179 of the House Journal) again deferred on May 2, 1985.

On motion by Peick of Linn, amendment H—3906 was adopted, placing out of order lines 7 and 8 of the committee amendment H—3746, (found on page 2177 of the House Journal) previously adopted.

Muhlbauer of Crawford asked and received unanimous consent to withdraw amendment H—4155 filed by him and Clark of Cerro Gordo on April 30, 1985.

Holveck of Polk offered the following amendment H—3880 filed by Holveck, et al., and moved its adoption:

H—3880

- 1 Amend Senate File 309 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting after line 26 the
- 4 following:
- 5 "3. This section does not apply if the reason for
- 6 the dishonor of the check, draft or order is that the
- 7 maker has stopped payment pursuant to section 554.4403
- 8 because of a bona fide dispute between the maker and
- 9 the holder relating to the consideration for which the
- 10 check, draft, or order was given."

Amendment H—3880 was adopted.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—4220 filed by him on May 2, 1985.

Rosenberg of Story asked and received unanimous consent to withdraw amendment H—3874 (temporarily deferred) filed by him on April 17, 1985.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—4102 (previously deferred) filed by him on April 29, 1985.

Osterberg of Linn offered the following amendment H—4221 filed by him and moved its adoption:

H-4221

- 1 Amend Senate File 309 as passed by the Senate as
 2 follows:
 3 1. Page 1, by inserting after line 26 the
 4 following:
 5 "3. In actions brought pursuant to this section,
 6 no additional award pursuant to section 625.22 shall
 7 be made."

A non-record roll call was requested.

The ayes were 49, nays 27.

Amendment H-4221 was adopted.

Renaud of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 309)

The ayes were, 85:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Hermann	Hester	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Norland	Ollie	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 10:

Beatty	Buhr	Doderer	Hammond
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Holveck
Rosenberg

Muhlbauer
Teaford

O'Kane

Osterberg

Absent or not voting, 5:

Branstad
Skow

Daggett

Fey

Haverland

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

IMMEDIATE MESSAGE

(Senate File 309)

Norland of Worth asked and received unanimous consent to immediately message Senate File 309 to the Senate.

CONFERENCE COMMITTEE APPOINTED

(House File 764)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 764: Rosenberg of Story, Chair; Tabor of Jackson, O'Kane of Woodbury, Schnekloth of Scott and Hanson of Delaware.

MOTION TO RECONSIDER WITHDRAWN

(Senate File 459)

Cochran of Webster asked and received unanimous consent to withdraw the motion to reconsider Senate File 459, a bill for an act relating to real property which is subject to foreclosure, filed by him on April 19, 1985.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee agenda and notice, for meetings of the committees on appropriations and ways and means upon recess.

The House stood at ease at 11:14 a.m., until the fall of the gavel.

The House resumed session at 12:06 p.m., Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has, on May 4, 1985, adopted the conference committee report and passed House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

Also: That the Senate has, on May 4, 1985, adopted the conference committee report and passed Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, and update provisions relating to court reorganization.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Ways and Means Calendar

Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities, with report of committee recommending amendment and passage was taken up for consideration.

Brammer of Linn offered the following amendment H-4197 filed by the committee on ways and means and moved its adoption:

H-4197

- 1 Amend Senate File 576 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 7, by striking the words "office-
- 4 research" and inserting the following: "research-
- 5 service".
- 6 2. Page 1, line 32, by striking the words
- 7 "Office-research" and inserting the following:
- 8 "Research-service".
- 9 3. Page 2, line 1, by striking the words "office
- 10 and administrative functions" and inserting the
- 11 following: "corporate-research services".
- 12 4. Title page, line 2, by striking the words
- 13 "office-research" and inserting the following:
- 14 "research-service".

The committee amendment H—4197 was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 576).

The ayes were, 64:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Johnson	Koenigs	Lloyd-Jones	Loneragan
Metcalf	Muhlbauer	Mullins	Norland
Ollie	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Spear
Stromer	Stueland	Sullivan	Swartz
Swearingen	Varn	Zimmerman	Mr. Speaker

The nays were, 14:

Corey	Grandia	Hammond	Hester
Jochum	Knapp	Maulsby	McIntee
McKean	Osterberg	Renken	Running
Van Maanen	Welden		

Absent or not voting, 22:

Blanshan	Branstad	Daggett	Handorf
Hermann	Hummel	Jay	Kremer
Lageschulte	Miller	O'Kane	Oxley
Rensink	Rosenberg	Royer	Skow
Sturgeon	Tabor	Teaford	Torrance
Van Camp	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (Senate File 576)

Norland of Worth asked and received unanimous consent to immediately message Senate File 576 to the Senate.

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 364)**

Sherzan of Polk called up for consideration the report of the conference committee on Senate File 364 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 364**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 364, a bill for an Act relating to the scope of negotiations in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, respectfully submit the following recommendations:

1. That the House recede from its amendment, S—4191.
2. That Senate File 364 as amended, passed, and reprinted by the Senate be amended as follows:
 1. Page 1, by striking lines 8 through 12.
 2. Page 1, by striking lines 13 through 25.
 3. Page 2, line 9, by striking the figure "1."
 4. Page 2, line 10, by striking the word "certificated" and inserting the word "public".
 5. By striking page 2, line 11, through page 3, line 5.
 6. Page 3, line 6, by striking the letter "a" and inserting the figure "1".
 7. Page 3, line 10, by inserting after the word "differentials;" the words "job classifications;".
 8. Page 3, line 16, by inserting before the word "life" the words "contributions toward".
 9. Page 3, line 17, by inserting after the word "retired" the words ", at a fixed cost".
 10. Page 3, line 19, by striking the word "transfers" and inserting the words "transfer procedures;".

11. Page 3, line 25, by striking the letter "b" and inserting the figure "2".
12. Page 4, line 1, by striking the letter "c" and inserting the figure "3".
13. Page 4, by striking lines 3 through 8 and inserting the following: "this section. The bargaining subjects listed under"
14. Page 4, line 10, by striking the letter "d" and inserting the figure "4".
15. Page 4, by inserting after line 20 the following:

"5. Proposals in conflict with state-mandated retirement systems are excluded from the scope of negotiations.

6. Certificated employees discharged for the purpose of a reduction in force shall follow the grievance procedures provided in their collective bargaining agreement. Discharged certificated employees who do not have reduction in force procedures provided in their collective bargaining agreement shall follow the termination procedures provided under chapter 279. A certificated employee organization may unilaterally reject negotiated reduction in force procedures in the collective bargaining agreement through March 1, 1986. A certificated employee organization shall notify the board of a rejection of reduction in force procedures prior to March 1, 1986."

16. By striking page 4, line 21 through page 5, line 17, and inserting the following:

"Sec. _____. Section 20.17, subsection 3, Code 1985, is amended to read as follows:

3. Negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitrators shall be exempt from the provisions of chapter 21. However, the employee organization shall present its initial bargaining position to the public employer at the first bargaining session. The public employer shall present its initial bargaining position to the employee organization at the second bargaining session, which shall be held no later than two weeks ten days following the first bargaining session. Both sessions shall be open to the public and subject to the provisions of chapter 21. Hearings conducted by arbitrators shall be open to the public.

Sec. _____. Section 20.17, subsection 10, Code 1985, is amended by striking the subsection and inserting the following:

10. A collective bargaining agreement between a public employer and an employee organization shall be effective for two or more consecutive years. The negotiations for a proposed collective bargaining agreement between the representatives of a public employer and an employee organization shall commence in the final contract year, however, proposals reasonably related to wages shall be renegotiated each year of a contract. The employee organization shall present its opening bargaining position at the first bargaining session to be held no sooner than November 1 and no later than November 10. The public employer shall present its opening bargaining position at the second bargaining session which shall be held no later than ten days following the first session. The parties shall hold a third bargaining session no later

than ten days from the second bargaining session and after the third bargaining session either party may request mediation. If negotiations have not produced an agreement before January 5, the board shall arrange for mediation and set up the first mediated session. The parties may then meet thereafter at their discretion with or without the mediator. If an impasse persists ten days after the mediator is appointed, the board shall arrange for fact-finding under section 20.21. Within three days of service of the fact finder's report, the parties shall hold a bargaining session. If there is no agreement, the board shall arrange for a final mediated session within fifteen days of service of the fact finder's report at which final bargaining positions shall be submitted. If there is no agreement within three days from the final mediated session, the board shall arrange for arbitration on the final bargaining positions under section 20.22. The determination by the panel of arbitrators shall be announced not later than March 15.

Sec. _____. Section 20.20, Code 1985, is amended to read as follows:

20.20 MEDIATION.

In the absence of an impasse agreement between the parties or the failure of either party to utilize its procedures, ~~one hundred twenty days prior to the certified budget submission date or upon the request of either party or if there is not an agreement by January 5,~~ the board shall, ~~upon the request of either party,~~ appoint an impartial and disinterested person to act as mediator. It shall be the function of the mediator to bring the parties together to effectuate a settlement of the dispute, but the mediator may not compel the parties to agree.

Sec. _____. Section 20.22, subsections 1, 2, and 3, Code 1985, are amended to read as follows:

1. If an impasse persists after the findings of fact and recommendations are made public by the fact-finder, ~~the parties may continue to negotiate or,~~ the board shall have the power, ~~upon request of either party,~~ to arrange for arbitration, which shall be binding. ~~The request for arbitration shall be in writing and a copy of the request shall be served upon the other party.~~

2. Each party shall submit to the board ~~within four days of request a final offer on the impasse items with proof of service of a copy upon the other party~~ a copy of the party's final offer on the impasse items submitted to the mediator at the final mediated session. Each party shall also submit a copy of a draft of the proposed collective bargaining agreement to the extent to which agreement has been reached and the name of its selected arbitrator. The parties may continue to negotiate all offers until an agreement is reached or a decision rendered by the panel of arbitrators.

As an alternative procedure, the two parties, may agree to submit the dispute to a single arbitrator. If the parties cannot agree on the arbitrator within four days, the selection shall be made pursuant to subsection 5. The full costs of arbitration under this provision shall be shared equally by the parties to the dispute.

3. The submission of the impasse items to the arbitrators shall be limited to those issues that had been considered by the fact-finder and upon which the parties have not reached agreement. With respect to each such item, the arbitration board award shall

be restricted to the final offers on each impasse item submitted by the parties to the arbitration board or to the recommendation of the fact-finder on each impasse item."

17. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

GARY SHERZAN, Chair
RICHARD GROTH
RICHARD VARN

TOM MANN, Jr., Chair
JOE BROWN
MICHAEL E. GRONSTAL

The motion prevailed and the report was adopted.

Sherzan of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 364)

The ayes were, 55:

Arnould	Baxter	Beatty	Brammer
Buhr	Carl	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Groninga
Gruhn	Halvorson, R. N.	Hammond	Hatch
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Lloyd-Jones	McKean
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Spear	Sturgeon	Sullivan
Swartz	Teaford	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 38:

Bennett	Carpenter	Corey	De Groot
Diemer	Fogarty	Grandia	Groth
Halvorson, R. A.	Handorf	Hanson	Harbor
Haverland	Hermann	Hester	Koenigs
Kremer	Lonergan	Maulsby	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Paulin	Pellet	Renken	Rensink
Royer	Schnekloth	Shoning	Stromer
Stueland	Swearingen	Tabor	Torrence
Van Maanen	Welden		

Absent or not voting, 7:

Black
Hummel

Blanshan
Lageschulte

Branstad
Skow

Daggett

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

REPORT OF COMMITTEE ON WAYS AND MEANS

Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-4262**, May 4, 1985.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 583.

Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395, with report of committee recommending amendment and passage was taken up for consideration.

Tabor of Jackson offered the following amendment H-4262 filed by the committee on ways and means and moved its adoption:

H-4262

- 1 Amend Senate File 583 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 18, by striking the figure
- 4 "123.43" and inserting the following: "123.143".
- 5 2. Title page, line 1, by inserting after the
- 6 word "Act" the words "relating to the imposition of
- 7 certain taxes by imposing the barrel tax and the
- 8 gallonage tax to beer and wine manufactured in Iowa
- 9 and".

The committee amendment H-4262 was adopted.

Tabor of Jackson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 583)

The ayes were, 76:

Arnold	Baxter	Beatty	Bennett
Black	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Loneragan	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poney
Renaud	Rosenberg	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Van Camp	Woods	Zimmerman	Mr. Speaker

The nays were, 16:

Corey	De Groot	Grandia	Groth
Handorf	Hermann	Kremer	Maulsby
McKean	Pellett	Renken	Rensink
Royer	Torrence	Van Maanen	Varn

Absent or not voting, 8:

Blanshan	Branstad	Daggett	Harbor
Hummel	Skow	Swartz	Welden

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (Senate File 583)

Norland of Worth asked and received unanimous consent to immediately message Senate File 583 to the Senate.

SENATE AMENDMENT CONSIDERED

Doderer of Johnson called up for consideration **House File 753**, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H—4260:

H—4260

1 Amend House File 753, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. 1984 Iowa Acts, chapter 1314, section
6 5, is amended by adding the following new unlettered
7 paragraph:

8 NEW UNLETTERED PARAGRAPH. Comparable worth
9 adjustments made pursuant to 1983 Iowa Acts, chapter
10 170, sections 1 through 4, are retroactive to the pay
11 period beginning March 8, 1985, subject to the
12 availability of funds. The retroactive payments shall
13 be lump sum payments and cover employees covered under
14 recommended adjustments made pursuant to section 8 of
15 this chapter 1314 and shall include employees of the
16 state board of regents.

17 Sec. 2. 1984 Iowa Acts, chapter 1314, section 8,
18 is amended to read as follows:

19 SEC. 8. AGENCY COMPARABLE WORTH REPORTS. Agencies
20 with positions which are exempt or partially exempt
21 from the state merit system shall report to the
22 governor and the legislative council by December 15,
23 1984, on the degree to which the salary plans covering
24 positions substantially equivalent to those in the
25 state merit system comply with the provisions of 1983
26 Iowa Acts, chapter 170. The reports shall include a
27 plan for implementation in fiscal year 1986 of
28 comparable worth salary adjustments, if necessary, and
29 the amount of appropriations necessary to implement
30 those adjustments. Plans developed pursuant to this
31 section shall be implemented in the fiscal year 1985
32 subject to the availability of funds as provided in
33 this chapter 1314. Implementation of this section
34 shall be consistent in principle with other sections
35 of this chapter 1314. Notwithstanding sections
36 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa
37 Code, the provisions of this section of this Act shall
38 be applicable to the judicial department.

39 Sec. 3. REVIEW OF FACTOR SCORES AND FACTOR
40 DETERMINED SCORES.

41 1. Any state employee may request review of the
42 factor scores or the factor determined score that
43 employee's job title received under the study
44 commissioned under 1983 Iowa Acts, chapter 170,
45 section 2, or under a study required of a state agency
46 to implement the requirements of section 79.18 of the
47 Iowa Code. Requests for review by more than one
48 employee within a job title shall be considered
49 together, and a request for review by one or more
50 employees within a job title shall be considered as a

Page 2

1 request on behalf of all employees in that job title.

2 2. In order to ease implementation of this review,
3 the request for review forms will be developed and
4 distributed by the Iowa merit employment department
5 for all employees except Regent employees. The forms
6 will be available within 14 days from the signing of
7 this Act.

8 3. Employees shall be notified of their right to
9 request review of their factor scores and factor
10 determined scores with one or more paychecks following
11 the signing of this Act, or where inclusion with the
12 paycheck is not possible, by mail or other direct
13 communication with the employee.

14 4. The Iowa merit employment department shall make
15 "request for review" forms available to all
16 departments and agencies and shall provide complete
17 access to information regarding the study and the
18 methods for determining factor scores in the system.
19 Employees shall have at least four weeks from the date
20 forms are distributed to the agencies and to employees
21 on their request in which to file a request for
22 review. Any request not filed within that time will
23 not be considered.

24 5. The executive council of the state of Iowa
25 shall appoint an appeals board of five state
26 employees. These employees shall be representative of
27 both exempt and merit employment groups. These
28 employees shall be familiar with the process of
29 classification review and will serve as hearing
30 officers. No more than one employee shall be from any
31 one department or agency.

32 6. The hearing officers will review the requests
33 for review and any supporting documentation. The
34 hearing officers may contact any employee involved for
35 further information when necessary. It is assumed
36 that in most cases the written request and any
37 supporting documentation will be the evidence
38 submitted to the board. All decisions of the board
39 will be based on the evidence submitted. There will
40 be no formal hearing, but the employees may have the
41 opportunity to present documentation and appear before
42 the hearing board. Appearances shall be limited to
43 one for each classification.

44 7. The review process shall be completed no later
45 than March 1, 1986. The board will then present its
46 recommendations to the executive council at the first
47 regular meeting of the executive council in April.
48 The executive council shall have the authority to
49 adjust pay grades for classifications at the
50 recommendations of the appeals board except such

Page 3

1 actions shall not supersede any collective bargaining
2 agreement. The action of the executive council will
3 be final.

4 8. This section does not apply to state employees
5 who were given the opportunity to have their job
6 titles reviewed as a part of a study completed for an
7 agency with positions which are exempt from the state
8 merit system.

Sec. 4. LEGISLATIVE INTENT ON STEP RESTORATION.

10 In order to complete the implementation of comparable
11 worth, it is the intent of the general assembly that
12 employees who were employed on March 8, 1985, and who
13 received a step or equivalent pay reduction while
14 receiving comparable worth adjustments shall have the
15 pay reduction restored effective with the first pay
16 period of fiscal year 1988, if the employee is still
17 employed with the state in the same classification on
18 July 1, 1987, except that an employee shall not be
19 placed at a step or pay level above the maximum step
20 or pay level in the employee's salary range.

Sec. 5. INTERIM STUDY OF FEMALE DOMINATED JOBS.

22 The legislative council shall establish an interim
23 study committee to conduct a complete review of all
24 female-dominated jobs to determine whether
25 discrimination remains in compensation for work of
26 comparable worth between jobs held predominantly by
27 women and jobs held predominantly by men and to review
28 other issues relating to comparable worth. The
29 membership shall consist of ten members, five
30 legislators from each house appointed by the
31 legislative council. Legislative members are entitled
32 to per diem and expenses as provided for interim study
33 committee members in section 2.44.

34 The committee shall make recommendations to the
35 governor, the legislative council, and the general
36 assembly by January 1, 1986.

37 Sec. 6. This Act, being deemed of immediate
38 importance, takes effect from and after its
39 publication in the Iowa City Press-Citizen, a
40 newspaper published in Iowa City, Iowa, and in the
41 Ames Daily Tribune, a newspaper published in Ames,
42 Iowa."

The motion prevailed and the House concurred in the Senate amendment H-4260.

Doderer of Johnson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 753)

The ayes were, 76:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	De Groot
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Running
Schneklloth	Sherzan	Shoning	Shoultz
Siegrist	Spear	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 16:

Bennett	Corey	Doderer	Grandia
Handorf	Hanson	Hermann	Kremer
Maulsby	Pellett	Renken	Royer
Stromer	Swearingen	Van Maanen	Welden

Absent or not voting, 8:

Blanshan	Branstad	Daggett	Harbor
O'Kane	Skow	Teaford	Torrence

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

The House stood at ease at 12:42 p.m., until the fall of the gavel.

The House resumed session at 1:12 p.m., Speaker Avenson in the chair.

The House stood at ease at 1:13 p.m., until the fall of the gavel.

The House resumed session at 1:41 p.m., Speaker Avenson in the chair.

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 329)

Jay of Appanoose called up for consideration the report of the conference committee on Senate File 329 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 329

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization, respectfully make the following report:

1. That the House recede from its amendment.

2. Amend Senate File 329 as amended, passed and reprinted by the Senate as follows:

1. Page 5, by inserting after line 28 the following:

"Sec. _____. Section 113.18, subsection 5, Code 1985, is amended to read as follows:

5. Any other kind of fence which, ~~in the opinion of the fence viewers, shall consider to be equivalent thereto to a lawful fence or which meets standards established by the department of agriculture by rule as equivalent to a lawful fence.~~

Sec. _____. Section 113.20, subsection 3, Code 1985, is amended to read as follows:

3. Any other kind of a ~~tight partition~~ fence which, ~~in the opinion of the fence viewers, is consider to be equivalent thereto to a tight partition fence or which meets standards established by the department of agriculture by rule as equivalent to a tight partition fence.~~"

2. Page 9, by inserting after line 13 the following:

"Sec. _____. Section 217A.47, Code 1985, is amended to read as follows:

**217A.47 DEDUCTION TO PAY COURT COSTS OR DEPENDENTS
—DEPOSITS.**

If wages allowances are paid pursuant to section 217A.46, the director may deduct an amount established by the inmates' inmate's restitution plan of payment or an amount sufficient to pay all or part of the court costs taxed as a result of the inmate's commitment. The amount deducted shall be forwarded to the clerk of the district court or proper official. The director may pay all or any part of remaining wages allowances paid pursuant to section 217A.46 directly to a dependent of the inmate, or may deposit the wage allowance to the account of the inmate, or may deposit a portion and allow the inmate a portion for the inmate's personal use."

3. Page 13, by inserting after line 22 the following:

"Sec. _____. Section 321.281, subsection 10, Code 1985, is amended to read as follows:

10. The court shall order a defendant convicted of a violation of this section to make restitution, in an amount not to exceed two thousand dollars, for damages resulting directly from the violation. An amount paid pursuant to this restitution order shall be credited toward any adverse judgment in a subsequent civil proceeding arising from the same occurrence. However, other than establishing a credit, a restitution proceeding pursuant to this section shall not be given evidentiary or preclusive effect in a subsequent civil proceeding arising from the same occurrence."

4. Page 14, line 19, by inserting after the word "resolution" the following: "or ordinance".

5. Page 16, line 15, by striking the words and figures "subsection 3, Code 1985, is" and inserting the following: "subsections 3 and 11, Code 1985, are".

6. Page 16, by inserting after line 35 the following:

"11. The following enumerated services are subject to the tax imposed on gross taxable services: Alteration and garment repair; armored car; automobile repair; battery, tire and allied; investment counseling, excluding investment services of trust departments; bank service charges; barber and beauty; boat repair; car wash and wax; carpentry; roof, shingle, and glass repair; dance schools and dance studios; dry cleaning, pressing, dyeing, and laundering; electrical and electronic repair and installation; rental of tangible personal property; excavating and grading; farm implement repair of all kinds; flying service; except agricultural aerial application services and aerial commercial and charter transportation services; furniture, rug, upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; house and building moving; household appliance, television, and radio repair; jewelry and watch repair; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oils and lubricators; office and business machine repair; painting, papering, and interior decorating; parking facilities; pipe fitting and plumbing; wood preparation; licensed executive search agencies; private employment

agencies, excluding services for placing a person in employment where the principal place of employment of that person is to be located outside of the state; sewing and stitching; shoe repair and shoeshine; storage warehousing of raw agricultural products; telephone answering service; test laboratories, except tests on humans; termite, bug, roach, and pest eradicators; tin and sheet metal repair; turkish baths, massage, and reducing salons; weighing; welding; well drilling; wrapping, packing, and packaging of merchandise other than processed meat, fish, fowl and vegetables; wrecking service; wrecker and towing. For purposes of this subsection, gross taxable services from rental includes rents, royalties, and copyright and license fees.

Sec. _____. Section 422.45, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. The gross receipts from services rendered, furnished or performed by specialized flying implements of husbandry used for agricultural aerial spraying and aerial commercial and charter transportation services,"

7. Page 18, by striking lines 18 and 19 and inserting the following: "docketing procedures, excluding those for small claims actions and simple misdemeanor actions, twenty-five dollars."

8. Page 20, by striking lines 19 through 21 and inserting the following: "dollars. Other fees imposed for small claims shall be the same as those required in regular actions in district court, four Four dollars of the docket fee shall remain be".

9. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

DANIEL J. JAY, Chair
RUHL MAULSBY
KAY CHAPMAN
JOSEPH M. KREMER
MIKE PETERSON

DOUG RITSEMA
JOHN SOORHOLTZ
WILLIAM DIELEMAN
PATRICK J. DELUHERY
BERL E. PRIEBE, Chair

The motion prevailed and the report was adopted.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 329)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors

Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hermann
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Branstad Daggett Skow

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

Ways and Means Calendar

Senate File 580, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions, with report of committee recommending passage was taken up for consideration.

Groninga of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 580)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Manisby
McIntee	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 3:

Knapp	McKean	Osterberg
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Absent or not voting, 5:

Branstad	Carl	Daggett	Skow
Welden			

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

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 589.

Regular Calendar

Senate File 589, a bill for an act related to the licensure of dietitians, with report of committee recommending passage was taken up for consideration.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 589)

The ayes were, 87:

Arnould	Baxter	Bennett	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Beatty

Absent or not voting, 12:

Black	Branstad	Carter	Daggett
Groninga	Harbor	Maulsby	Paulin
Sherzan	Skow	Swartz	Welden

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

SENATE AMENDMENT CONSIDERED

Woods of Polk called up for consideration **House File 438**, a bill for an act relating to evidence of intent in cases alleging theft of library equipment, amended by the Senate, and moved that the House concur in the following Senate amendment H-4250:

H-4250

1 Amend House File 438 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 2, line 8, by striking the word "week"
4 and inserting the following: "month".

5 2. Page 2, line 10, by inserting after the word
6 "attempt" the following: ", including the mailing by
7 restricted certified mail of notice that such material
8 or equipment is overdue and criminal actions will be
9 taken,".

10 3. Page 2, by inserting after line 17 the
11 following:

12 - "After the expiration of three days following the
13 due date, the owner of borrowed library equipment may
14 request the assistance of a dispute resolution center,
15 mediation center or appropriate law enforcement agency
16 in recovering the equipment from the borrower.

17 The owner of library equipment may require deposits
18 by borrowers and in the case of late returns the owner
19 may impose graduated penalties of up to twenty-five
20 percent of the value of the equipment, based upon the
21 lateness of the return."

22 4: Page 2, by inserting after line 19 the
23 following:

24 "If library materials or equipment to be loaned to
25 a person have a value of \$500 or more, the owner shall
26 require a deposit and shall require the borrower to
27 enter into a written agreement setting forth the
28 amount of the deposit, the due date and the penalties
29 for failure to return the materials or equipment as
30 agreed. The deposit shall be returned in full if the
31 materials or equipment are returned without damage on
32 or before the due date."

33 5. Title page, by striking lines 1 and 2 and
34 inserting the following:

35 "An Act relating to the borrowing of library
36 materials and equipment and evidence of intent in
37 cases alleging theft of such materials and equipment,
38 and providing penalties."

39 6. By renumbering, relettering, or redesignating
40 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4250.

Woods of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 438)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Carl
Carpenter	Carter	Chapman	Clark
Connors	Cooper	Corey	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Buhr Rosenberg.

Absent or not voting, 6:

Branstad	Cochran	Connolly	Daggett
Skow	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF SENATE CONCURRENT RESOLUTION 51

Blanshan of Greene called up for consideration Senate Concurrent Resolution 51, relating to commercial and industrial development in the state, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 1:56 p.m., until the fall of the gavel.

The House resumed session at 2:02 p.m., Connors of Polk in the chair.

REPORT OF COMMITTEE ON APPROPRIATIONS

Committee Bill, to appropriate funds from the general fund of the state to the state board of regents for use by the cooperative extension service in agriculture and home economics of Iowa state university of science and technology to fund the rural concern hotline for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

Fiscal Note is not required.

Recommended **Amend and Do Pass** May 4, 1985.

INTRODUCTION OF BILL

House File 781, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the state to the state board of regents for use by the cooperative extension service in agriculture and home economics of Iowa state university of science and technology to fund the rural concern hotline for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

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

The House stood at ease at 2:03 p.m., until the fall of the gavel.

The House resumed session at 2:23 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hammond of Story, for the remainder of the day, on request of Holveck of Polk.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 781.

House File 781, a bill for an act to appropriate funds from the general fund of the state to the state board of regents for use by the cooperative extension service in agriculture and home economics of Iowa state university of science and technology to fund the rural concern hotline for the fiscal year beginning July 1, 1985 and ending June 30, 1986, was taken up for consideration.

Jochum of Dubuque offered the following amendment H—4263 filed by him from the floor and moved its adoption:

H—4263

- 1 Amend House File 781 to read as follows:
- 2 1. Page 1, by inserting after line 14 the
- 3 following:
- 4 "Sec._____. 1985 Iowa Acts, House File 571, section
- 5 4, subsection 2, is amended to read as follows:
- 6 2. For program grants \$7,348,958
- 7 5,348,958
- 8 The reduction in this section shall take effect
- 9 only if House File 244 or other legislation requiring
- 10 the counties to assume less than twenty-five percent
- 11 of the cost for substance abuse treatment pursuant to
- 12 section 125.45 filed in the Seventy-first General
- 13 Assembly is not enacted."

Amendment H—4263 was adopted.

The following amendment H—4264, filed by Jochum of Dubuque from the floor, was adopted by unanimous consent:

H—4264

- 1 Amend House File 781 as follows:
- 2 1. Title page, line 6, by inserting after the
- 3 figure "1986" the following: "and reducing funds for
- 4 program grants to the department of substance abuse".

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ((H.F. 781))

The ayes were 56:

Arnould
Blanshan

Baxter
Brammer

Beatty
Buhr

Black
Chapman

Cochran	Connolly	Connors	Cooper
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hanson	Harbor	Haverland	Hester
Holveck	Hughes	Jay	Jochum
Johnson	Koenigs	Lloyd-Jones	Loneragan
Muhlbauer	Norland	Parker	Paulin
Pavich	Pellet	Peterson	Platt
Poncy	Rosenberg	Sherzan	Shoning
Siegrist	Spear	Stromer	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Van Camp	Varn	Welden	Mr. Speaker

The nays were, 32:

Bennett	Carl	Carpenter	Clark
Corey	De Groot	Grandia	Handorf
Hatch	Hermann	Knapp	Kremer
Lageschulte	Maulsby	Metcalf	Miller
Mullins	O'Kane	Ollie	Osterberg
Renaud	Renken	Rensink	Royer
Running	Schnekloth	Stueland	Swearingen
Torrence	Van Maanen	Woods	Zimmerman

Absent or not voting, 12:

Branstad	Carter	Daggett	Doderer
Hammond	Hummel	McIntee	McKean
Oxley	Peick	Shoultz	Skow

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (House File 781)

Norland of Worth asked and received unanimous consent to immediately message House File 781 to the Senate.

REMARKS BY THE SPEAKER

Speaker Avenson offered the following remarks:

We have just completed a landmark session that broke the state out of its seige mentality and which creates in Iowa one of the best business climates in the nation.

It was a tough legislature that took on all comers: an indifferent, ill-informed Reagan administration; the changing face of Iowa agricultural economy; the pernicious, persistent statewide economic depression; and the depression's terrible social side-effects, family violence, substance abuse, and malaise.

This was a legislature that kept its balance and met its constitutional responsibilities to adopt a balanced budget (and to be timely about it), to consider and vote upon the chief executive's vetoes and to provide the revenue necessary to fund our actions.

This citizen legislature accomplished in four months — in one-sixth of the time that is available to us as elected representatives — more good for this state than is traditionally accomplished during an entire decade of decision-making.

Before we reconvene, the Iowa Plan for Economic Development will have generated millions of dollars in our communities and hundreds of jobs from its first year construction dollars. The private sector, local governments, small and large business, education, researchers, Iowans with ideas — who all looked to this body for some hope — will join us in this venture and a true partnership for economic progress has been launched.

We established strong state policies and increased funding to make Iowa a safe haven for children.

We repealed hundreds of millions of dollars worth of business taxes — a step that symbolizes that state business policy is a policy of trust — that is, this investment will produce jobs for our people.

We enacted long and short-range policies to protect our state water supply. We freed local governments to seek their voters' approval of revenue measures they need to keep up with service demands — and to rebuild their infrastructures.

We are rebuilding, improving, and adding to our parks and our human and economic need to develop a flourishing and regenerating state outdoor recreation industry.

We are enacting our own Education Task Force's recommendations to achieve standards of excellence all across our state's education system.

We eased the human tragedy of our families forced to relocate, by modifying our foreclosure laws to allow people to start over again.

We expanded the governor's authority to deal with the urgency of snowballing farm foreclosures.

And — at last — we were able to give to the majority of Iowans who want it, an Iowa State Lottery, and the convenience of private wine sales.

You were tough. You were creative. You were committed. And, you are representative.

I am proud that I served with this body — I will remember it all my life. I doubt very much that this state will ever see an Assembly made up of such bright, creative and hardworking people.

REMARKS BY THE MAJORITY LEADER

To you, Mr. Speaker, to Representative Stromer, to the Assistant Leaders, both majority and minority, to those of you in the well and on the House staff, to the caucus

staffs, to all the people here and in the rooms all around this capitol, to members of my staff, the Speaker's staff and all the members here — I wish all of you a safe trip home and a good interim. Take care of yourselves. Thank you.

REMARKS BY THE MINORITY LEADER

I want to join with the Majority Leader on the job you have done, Mr. Speaker, although occasionally we were forced to challenge the wisdom of the decisions. I respect the effort put forth by Majority Leader Norland. I want to thank all the staffs — the Chief Clerk's staff, caucus staffs and the staffs of the service bureau, fiscal bureau and the Governor's office. We appreciate all your hard work. Thank you.

The House stood at ease at 2:40 p.m., until the fall of the gavel.

The House resumed session at 3:10 p.m., Speaker Avenson in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 4, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 244, a bill for an act relating to programs relating to substance abuse.

Also: That the Senate has on May 4, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 24, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive.

Also: That the Senate has on May 4, 1985, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication.

Also: That the Senate has on May 4, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 50, providing for adjournment of the 1985 Session of the Seventy-first General Assembly.

K. MARIE THAYER, Secretary

SENATE AMENDMENTS CONSIDERED

Blanshan of Greene called up for consideration **Senate File 575**, a bill for an act relating to and making appropriations to state agencies for capital projects, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4266 to the House amendment:

H—4266

- 1 Amend the House amendment, S—4238, to Senate File
- 2 575, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, line 39, by striking the word "shall"
- 5 and inserting the following: "~~shall~~ may".
- 6 2. By renumbering, relettering, or redesignating
- 7 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4266.

Blanshan of Greene moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 575)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath

Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Sturgeon	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Branstad	Daggett	Doderer	Fey
Hammond	McKean	Skow	Stueland
Sullivan			

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

Rosenberg of Story called up for consideration **Senate File 24**, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4265 to the House amendment:

H-4265

- 1 Amend the House amendment, S-4231, to Senate File
- 2 24, as amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 11, by striking the words "ten
- 5 and one-half" and inserting the word "nine".
- 6 2. Page 1, by striking line 27 and inserting the
- 7 following: "of real or personal property securing a
- 8 debt to a creditor in cancellation of that debt or".
- 9 3. Page 1, by striking lines 30 through 36 and
- 10 inserting the following: "account in computing net
- 11 capital gain if all of the following conditions are
- 12 met:
- 13 (1) The forfeiture, transfer, or sale or exchange
- 14 was done for the purpose of establishing a positive
- 15 cash flow.
- 16 (2) Immediately before the forfeiture, transfer,
- 17 or sale or exchange, the taxpayer's debt to asset
- 18 ratio exceeded seventy-five percent as computed under
- 19 generally accepted accounting practices.
- 20 (3) The taxpayer's net worth at the end of the tax
- 21 year is less than seventy-five thousand dollars.
- 22 In determining a taxpayer's net".
- 23 4. Page 1, lines 39 and 40, by striking the words
- 24 "such forfeiture, transfer, or sale or exchange" and

25 inserting the following: "the end of the tax year
 26 without adequate and full consideration in money or
 27 money's worth".
 28 5. Page 2, line 26, by striking the word
 29 "property" and inserting the following: "real or
 30 personal property securing a debt".
 31 6. Page 2, line 27, by striking the words "a
 32 debt" and inserting the following: "that debt".
 33 7. Page 4, line 38, by inserting after the figure
 34 "1985." the following: "For taxpayers with capital
 35 gains transactions occurring between January 1, 1985
 36 and May 1, 1985, the 1985 Iowa minimum tax may be
 37 computed under the law in effect on December 31,
 38 1984."

The motion prevailed and the House concurred in the Senate amendment H—4265 to the House amendment.

Rosenberg of Story moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 24)

The ayes were, 83:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Carl
Carpenter	Carter	Clark	Cochran
Connolly	Connors	Cooper	Corey
De Groot	Diemer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Maulsby	McIntee	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Spear	Sturgeon
Swartz	Swearingen	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 8:

Buhr
Lloyd-Jones

Chapman
Lonergan

Groninga
Renaud

Holveck
Tabor

Absent or not voting, 9:

Branstad
McKean
Sullivan

Daggett
Skow

Doderer
Stromer

Hammond
Stueland

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

HOUSE FILE 222 WITHDRAWN

Swearingen of Keokuk asked and received unanimous consent to withdraw House File 222 from further consideration by the House.

ADOPTION OF SENATE CONCURRENT RESOLUTION 50

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 50, as follows and moved its adoption:

- 1 SENATE CONCURRENT RESOLUTION 50
- 2 By Committee on Rules and Administration
- 3 A Senate Concurrent Resolution to provide for
- 4 adjournment sine die.
- 5 *Be It Resolved by the Senate, the House concurring,*
- 6 That when adjournment is had on Saturday, May 4, 1985
- 7 it be the final adjournment of the 1985 Regular
- 8 Session of the Seventy-first General Assembly.

The motion prevailed and the resolution was adopted.

COMMUNICATION FROM SECRETARY OF STATE

May 3, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
LOCAL

Dear Mr. O'Hern:

I hereby certify that House File 225 and Governor Terry E. Branstad's item veto message were published in The Clinton Herald, Clinton, Iowa on May 1, 1985 and in

The Altoona Herald-Mitchellville Index, Altoona, Iowa on May 2, 1985.

I further certify that Senate File 79 was published in the Grinnell Herald-Register, Grinnell, Iowa on April 29, 1985 and in the Buena Vista County Journal, Newell, Iowa on May 2, 1985.

Respectfully submitted,
MARY JANE ODELL
 Secretary of State

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on May 3rd and May 4th, 1985. Had I been present, I would have voted "aye" on House Files 700, 648, 761, 701, 747, 766, 531, 780, 753, 438; and Senate Files 570, 581, 507, 584, 81, 577, 24, 575, 383, 568, 449, 578, 309, 576, 364, 583, 580, 589; and "nay" on Senate File 565.

SKOW of Guthrie

I was necessarily absent from the House chamber on Friday afternoon, May 3, 1985. Had I been present, I would have voted "aye" on Senate Files 81 and 584.

HUGHES of Union

APPOINTMENTS BY THE SPEAKER

The Speaker announced the following appointments:

CAPITOL PLANNING COMMISSION (Section 18A, Code of Iowa, 1985)

Representative Robert Grandia . . . to fill an unexpired term ending
 April 30, 1985
 reappointed to a term
 beginning May 1, 1985 and
 ending April 30, 1989

COMMISSION ON THE AGING (249B.1-2, Code of Iowa, 1985)

Representative Mike Van Camp . . . appointed to an unexpired term
 ending June 30, 1988

COMMISSION ON CHILDREN, YOUTH AND FAMILIES
(Section 237B.2, Code of Iowa, 1985)

- Representative Sue Mullins December 31, 1986
- Representative Randy Hughes December 31, 1986

COMMUNICATIONS REVIEW COMMISSION
(Section 2.35, Code of Iowa, 1985)

- Representative Kyle Hummel until the convening of the
Seventy-second General Assembly
- Representative Deo Koenigs until the convening of the
Seventy-second General Assembly
- Representative Dennis Renaud until the convening of the
Seventy-second General Assembly

CONFIDENTIAL RECORDS COUNCIL
(Section 692.19, Code of Iowa, 1985)

- Representative Virgil Corey pleasure of the Speaker
- Representative Richard Varn pleasure of the Speaker

**IOWA ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS**
(Section 28C.2 (2), Code of Iowa, 1985)

- Representative Johnie Hammond to fill an unexpired term
ending June 30, 1985

IOWA BOUNDARY COMMISSION
(Section 2.91, Code of Iowa, 1985)

- Representative Bill Royer to an unexpired term
ending June 30, 1988

IOWA COMMISSION ON INTERSTATE COOPERATION
(28B.1, Code of Iowa, 1985)

- Representative Don Knapp to a term ending
January 31, 1987
- Representative Raymond Lageschulte to a term ending
January 31, 1987

- Representative Joyce Lonergan to a term ending
January 31, 1987
- Representative Wendell Pellett to a term ending
January 31, 1987
- Representative William Sullivan to a term ending
January 31, 1987

MEDICAL ASSISTANCE ADVISORY COUNCIL
(249A.4 (8), Code of Iowa, 1985)

- Representative Mark Haverland to an unexpired term ending
July 1, 1985

STATE FUNCTIONAL CLASSIFICATION REVIEW BOARD
(306.6 (2), Code of Iowa, 1985)

- Representative Jack Woods pleasure of the Speaker

TITLE XX STATEWIDE ADVISORY COMMITTEE
(Administrative Rules Section 770, Chapter 131)

- Representative Tom Fey pleasure of the Speaker
- Representative Art Ollie pleasure of the Speaker

WATER RESOURCES INFORMATION SYSTEM
ADVISORY COMMITTEE

- Representative Jim Cooper pleasure of the Speaker

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-three seventh and eighth grade students from Primghar Community School, Primghar, accompanied by Marilyn Ewaldt, Mary Helfter and Tom Dunn. By Miller of Cherokee.

COMMUNICATIONS RECEIVED

The following communications were received on May 3, 1985 and are on file in the office of the Chief Clerk:

DEPARTMENT OF TRANSPORTATION

The Annual Report on Public Transportation Programs in the State of Iowa, pursuant to Chapter 601J.4, 1985 Code of Iowa.

STATE OF NEBRASKA

Legislative Resolution 241, resolving that the Nebraska Legislature believes it is imperative to establish immediate coordination on water issues between the Legislatures of Nebraska, Colorado, South Dakota, North Dakota, Montana, Iowa, Kansas and Missouri.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1985-24	Troy Mielke, Sheldon — Received the Eagle Scout Award.
1985-25	DEMCO Products Company, Boyden — Received the 1985 Iowa "Best Small Business" award.

JOSEPH O'HERN
Chief Clerk of the House

SUBCOMMITTEE ASSIGNMENT

Senate File 507

Judiciary and Law Enforcement: Siegrist, Chair; Kremer and Peterson.

RESOLUTION FILED

HCR 45, by Norland, a concurrent resolution to provide for adjournment sine die.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4261	S.F.	579	Jay of Appanoose
H-4267	H.F.	244	Senate Amendment

The House stood at ease at 3:29 p.m., until the fall of the gavel.

The House resumed session, Speaker Avenson in the chair.

FINAL DISPOSITION OF MOTIONS TO RECONSIDER

By virtue of final adjournment and pursuant to House Rule 73.g, the following motions to reconsider and amendments filed thereto are declared to have failed:

By Peterson of Carroll, Van Camp of Scott and Hummel of Benton to House File 493, a bill for an act relating to the fees for and duration of operator's and chauffeur's licenses, filed on March 26, 1985, placing out of order amendment H—3483 filed by Van Camp of Scott on March 26, 1985.

By Peick of Linn and Cochran of Webster to House File 601, a bill for an act providing that the worker right to know provisions of the hazardous chemicals risks right to know Act apply to a certified pesticide applicator's employees who are not themselves certified under chapter 206, filed on April 3, 1985.

By Spear of Lee to House File 627, (failed to pass the House) a bill for an act adding four ex-officio nonvoting legislative members to the state transportation commission, filed on March 26, 1985.

By Chapman of Linn to House File 698, a bill for an act relating to consumer frauds and providing penalties, filed on March 26, 1985, placing out of order amendment H—3697 filed by Chapman of Linn on April 9, 1985 and amendment H—3762 filed by Halvorson of Clayton on April 11, 1985.

By Chapman of Linn to House File 710, a bill for an act relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable, filed on March 28, 1985.

By Stromer of Hancock to House Resolution 11, a resolution relating to the control of hazardous waste by Salsbury Laboratories, filed on March 12, 1985, placing out of order amendment H—3433 filed by Clark of Cerro Gordo and Welden of Hardin on March 25, 1985.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 308, a bill for an act relating to the term of office of the labor commissioner.

Also: That the Senate has on May 3, 1985, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 315, a bill for an act relating to drug product selection.

Also: That the Senate has on April 16, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind.

Also: That the Senate has on May 3, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 777, a bill for an act relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds.

Also: That the Senate has on May 4, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 780, a bill for an act appropriating funds relating to the compensation and benefits for public officials and employees.

Also: That the Senate has on May 3, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 43, authorizing the payment of fees for legal services rendered the Iowa General Assembly.

Also: That the Senate has on May 4, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties.

Also: That the Senate has on May 3, 1985, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 349, a bill for an act relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles.

Also: That the Senate has on May 4, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 383, a bill for an act relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables.

Also: That the Senate has on April 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 482, a bill for an act relating to the use of two-party checks for rent payments of persons receiving aid to dependent children.

Also: That the Senate has on May 3, 1985, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 507, a bill for an act to legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 533, a bill for an act relating to the content requirements of types of milk, and providing an effective date.

Also: That the Senate has on May 4, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 565, a bill for an act relating to taxation for the use of motor vehicles.

Also: That the Senate has on May 4, 1985, receded from its amendment to the House amendment, and passed the following bill:

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

Also: That the Senate has on May 3, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

Also: That the Senate has on May 4, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities.

Also: That the Senate has on May 3, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority and providing for the creation of the Iowa export trading company.

Also: That the Senate has on May 4, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Also: That the Senate has on May 3, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 581, a bill for an act creating an Iowa Pork Producers Council to replace the Iowa swine producers association.

Also: That the Senate has on May 4, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395.

Also: That the Senate has on May 3, 1985, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 585, a bill for an act appropriating federal funds made available from federal block grants; allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated.

Also: That the Senate has on May 3, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication.

K. MARIE THAYER, Secretary

APPOINTMENT BY THE SPEAKER

The Speaker announced the following appointment:

LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT ADVISORY COMMITTEE

Representative Paul Johnson Pleasure of the Speaker

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|---------|--|
| 1985-26 | Sherwin Hesebeck, Ocheydan — Received the Eagle Scout Award. |
| 1985-27 | John Reeves, Des Moines — Received the Eagle Scout Award. |

JOSEPH O'HERN
Chief Clerk of the House

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 4th day of May, 1985: House Files 66, 128, 130, 139, 150, 160, 164, 181, 183, 196, 204, 210, 231, 255, 266, 308, 315, 319, 341, 359, 366, 378, 381, 398, 413, 428, 438, 451, 453, 460, 462, 484, 495, 498, 501, 505, 514, 523, 526, 531, 537, 539, 540, 541, 549, 550, 552, 554, 555, 556, 569, 570, 575, 589, 625, 626, 631, 639, 640, 641, 643, 648, 649, 652, 670, 677, 678, 686, 688, 691, 692, 696, 700, 701, 702, 703, 709, 711, 713, 729, 730, 740, 742, 746, 748, 750, 751, 753, 761, 762, 763, 766, 768, 773, 777 and 780.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

COMMITTEE TO NOTIFY THE GOVERNOR

Connors of Polk moved that a committee of two be appointed to notify the Governor that the House was ready to adjourn in accordance with Senate Concurrent Resolution 50.

The motion prevailed and the Speaker appointed as such committee: Connors of Polk and Maulsby of Calhoun.

COMMITTEE TO NOTIFY THE SENATE

Fey of Scott moved that a committee of two be appointed to notify the Senate that the House was ready to adjourn in accordance with Senate Concurrent Resolution 50.

The motion prevailed and the Speaker appointed as such committee: Fey of Scott and Welden of Hardin.

COMMITTEE FROM THE SENATE

The committee from the Senate appeared and notified the House that the Senate was ready to adjourn.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

The committee appointed to notify the Senate that the House was ready to adjourn returned and reported it had performed its duty.

The report was received and the committee discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

The committee appointed to notify the Governor that the House was ready to adjourn returned and reported it had performed its duty and the Governor had sent the following message:

COMMUNICATION FROM THE GOVERNOR

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

May 30, 1985

The Honorable Donald D. Avenson
Speaker of the House
State Capitol Building
L O C A L

Dear Mr. Speaker:

In January, I made my annual address to the legislature and outlined a progressive program for Iowans within the fiscal restrictions we currently face to address our problems. I indicated that, "Perhaps never again will there be a time when it is so

crucial for us to pull together . . . to help us overcome today's troubles." I am pleased to report that after a difficult and often trying session, that call for cooperation was, for the most part, answered.

Jobs For Iowans

Perhaps unlike any previous session of the Iowa legislature, there was a strong consensus that this state needed bold action to improve our economic health. We removed some major impediments to retooling and production and provided new incentives to do business in Iowa. As a result, Iowa will now be better able to compete in the race for jobs.

By eliminating the sales tax on machinery, equipment and computers, we have taken away an unfair penalty on business people and farmers in this state. At long last, we are honoring a decade old commitment to complete the phaseout of the personal property tax.

I indicated in my Budget Address that I would commit the full cooperation of the Executive Branch to implementing a state lottery. The revenues generated by the lottery have been targeted where they can do the most good — economic development. The \$10 million Economic Development Fund and new Iowa Main Street program will give meaningful assistance to the jobs creating efforts of communities across the state.

Small and emerging businesses will receive special help through incubators and changes in our venture capital laws. The unemployment tax penalty on expanding employees has been eliminated, and next year we must make Iowa's system competitive. The new dollars we have directed toward the development of alternate crops, expansion of our exports, tourism promotion and economic development transportation tools will enhance our work in these areas that are also key to improving our economy and creating more jobs.

Education

Iowans take our responsibility to provide a quality education for our young people very seriously. In a time of tight state budgets, I believe that education was one of the areas that demanded increased support. I am disappointed that the legislature instead cut my funding recommendations for both K-12 and the Regents' institutions.

The General Assembly also did not approve a new teacher certification structure. This "Master Teacher" program would have offered important incentives for outstanding achievement in our education system.

On the positive side, approval was given to the establishment of a pilot teacher testing project, curriculum coordinating committees and legislation to improve education standards statewide. We are also giving schools more incentives to share programs. In addition, increased funding for the Tuition Grant Program will allow more students to attend our private colleges, and the grants can be larger.

Public Safety

Special attention was given to improving the safety of Iowa children. All of us have suffered for our boys and girls who are missing, abused or neglected. The changes we made in our laws this session will help prevent child abuse and toughen the penalties against abusers. These changes form part of a comprehensive program to better protect Iowa's children.

The General Assembly was unfortunately much less responsive on other critical public safety issues. The legislators failed to adopt stronger measures to ban the production and dissemination of child pornography. For the second year in a row, the legislature ignored the public outcry for a crackdown on drunk drivers and did not approve uniform, nationally recognized standards for drunk driving. Moreover, the prison population cap should have been eliminated. I am concerned for the safety of all Iowans when we continue to parole dangerous felons because of an arbitrary lid on prison population.

In spite of these significant shortcomings in the areas of education and public safety, this General Assembly can and should feel a sense of accomplishment. I am appreciative of the legislative effort in the area of natural resources by adopting a state water plan and amending the Iowa Soil Conservation Revolving Loan Program. We have kept the budget in line, although I have misgivings about how the state will pay for some of the programs the legislature has obligated us to in the future.

We have honored our commitments to cooperate and even compromise when necessary. As a result, we have attained some major victories on behalf of the people of Iowa. We have laid the groundwork for a new era of economic development, and we can begin now to build a stronger and better Iowa.

Very truly yours,
Terry E. Branstad
Governor

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 50, duly adopted, the day of May 4, 1985 having arrived, the Speaker of the House of Representatives declared the 1985 Regular Session of the Seventy-first General Assembly adjourned sine die.

AMENDMENTS FILED

Amendments filed during the Seventy-first General Assembly,
1985 Session, not otherwise printed in the House Journal:

H-3014

- 1 Amend House File 21 as follows:
- 2 1. Page 1, by striking lines 25 and 26 and inserting
- 3 in lieu thereof the following: "or highway. This
- 4 section does not apply to farm tractors, implements of
- 5 husbandry, or any vehicles designed primarily for use
- 6 in construction, forestry, or lawn and grounds
- 7 maintenance."

DAGGETT of Taylor

H-3019

- 1 Amend the Committee amendment, H-3018, to House
- 2 File 24 as follows:
- 3 1. Page 2, line 5, by inserting after the word
- 4 "sibling" the words "of the patient or, if the patient
- 5 has more than one adult sibling, a majority of the
- 6 adult siblings who are reasonably available for
- 7 consultation".

SPEAR of Lee

H-3020

- 1 Amend House File 88 as follows:
- 2 1. Page 1, by striking lines 15 through 20 and
- 3 inserting the following: "shall grant a request made
- 4 by a board of directors of a school district stating
- 5 its desire to commence classes for regularly
- 6 established elementary and secondary schools on a day
- 7 before the first day of September."

McKEAN of Jones

H-3021

- 1 Amend the Committee amendment, H-3018, to House
- 2 File 24, as follows:
- 3 1. Page 2, line 7, by inserting after the word
- 4 "or" the words "who is unwilling to comply with".
- 5 2. Page 2, line 10, by inserting after the word
- 6 "or" the word "with".

SPEAR of Lee

H-3022

- 1 Amend House File 35 as follows:
 2 1. Page 3, line 18, by inserting after the word
 3 "his" the words "grandmother, mother".
 4 2. Page 3, line 23, by inserting after the word
 5 "her" the words "grandfather, father".

SPEAR of Lee

H-3023

- 1 Amend House File 88 as follows:
 2 1. Page 1, line 5, by striking the words "first
 3 day of September" and inserting in lieu thereof the
 4 words "Monday preceding Labor Day".

LAGESCHULTE of Bremer

H-3024

- 1 Amend Senate File 77 as follows:
 2 1. Page 1, by inserting after line 11, the
 3 following:
 4 "Sec. _____. Section 279.10, Code 1985, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 4. The state board of public
 7 instruction shall grant a request made by a board of
 8 directors of a school district stating its desire to
 9 commence classes for regularly established elementary
 10 and secondary schools on a day before September 1."
 11 2. By renumbering as necessary.

McKEAN of Jones

H-3026

- 1 Amend House File 30 as follows:
 2 1. Page 1, by inserting after line 7 the
 3 following:
 4 "Sec. 2. Section 372.4, unnumbered paragraph 3,
 5 Code 1985, is amended to read as follows:
 6 The mayor shall appoint a council member as mayor
 7 pro tem, and shall appoint the marshal or chief of
 8 police except where an intergovernmental agreement
 9 makes other provisions for police protection or as
 10 otherwise provided in section 400.13. Other officers
 11 must be selected as directed by the council. The
 12 mayor is not a member of the council and may not vote
 13 as a member of the council."

H-3027

- 1 Amend House File 88 as follows:
- 2 1. Page 1, by inserting after line 20 the
- 3 following:
- 4 "Sec. _____. This Act takes effect July 1, 1986."
- 5 2. Title page, line 3, by inserting after the
- 6 word "conditions" the following: "and providing an
- 7 effective date".

SHOULTZ of Black Hawk

H-3028

- 1 Amend Senate File 77 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting before line 22 the
- 4 following:
- 5 "Sec. _____. This Act takes effect July 1, 1986."
- 6 2. Title page, line 2, by inserting after the
- 7 word "conditions" the following: "and providing an
- 8 effective date".

SHOULTZ of Black Hawk

H-3029

- 1 Amend House File 70 as follows:
- 2 1. Page 1, by striking line 12 and inserting the
- 3 following: "in the business either within sixty days
- 4 before the initial advertisement of the sale or at any
- 5 time after the initial advertisement of the sale. In
- 6 addition, a person acquiring an ownership interest
- 7 shall comply with paragraph "g" if the person adds
- 8 additional merchandise to the sale."

Committee on Small Business and Commerce

H-3032

- 1 Amend House File 88 as follows:
- 2 1. Page 1, by striking line 5, and inserting in
- 3 lieu thereof the following: "school shall begin on
- 4 the first available school day in September".

COREY of Louisa

H-3034

- 1 Amend House File 139 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "Permit" the words ", cause".

BRAMMER of Linn

H—3039

1 Amend House File 181 as follows:

- 2 1. Page 1, line 17, by striking the word and numeral
3 "January 2" and inserting the following: "January 1".

TORRENCE of Muscatine

H—3040

1 Amend House File 41 as follows:

- 2 1. Page 1, by striking lines 2 through 10 and
3 inserting the following: "amended by striking the
4 subsection.
5 Sec. 2. NEW SECTION. 322D.7. APPLICATION.
6 This chapter applies to all agreements now in
7 effect which have no expiration date and all other
8 agreements entered into or renewed after the effective
9 date of this Act. Any agreement in effect on the
10 effective date of this Act which by its own terms will
11 terminate on a subsequent date shall be governed by
12 the law as it existed prior to the effective date of
13 this Act.

14 Sec. 3. This Act, being deemed of immediate
15 importance, takes effect from and after its
16 publication in the Marshalltown Times-Republican, a
17 newspaper published in Marshalltown, Iowa, and in The
18 Malvern Leader, a newspaper published in Malvern,
19 Iowa."

- 20 2. Title page, line 2, by inserting after the
21 figure "1984" the words "and providing an effective
22 date by publication".

HARBOR of Mills

H—3042

1 Amend House File 24 as follows:

- 2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 144A.1 SHORT TITLE.
5 This chapter may be cited as the "Life-Sustaining
6 Procedures Act."
7 Sec. 2. NEW SECTION. 144A.2. POLICY STATEMENT.
8 The legislature finds that all adults have the
9 fundamental right to control the decisions relating to
10 their own medical care, including the decision to have
11 medical or surgical means or procedures calculated to
12 prolong their lives provided, withheld or withdrawn.
13 This right is subject to certain interests of society,
14 such as the protection of human life and the

15 preservation of ethical standards in the medical
16 profession. The legislature further finds that the
17 artificial prolongation of life for persons with a
18 terminal condition may secure only a precarious and
19 burdensome existence, while providing nothing
20 medically necessary or beneficial to the patient. In
21 order that the rights and intentions of persons with
22 such conditions may be respected even after they are
23 no longer able to participate actively in decisions
24 concerning themselves, and to encourage communications
25 between these patients, their families, and their
26 physicians, the legislature declares that the laws of
27 Iowa shall recognize the right of an adult to make a
28 written declaration instructing the adult's physician
29 to provide, withhold, or withdraw life-sustaining
30 procedures or to designate another to make treatment
31 decisions, in the event the person is diagnosed as
32 suffering from a terminal condition.

33 Sec. 3. NEW SECTION. 144A.3 DEFINITIONS.

34 Except as otherwise provided, as used in this
35 chapter:

36 1. "Adult" means an individual eighteen years of
37 age or older.

38 2. "Attending physician" means the physician
39 selected by, or assigned to, the patient who has
40 primary responsibility for the treatment and care of
41 the patient.

42 3. "Declaration" means a document executed in
43 accordance with the requirements of section 144A.4.

44 4. "Health care provider" means a health care
45 facility licensed pursuant to chapter 135C, a hospice
46 program licensed pursuant to chapter 135, or a
47 hospital licensed pursuant to chapter 135B.

48 5. "Life-sustaining procedure" means any medical
49 procedure, treatment or intervention which meets both
50 of the following requirements:

Page 2

1 a. Utilizes mechanical or artificial means to
2 sustain, restore, or supplant a spontaneous vital
3 function.

4 b. When applied to a patient in a terminal
5 condition, would serve only to prolong the dying
6 process.

7 "Life-sustaining procedure" does not include the
8 provision of sustenance or the administration of
9 medication or performance of any medical procedure
10 deemed necessary to provide comfort care or to
11 alleviate pain.

12 6. "Physician" means a person licensed to practice

13 medicine and surgery, osteopathy or osteopathic
14 medicine and surgery in this state.

15 7. "Qualified patient" means a patient who has
16 executed a declaration in accordance with this chapter
17 and who has been determined by the attending physician
18 to be in a terminal condition.

19 8. "Terminal condition" means an incurable or
20 irreversible condition that, without the
21 administration of life-sustaining procedures, will, in
22 the opinion of the attending physician, result in
23 death within a relatively short time.

24 Sec. 4. NEW SECTION. 144A.4 DECLARATION RELATING
25 TO USE OF LIFE-SUSTAINING PROCEDURES.

26 1. Any competent adult may execute a declaration
27 at any time directing that life-sustaining procedures
28 be withheld or withdrawn. The declaration may be
29 given operative effect only if the declarant's
30 condition is determined to be terminal and the
31 declarant is not able to make treatment decisions.
32 The declaration must be signed by the declarant or
33 another at the declarant's direction in the presence
34 of two persons who shall sign the declaration as
35 witnesses. An attending physician or health care
36 provider may presume, in the absence of actual notice
37 to the contrary, that the declaration complies with
38 this chapter and is valid.

39 2. It is the responsibility of the declarant to
40 provide the declarant's attending physician with the
41 declaration.

42 3. A declaration executed pursuant to this chapter
43 may, but need not, be in the following form:

44 DECLARATION

45 If I should have an incurable or irreversible
46 condition that will cause my death within a relatively
47 short time, it is my desire that my life not be
48 prolonged by administration of life-sustaining
49 procedures. If my condition is terminal and I am
50 unable to participate in decisions regarding my

Page 3

1 medical treatment, I direct my attending physician to
2 withhold or withdraw procedures that merely prolong
3 the dying process and are not necessary to my comfort
4 or freedom from pain.

Signed this ___ day of _____, _____.

Signature _____

7 City, County and State of Residence _____

8 The declarant is known to me and voluntarily signed
9 this document in my presence.

10 Witness _____

11 Address _____

12 Witness _____

13 Address _____

14 Sec. 5. NEW SECTION. 144A.5 REVOCATION OF
 15 DECLARATION.

16 1. A declaration may be revoked at any time and in
 17 any manner by which the declarant is able to
 18 communicate the declarant's intent to revoke, without
 19 regard to mental or physical condition. A revocation
 20 is only effective as to the attending physician upon
 21 communication to such physician by the declarant or by
 22 another to whom the revocation was communicated.

23 2. The attending physician shall make the
 24 revocation a part of the declarant's medical record.

25 Sec. 6. NEW SECTION. 144A.6 RECORDING
 26 DETERMINATION OF TERMINAL CONDITION.

27 When an attending physician who has been provided
 28 with a declaration determines that the declarant is in
 29 a terminal condition, this decision must be confirmed
 30 by another physician. The attending physician must
 31 record that determination in the declarant's medical
 32 record.

33 Sec. 7. NEW SECTION. 144A.7 TREATMENT OF
 34 QUALIFIED PATIENTS.

35 1. A qualified patient has the right to make
 36 decisions regarding use of life-sustaining procedures
 37 as long as the qualified patient is able to do so. If
 38 a qualified patient is not able to make such
 39 decisions, the declaration shall govern decisions
 40 regarding use of life-sustaining procedures.

41 2. The declaration of a qualified patient known to
 42 the attending physician to be pregnant shall not be in
 43 effect as long as the fetus could develop to the point
 44 of live birth with continued application of life-
 45 sustaining procedures.

46 Sec. 8. NEW SECTION. 144A.8 PROCEDURE IN ABSENCE
 47 OF DECLARATION.

48 1. Life-sustaining procedures may be withheld or
 49 withdrawn from a patient who is not known to the
 50 attending physician to be pregnant with a fetus that

Page 4

1 could develop to the point of live birth with the
 2 continued application of life-sustaining procedures,
 3 who is in a terminal condition and who is comatose,
 4 incompetent, or otherwise physically or mentally
 5 incapable of communication and has not made a
 6 declaration in accordance with this chapter if there
 7 is consultation and written agreement for the
 8 withholding or the withdrawal of life-sustaining
 9 procedures between the attending physician and any of
 10 the following individuals, who shall be guided by the
 11 express or implied intentions of the patient, in the

12 following order of priority if no individual in a
13 prior class is reasonably available, willing, and
14 competent to act:

15 a. The attorney in fact designated to make
16 treatment decisions for the patient should such person
17 be diagnosed as suffering from a terminal condition,
18 if the designation is in writing and complies with
19 section 633.705.

20 b. The guardian of the person of the patient if
21 one has been appointed. This paragraph does not
22 require the appointment of a guardian in order for a
23 treatment decision to be made under this section.

24 c. The patient's spouse.

25 d. An adult child of the patient or, if the
26 patient has more than one adult child, a majority of
27 the adult children who are reasonably available for
28 consultation.

29 e. A parent of the patient, or parents if both are
30 reasonably available.

31 f. An adult sibling.

32 2. When a decision is made pursuant to this
33 section to withhold or withdraw life-sustaining
34 procedures, there shall be a witness present at the
35 time of the consultation when that decision is made.

36 Sec. 9. NEW SECTION. 144A.9 TRANSFER OF
37 PATIENTS.

38 1. An attending physician who is unwilling to
39 comply with the requirements of section 144A.6 or who
40 is unwilling to comply with the declaration of a
41 qualified patient in accordance with section 144A.7 or
42 the provisions of section 144A.8 shall take all
43 reasonable steps to effect the transfer of the
44 declarant to another physician.

45 2. If the policies of a health care provider
46 preclude compliance with the declaration of a
47 qualified patient under this chapter or the provisions
48 of section 144A.8, the provider shall take all
49 reasonable steps to effect the transfer of the patient
50 to a facility in which the provisions of this chapter

Page 5

1 can be carried out.

2 Sec. 10. NEW SECTION. 144A.10 IMMUNITIES.

3 1. In the absence of actual notice of the
4 revocation of a declaration, the following, while
5 acting in accordance with the requirements of this
6 chapter, are not subject to civil or criminal
7 liability or guilty of unprofessional conduct:

8 a. A physician who causes the withholding or
9 withdrawal of life-sustaining procedures from a

10 qualified patient.

11 b. The health care provider in which such
12 withholding or withdrawal occurs.

13 c. A person who participates in the withholding or
14 withdrawal of life-sustaining procedures under the
15 direction of or with the authorization of a physician.

16 2. A physician is not subject to civil or criminal
17 liability for actions under this chapter which are in
18 accord with reasonable medical standards.

19 3. Any person, institution or facility against
20 whom criminal or civil liability is asserted because
21 of conduct in compliance with this chapter may
22 interpose this chapter as an absolute defense.

23 Sec. 11. NEW SECTION. 144A.11 PENALTIES.

24 1. Any person who willfully conceals, withholds,
25 cancels, destroys, alters, defaces, or obliterates the
26 declaration of another without the declarant's consent
27 or who falsifies or forges a revocation of the
28 declaration of another is guilty of a serious
29 misdemeanor.

30 2. Any person who falsifies or forges the
31 declaration of another, or willfully conceals or
32 withholds personal knowledge of or delivery of a
33 revocation as provided in section 144A.5, with the
34 intent to cause a withholding or withdrawal of life-
35 sustaining procedures, is guilty of a serious
36 misdemeanor.

37 Sec. 12. NEW SECTION. 144A.12 GENERAL
38 PROVISIONS.

39 1. Death resulting from the withholding or
40 withdrawal of life-sustaining procedures pursuant to a
41 declaration and in accordance with this chapter does
42 not, for any purpose, constitute a suicide or
43 homicide.

44 2. The making of a declaration pursuant to section
45 144A.4 does not affect in any manner the sale,
46 procurement, or issuance of any policy of life
47 insurance, nor shall it be deemed to modify the terms
48 of an existing policy of life insurance. No policy of
49 life insurance is legally impaired or invalidated in
50 any manner by the withholding or withdrawal of life-

Page 6

1 sustaining procedures pursuant to this chapter,
2 notwithstanding any term of the policy to the
3 contrary.

4 3. A physician, health care provider, health care
5 service plan, insurer issuing disability insurance,
6 self-insured employee welfare benefit plan, or
7 nonprofit hospital plan shall not require any person

- 8 to execute a declaration as a condition for being
 9 insured for, or receiving, health care services.
- 10 4. This chapter creates no presumption concerning
 11 the intention of an individual who has not executed a
 12 declaration with respect to the use, withholding, or
 13 withdrawal of life-sustaining procedures in the event
 14 of a terminal condition.
- 15 5. This chapter shall not be interpreted to
 16 increase or decrease the right of a patient to make
 17 decisions regarding use of life-sustaining procedures
 18 as long as the patient is able to do so, nor to impair
 19 or supersede any right or responsibility that any
 20 person has to effect the withholding or withdrawal of
 21 medical care in any lawful manner. In that respect,
 22 the provisions of this chapter are cumulative.
- 23 6. This chapter shall not be construed to condone,
 24 authorize or approve mercy killing or euthanasia, or
 25 to permit any affirmative or deliberate act or
 26 omission to end life other than to permit the natural
 27 process of dying."

ZIMMERMAN of Dallas

H-3043

- 1 Amend House File 35 as follows:
 2 1. Page 3, line 13, by inserting after the word
 3 "eligibility" the words "and pay a fee equal to that
 4 required for the issuance of a marriage license".

SPEAR of Lee

H-3045

- 1 Amend Senate File 163 as passed by the Senate as
 2 follows:
 3 1. By striking page 7, line 25 through page 8,
 4 line 24.

HARBOR of Mills

H-3046

- 1 Amend Senate File 163 as passed by the Senate as
 2 follows:
 3 1. Page 5, line 33, by inserting after the word
 4 "court." the following: "This section does not impair
 5 the vested right of any person."

HARBOR of Mills

H-3047

- 1 Amend Senate File 163 as passed by the Senate as
- 2 follows:
- 3 1. Page 8, by striking lines 19 through 21 and
- 4 inserting the following: "standards."

HARBOR of Mills

H-3048

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 25, by striking lines 12 through 17.

VAN CAMP of Scott
PLATT of Muscatine

H-3050

- 1 Amend House File 183 as follows:
- 2 1. Page 1, by inserting before line 30, the
- 3 following new subsection:
- 4 "_____. User permits shall be issued without the
- 5 permit fee by the county recorder to individuals who
- 6 present a current medical assistance or food stamp
- 7 identification card provided by the department of
- 8 human services."
- 9 2. By renumbering as necessary.

VAN CAMP of Scott

H-3054

- 1 Amend Senate File 59 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "who" the following: "possesses,"
- 4 2. Title page, line 1, by inserting after the
- 5 word "of" the following: "possessing,"

MUEHLBAUER of Crawford

H-3065

- 1 Amend H-3052 to Senate File 77 as passed by the
- 2 Senate as follows:
- 3 1. Page 1, by striking lines 14 and 15 and
- 4 inserting the following: "first day of September
- 5 would be detrimental to educational quality."

McKEAN of Jones

H-3069

1 Amend Senate File 19 as amended, passed and
2 reprinted by the Senate as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 321.200, Code 1985, is amended
6 to read as follows:

7 321.200 CONVICTION AND ACCIDENT FILE.

8 The department shall also file all accident reports
9 and abstracts of court records of convictions received
10 by it under the laws of this state and in connection
11 ~~therewith with them~~ shall maintain convenient records
12 or make suitable notations in order that an individual
13 record of each licensee showing the convictions of
14 ~~such the~~ licensee and the traffic accidents in which
15 the licensee has been involved shall be readily
16 ascertainable and available for the consideration of
17 the department upon any application for renewal of
18 license and at other suitable times. However, the
19 abstract of court records shall not include
20 convictions of speeding violations of ten miles per
21 hour or less over the legal speed limit occurring on
22 or after July 1, 1985.

23 Sec. 2. Section 321.207, Code 1985, is amended to
24 read as follows:

25 321.207 RECORD FORWARDED.

26 Every court having jurisdiction over offenses
27 committed under this chapter, or any other law of this
28 state or any city or county traffic ordinances, other
29 than parking regulations, regulating the operation of
30 motor vehicles on highways, shall forward to the
31 department a record of the conviction of any person in
32 the court for a violation of any of the laws, and may
33 recommend the suspension of the operator's or
34 chauffeur's license of the person convicted, and the
35 department shall consider and act upon the
36 recommendation. However, a record of conviction for a
37 speeding violation of ten miles per hour or less over
38 the legal speed limit shall not be forwarded to the
39 department, except for violations by nonresidents as
40 required under section 321.513 and chapter 321C.

41 Sec. 3. Section 321.210, Code 1985, is amended by
42 adding the following new unnumbered paragraph:

43 NEW UNNUMBERED PARAGRAPH. The department shall not
44 consider or assess any points for speeding violations
45 of ten miles per hour or less over the legal speed
46 limit in determining a license suspension under this
47 section.

48 Sec. 4. Section 321.491, unnumbered paragraph 2,
49 Code 1985, is amended to read as follows:

50 Within ten days after the conviction or forfeiture

Page 2

1 of bail of a person upon a charge of violating any
 2 provision of this chapter or other law regulating the
 3 operation of vehicles on highways every said
 4 magistrate of the court or clerk of the court of
 5 record in which such conviction was had or bail was
 6 forfeited shall prepare and immediately forward to the
 7 department an abstract of the record of said court
 8 covering the case in which said person was so
 9 convicted or forfeited bail, which abstract must be
 10 certified by the person so required to prepare the
 11 same to be true and correct. However an abstract of
 12 the record shall not be forwarded for convictions of
 13 speeding violations of ten miles per hour or less over
 14 the legal speed limit, except for violations by
 15 nonresidents as required under section 321.513 and
 16 chapter 321C.

17 Sec. 5. Section 321A.3, Code 1985, is amended by
 18 adding the following new subsection immediately
 19 following subsection 2:

20 NEW SUBSECTION. The abstract provided under this
 21 section shall not include records of convictions for
 22 speeding violations of ten miles per hour or less over
 23 the legal speed limit occurring on or after July 1,
 24 1985."

25 2. Title page, by striking lines 1 through 4 and
 26 inserting in lieu thereof the following: "An Act
 27 relating to violations of ten miles per hour or less
 28 over the legal speed limit."

Committee on Transportation

H-3073

1 Amend House File 225 as follows:
 2 1. Page 36, line 7, by striking the words "per
 3 diem and".

PARKER of Jasper

H-3078

1 Amend House File 225 as follows:
 2 1. Page 4, line 14, by inserting after the word
 3 "states." the following: "All contracts shall, after
 4 open and competitive bidding, be awarded to the
 5 lowest responsible bidder."

DODERER of Johnson

H-3079

1 Amend House File 225 as follows:

2 1. Page 4, line 16, by inserting after the word
 3 "board." the following: "Before approving a contract,
 4 the board shall require the person seeking the
 5 contract to disclose certain financial information to
 6 the commissioner, the division of criminal
 7 investigation of the department of public safety and
 8 the attorney general. The specific requirements of
 9 the type of information to be disclosed shall be
 10 developed by the director of the division of criminal
 11 investigation of the department of public safety, the
 12 attorney general, and the commissioner. The
 13 information required to be disclosed under this
 14 section is confidential pursuant to section 22.7,
 15 subsection 19."

16 2. Page 18, by inserting after line 19 the
 17 following:

18 "Sec. _____. Section 22.7, Code 1985, is amended by
 19 adding the following new subsection:

20 **NEW SUBSECTION. 19. Financial information**
 21 **disclosed pursuant to section 99E.9, subsection 2."**

22 3. Page 18, by inserting after line 34 the
 23 following:

24 "Sec. _____. Section 692.2, subsection 1, Code 1985,
 25 is amended by adding the following new lettered
 26 paragraph:

27 **NEW LETTERED PARAGRAPH. e. The state lottery**
 28 **agency for purposes of section 99E.9, subsection 2."**

SWARTZ of Marshall

H-3080

1 Amend House File 225 as follows:

2 1. Page 4, line 14, by inserting after the word
 3 "states." the following: "All contracts entered into
 4 by the commissioner shall be as the result of
 5 competitive bidding with the contract being awarded to
 6 the lowest responsible bidder."

WOODS of Polk

H-3082

1 Amend House File 225 as follows:

2 1. Page 48, by inserting after line 15 the
 3 following:

4 "DIVISION XI
 5 Sec. 1101. **NEW SECTION. 28J.1 PRIVATE SECTOR**
 6 **EXPORT BOARD CREATED - MEMBERSHIP.**

7 1. A private sector export board is created to
 8 provide advice to the Iowa development commission or
 9 the central department of economic development when
 10 established. The board consists of fifteen members of
 11 whom three shall be from each of the following groups:

- 12 a. Farmers or farm organizations.
- 13 b. Manufacturers.
- 14 c. Local world trade organizations.
- 15 d. The Iowa district export council.
- 16 e. Trade associations including agricultural trade
 17 associations.

18 2. Members of the export board shall be appointed
 19 by the governor subject to confirmation by the senate.
 20 Members shall be residents of the state. Not more
 21 than eight members shall belong to the same political
 22 party. In appointing members to the export board, the
 23 governor shall attempt to obtain a wide spectrum of
 24 interests from within the exporting community and
 25 shall look at the factors of geographic spread, rural-
 26 urban mix, size of export operations, type of product
 27 exported and other relevant factors, including women
 28 and minorities, in making appointments.

29 3. Members shall be paid forty dollars per diem
 30 and shall also be reimbursed for necessary travel and
 31 expenses incurred in the performance of their duties.

32 4. Members shall serve three-year terms. The term
 33 of each member shall begin and end as provided in
 34 section 69.19.

35 Sec. 1102. NEW SECTION. 28J.2 DUTIES.

36 1. The primary role of the private sector export
 37 board is to advise the Iowa development commission or
 38 the central department of economic development when
 39 established on business needs and to facilitate the
 40 actual buying and selling of products in the private
 41 sector.

42 2. The board shall:

- 43 a. Facilitate the development of export education
 44 and training programs and curricula that meet the
 45 needs of the private sector.
- 46 b. Provide a mechanism to provide assistance from
 47 experienced exporters to businesses that are new or
 48 inexperienced in exporting.
- 49 c. Advise the Iowa development commission or the
 50 central department of economic development when

Page 2

1 established on its plans for market research, overseas
 2 representation, trade missions, and other promotional
 3 activities.

4 Sec. 1103. Notwithstanding section 1101 of this

5 Act, the governor shall appoint initial members of the
 6 export board established under that section to
 7 staggered terms. One member from each group shall be
 8 appointed to a one-year term, one member from each
 9 group shall be appointed to a two-year term, and one
 10 member from each group shall be appointed to a three-
 11 year term. The governor shall appoint initial members
 12 in the same manner as vacancies, subject to section
 13 2.32."

14 2. Title page, line 23, by inserting after the
 15 word "circumstances;" the following: "creating a
 16 private sector export board to provide advice on
 17 exporting to the appropriate state agency;"

BAXTER of Des Moines

H-3084

1 Amend House File 225 as follows:

2 1. Page 4, line 16, by inserting after the word
 3 "board." the following: "Before awarding a contract,
 4 the commissioner shall contact lottery agencies in
 5 other states which conduct lotteries to ascertain
 6 names of reputable suppliers of goods and services
 7 necessary to conduct a lottery."

DIEMER of Black Hawk
 LAGESCHULTE of Bremer
 METCALF of Polk
 VAN MAANEN of Mahaska
 RENSINK of Sioux
 GRANDIA of Marion
 SWEARINGEN of Keokuk
 HESTER of Pottawattamie
 HANDORF of Marshall

HARBOR of Mills
 McKEAN of Jones
 TORRENCE of Muscatine
 DE GROOT of Lyon
 ROYER of Page
 MILLER of Cherokee
 STUELAND of Clinton
 KREMER of Buchanan
 HERMANN of Scott
 HALVORSON of Clayton

H-3091

1 Amend House File 225 as follows:

2 1. Page 20, by striking lines 17 through 19 and
 3 inserting the following: " "a" and "b", the excess to
 4 the community economic betterment account."

5 2. Page 28, by striking lines 29 through 32 and
 6 inserting the following: " "a" and "b" or "c" in each
 7 of the fiscal years, the excess to the community
 8 economic betterment account."

9 3. Page 32, by striking lines 14 through 16 and
 10 inserting the following: "Act."

HANSON of Delaware

H-3093

- 1 Amend House File 225 as follows:
 2 1. Page 19, by inserting after line 30 the
 3 following:
 4 "Sec._____. Notwithstanding section 99E.10,
 5 subsection 1, lottery expenses for marketing,
 6 educational and informational material shall not
 7 exceed two percent of the gross lottery revenue until
 8 the initial appropriation is repaid to the state
 9 general fund pursuant to section 99E.10, subsection
 10 3."

HUMMEL of Benton

H-3098

- 1 Amend House File 225 as follows:
 2 1. Page 4, line 16, by inserting after the word
 3 "board." the following: "Before a contract is
 4 awarded, the division of criminal investigation of the
 5 department of public safety shall conduct a thorough
 6 background investigation of all officers of the person
 7 to whom the contract is to be awarded, all officers of
 8 any company of which the person to whom the contract
 9 is to be awarded is a subsidiary, and all officers of
 10 any other subsidiary of such a company that is engaged
 11 in any aspect of the gaming industry."
 12 2. Page 18, by inserting after line 34 the
 13 following:
 14 "Sec._____. Section 692.2, subsection 1, Code 1985,
 15 is amended by adding the following new lettered
 16 paragraph:
 17 NEW LETTERED PARAGRAPH. e. The state lottery
 18 agency for purposes of section 99E.9, subsection 2."
 19 3. Renumber as necessary.

WOODS of Polk

H-3099

- 1 Amend House File 225 as follows:
 2 1. Page 4, line 14, by inserting after the word
 3 "states." the following: "All contracts for
 4 equipment, materials or services not common to the
 5 operation of state agencies, entered into by the
 6 commissioner shall be as the result of competitive
 7 bidding with the contract being awarded to the lowest
 8 responsible bidder."

WOODS of Polk

H-3100

1 Amend House File 225 as follows:

2 1. By striking page 15, line 34 through page 16,
3 line 1 and inserting the following: "not reached the
4 age of twelve. A".

5 2. Page 16, line 4, by striking the word
6 "eighteen" and inserting the following: "twelve".

7 3. Page 16, by striking lines 6 and 7 and
8 inserting the following: "age of twelve shall be
9 forfeited."

HAVERLAND of Polk

H-3106

1 Amend House File 225 as follows:

2 1. Page 20, line 9, by striking the word "ten"
3 and inserting the following: "thirteen".

4 2. Page 20, line 11, by striking the word
5 "thirty-five" and inserting the following: "thirty-
6 two".

7 3. Page 20, line 14, by striking the word "five"
8 and inserting the following: "two".

9 4. Page 20, line 15, by striking the words "jobs
10 now" and inserting the following: "education and
11 agriculture research and development".

12 5. Page 21, by striking lines 14 through 20 and
13 inserting the following: "The Commission shall not
14 provide funds under this subsection for programs or
15 projects for which an appropriation is made under
16 subsections 3 and 4 or under section 202, subsections
17 3 and 4 of this Act."

18 6. Page 22, by striking lines 10 through 14 and
19 inserting the following: "division IV of this Act the
20 sum of one million (1,000,000) dollars for the
21 purposes of the state's involvement in the Iowa
22 world".

23 7. Page 22, line 17, by striking the words
24 "million (1,000,000)" and inserting the following:
25 "million five hundred thousand (1,500,000)".

26 8. Page 22, by striking line 20 and inserting the
27 following: "one million two hundred thousand
28 (1,200,000) dollars for additional and".

29 9. Page 23, by inserting after line 1 the
30 following:

31 "g. To provide funds, pursuant to the Iowa small
32 and high risk business new jobs training Act
33 established in division IX of this Act, for each
34 qualified area school for deposit in its job training
35 fund as provided in section 908 of this Act the sum of

36 two million fifty thousand (2,050,000) dollars."
 37 10. Page 25, lines 14 and 15, by striking the
 38 words "one million (1,000,000)" and inserting the
 39 following: "two million (2,000,000)".

40 11. Page 25, line 29, by striking the word
 41 "million (1,000,000) and inserting the following:
 42 "million five hundred thousand (1,500,000)".

43 12. Page 26, line 3, by striking the words "two
 44 hundred thousand (7,200,000)" and inserting the
 45 following: "seven hundred thousand (7,700,000)".

46 13. Page 29, by inserting after line 34 the
 47 following:
 48 "f. To provide funds, pursuant to the Iowa small
 49 and high risk business new jobs training Act
 50 established in division IX of this Act, for each

Page 2

1 qualified area school for deposit in its job training
 2 fund as provided in section 908 of this Act. It is
 3 the intent of the general assembly that the sum of two
 4 million (2,000,000) dollars be appropriated for each
 5 of the four fiscal years for this purpose."

6 14. Page 38, by striking lines 1 through 18 and
 7 inserting the following: "proposal."

8 15. Page 38, line 19, by striking the word
 9 "state's".

10 16. Page 38, line 23, by inserting after the
 11 words "operate the" the words "leased space in the".

12 17. Page 48, by inserting after line 15 the
 13 following:

"DIVISION IX

14 Sec. 901. NEW SECTION. 280C.1 TITLE.

15 This chapter shall be known and may be cited as the
 16 "Iowa small and high risk business new jobs training
 17 Act".

18 Sec. 902. NEW SECTION. 280C.2 DEFINITIONS.

19 When used in this chapter, unless the context
 20 otherwise requires:

21 1. "New jobs training program" or "program" means
 22 the project or projects established by an area school
 23 for the creation of jobs by providing education and
 24 training of workers for new jobs for a new or
 25 expanding small or high risk business in the merged
 26 area served by the area school.

27 2. "Project" means a training arrangement which is
 28 the subject of an agreement entered into between the
 29 area school and an employer to provide program
 30 services.

31 3. "Program services" includes but is not limited
 32 to the following:
 33

- 34 a. New jobs training.
35 b. Adult basic education and job-related
36 instruction.
37 c. Vocational and skill-assessment services and
38 testing.
39 d. Training facilities, equipment, materials, and
40 supplies.
41 e. On-the-job training.
42 f. Administrative expenses for the new jobs
43 training program.
44 g. Subcontracted services with institutions
45 governed by the board of regents, private colleges or
46 universities, or other federal, state, or local
47 agencies.
48 h. Contracted or professional services.
49 4. "Program costs" means all necessary and
50 incidental costs of providing program services.

Page 3

- 1 5. "Employer" means the small or high risk
2 business providing new jobs in the merged area served
3 by the area school and entering into an agreement.
4 6. "Employee" means the person employed in a new
5 job.
6 7. "Agreement" is the agreement between an
7 employer and an area school concerning a project.
8 8. "Area school" means a vocational school or a
9 community college established under chapter 280A.
10 9. "Board of directors" means the board of
11 directors of an area school.
12 10. "Incremental property taxes" means the taxes
13 as provided in section 280C.4.
14 11. "New jobs credit from withholding" means the
15 credit as provided in section 280C.5.
16 12. "Date of commencement of the project" means
17 the date of the agreement.
18 13. "Small or high risk business" means a business
19 engaged in interstate or intrastate commerce for the
20 purpose of manufacturing, processing, or assembling
21 products, conducting research and development, or
22 providing services in interstate commerce, but
23 excludes retail, health, or professional services and
24 which meets the other criteria established by the Iowa
25 development commission.
26 "Small or high risk business" does not include a
27 business which closes or substantially reduces its
28 operation in one area of the state of Iowa and
29 relocates substantially the same operation in another
30 area of the state of Iowa. This subsection does not
31 prohibit a business from expanding its operations in

32 another area of the state provided that existing
 33 operations of a similar nature are not closed or
 34 substantially reduced.

35 14. "New job" means a job in a new or expanding
 36 small or high risk business but does not include jobs
 37 of recalled workers, or replacement jobs or other jobs
 38 that formerly existed in the small or high risk
 39 business in the state of Iowa.

40 Sec. 903. NEW SECTION. 280C.3 AGREEMENT.

41 An area school may enter into an agreement to
 42 establish a project. If an agreement is entered into,
 43 the area school and the employer shall notify the
 44 department of revenue as soon as possible. An
 45 agreement may provide, but is not limited to:

46 1. Program costs, including deferred costs, may be
 47 paid from one or a combination of the following
 48 sources:

49 a. Incremental property taxes to be received or
 50 derived from an employer's business property where new

Page 4

1 jobs are created as a result of the project.

2 b. New jobs credit from withholding to be received
 3 or derived from new employment resulting from the
 4 project.

5 c. Tuition, student fees, or special charges fixed
 6 by the board of directors to defray program costs in
 7 whole or in part.

8 d. Guarantee of payments to be received under
 9 paragraph "a," "b," or "c".

10 2. Payment of program costs shall not be deferred
 11 for a period longer than ten years from the date of
 12 commencement of the project.

13 3. Costs of on-the-job training for employees
 14 shall not exceed fifty percent of the annual gross
 15 payroll costs for up to one year of the new jobs. For
 16 purposes of this subsection, "gross payroll" can be
 17 the gross wages, salaries, and benefits for the jobs
 18 in training in the project.

19 4. A provision which fixes the minimum amount of
 20 incremental property taxes, new jobs credit from
 21 withholding, or tuition and fee payments which shall
 22 be paid for program costs.

23 5. Any payments required to be made by an employer
 24 are a lien upon the employer's business property until
 25 paid and have equal precedence with ordinary taxes and
 26 shall not be divested by a judicial sale. Property
 27 subject to the lien may be sold for sums due and
 28 delinquent at a tax sale, with the same forfeitures,
 29 penalties, and consequences as for the nonpayment of

30 ordinary taxes. The purchaser at tax sale obtains the
31 property subject to the remaining payments.

32 Sec. 904. NEW SECTION. 280C.4 INCREMENTAL
33 PROPERTY TAXES.

34 If an agreement provides that all or part of
35 program costs are to be paid for by incremental
36 property taxes, the board of directors shall provide
37 by resolution that taxes levied on the employer's
38 taxable business property, where new jobs are created
39 as a result of a project, each year by or for the
40 benefit of the state, city, county, school district,
41 or other taxing district after the effective date of
42 the resolution shall be divided as provided in section
43 403.19, subsections 1 and 2, in the same manner as if
44 the employer's business property, where new jobs are
45 created as a result of a project, was taxable property
46 in an urban renewal project and the resolution was an
47 ordinance within the meaning of those subsections. To
48 the extent that the taxes received by the board of
49 directors represent repayments of an advance made
50 under section 280C.6, the taxes shall be allocated to

Page 5

1 and when collected be paid into the principal account
2 of the area school job training fund as provided in
3 section 280C.6. However, with respect to any urban
4 renewal project as to which an ordinance is in effect
5 under section 403.19, the collection of incremental
6 property taxes authorized by this chapter are
7 suspended in favor of collection of incremental taxes
8 under section 403.19. As used in this section,
9 "taxes" includes, but is not limited to, all levies on
10 an ad valorem basis upon land or real property of the
11 employer's business, where new jobs are created as a
12 result of a project.

13 Sec. 905. NEW SECTION. 280C.5 NEW JOBS CREDIT
14 FROM WITHHOLDING.

15 If an agreement provides that all or part of
16 program costs are to be met by receipt of new jobs
17 credit from withholding, it shall be done as follows:

18 1. New jobs credit from withholding shall be based
19 upon the wages paid to the employees in the new jobs.

20 2. An amount equal to one and one-half percent of
21 the gross wages paid by the employer to each employee
22 participating in a project shall be credited from the
23 payment made by an employer pursuant to section
24 422.16. If the amount of the withholding by the
25 employer is less than one and one-half percent of the
26 gross wages paid to the employees covered by the
27 agreement, then the employer shall receive a credit

28 against other withholding taxes due by the employer.
 29 The employer shall remit the amount of the credit
 30 quarterly in the same manner as withholding payments
 31 are reported to the department of revenue, to the area
 32 school. To the extent this credit represents
 33 repayments of an advance made under section 280C.6, it
 34 shall be allocated to and when collected paid into the
 35 principal account of the area school job training fund
 36 as provided in section 280C.6. When the repayments of
 37 an advance have been paid, the employer credits shall
 38 cease and any money received after this shall be
 39 remitted to the treasurer of state to be deposited in
 40 the general fund of the state.

41 3. The employer shall certify to the department of
 42 revenue that the credit in withholding is in
 43 accordance with an agreement and shall provide other
 44 information the department may require.

45 4. An area school shall certify to the department
 46 of revenue the amount of new jobs credit from
 47 withholding an employer has remitted to the area
 48 school and shall provide other information the
 49 department may require.

50 5. An employee participating in a project will

Page 6

1 receive full credit for the amount withheld as
 2 provided in section 422.16.

3 Sec. 906. NEW SECTION. 280C.6 JOB TRAINING FUND
 4 —ADVANCES.

5 1. There is established for each area school an
 6 area school job training fund under the supervision of
 7 the board of directors of that area school. The area
 8 school job training fund shall consist of two separate
 9 accounts containing moneys as follows:

10 a. A principal account to which is deposited
 11 moneys appropriated by the state and matched by the
 12 area school as provided in section 280C.8 and the
 13 repayments, subject to subsection 3, of advances made
 14 to employers for program costs. Moneys in this
 15 account shall only be deposited in interest bearing
 16 accounts.

17 b. An interest account to which is deposited
 18 moneys earned as interest on the moneys in the
 19 principal account and on this account. Only moneys in
 20 this account may be used to provide advances as
 21 provided in subsection 2.

22 2. To provide funds for the present payment of the
 23 costs of a new jobs training program by the employer,
 24 the area school may provide to the employer an advance
 25 of the moneys to be used to pay for the program costs

26 as provided in the agreement. The advance shall not
27 exceed one hundred thousand dollars for any project.
28 The advance shall be repaid without interest from the
29 sources provided in the agreement. The area school
30 shall only use moneys in the interest account of the
31 area school job training fund to make an advance.

32 3. Until such time as moneys appropriated by the
33 state for the job training fund is repaid, moneys
34 received by the area school as repayment of advances
35 made under subsection 2 shall be deposited one half to
36 the principal account and one half to the account
37 designated by the treasurer of state as repayment of
38 the state's appropriation. After all moneys
39 appropriated by the state for the job training fund is
40 repaid, all moneys received by the area school as
41 repayment of advances shall be deposited to the
42 principal account.

43 Sec. 907. NEW SECTION. 280C.7 INTENT -
44 DEVELOPMENT COMMISSION.

45 It is the intent of the general assembly that this
46 chapter complement chapter 280B. One of the main
47 features of chapter 280B is the provision for the
48 issuance of certificates by an area school to pay
49 program costs. These certificates are then repaid
50 from sources provided in the agreement between the

Page 7

1 area school and the employer. However, the issuance
2 of certificates in relatively small amounts is
3 difficult to sell. This affects the ability of small
4 business and high risk business to make use of chapter
5 280B to finance training programs. This chapter
6 substitutes a different funding mechanism for the is-
7 suance of certificates with the intent that this
8 chapter will make it easier for those businesses.

9 The Iowa development commission in consultation
10 with the department of public instruction and the
11 office for planning and programming shall coordinate
12 the new jobs training program. The Iowa development
13 commission shall adopt, amend, and repeal rules under
14 chapter 17A that the area school will use in
15 developing projects with new and expanding small or
16 high risk business new jobs training proposals. The
17 commission shall establish by rule criteria for
18 determining what constitutes a small business and high
19 risk business. The commission is authorized to make
20 any rule that is adopted, amended, or repealed
21 effective immediately upon filing with the
22 administrative rules coordinator or at a subsequent
23 stated date prior to indexing and publication, or at a

24 stated date less than thirty-five days after filing,
 25 indexing, and publication. The Iowa development
 26 commission shall prepare an annual report for the
 27 governor and general assembly on the activities of
 28 this new jobs training program.

29 Sec. 908. NEW SECTION. 280C.8 APPROPRIATIONS AND
 30 MATCHING FUNDS LEVY.

31 1. Moneys appropriated from the Iowa plan fund for
 32 economic development for the fiscal year beginning
 33 July 1, 1985 and for each of the four subsequent
 34 fiscal years for purposes of this chapter are for the
 35 purpose of providing funds for each qualified area
 36 school for deposit in its job training fund
 37 established in section 280C.6. The amount of this
 38 appropriation going to each qualified area school is a
 39 proportion of the appropriation as determined under
 40 subsection 3. Moneys appropriated shall be treated as
 41 loans from the state to the area school receiving
 42 them. An area school shall repay these loans from the
 43 repayment of advances made to an employer as provided
 44 in section 280C.6, subsection 3.

45 2. For purposes of this section, "qualified area
 46 school" means an area school whose board of directors
 47 have notified the Iowa development commission prior to
 48 the beginning of the fiscal year for which the
 49 appropriation is made that the area school desires its
 50 proportion of the appropriation and that it has

Page 8

1 provided for moneys to match this proportional amount
 2 in an amount equal to at least one dollar of match for
 3 each dollar of appropriation. The commission shall
 4 determine by rule the manner and method of
 5 notification and what constitutes the providing of
 6 matching funds. The providing of a copy of a
 7 resolution to levy a tax for a fiscal year under
 8 subsection 4 constitutes the providing of matching
 9 funds for that fiscal year.

10 3. The proportion of the appropriation made under
 11 subsection 1 going to a qualified area school is equal
 12 to the proportion that the appropriation made for the
 13 same fiscal year for general state financial aid to
 14 that qualified area school is of the total amount made
 15 to all qualified area schools for the same fiscal
 16 year.

17 4. For purposes of providing matching funds, the
 18 board of directors may, by resolution, provide for the
 19 assessment of a levy of a tax upon all taxable
 20 property within the merged area. A copy of the
 21 resolution shall be sent to the county auditor of each

22 county in which the merged area is located and to the
 23 Iowa development commission. The revenues from the
 24 tax shall be used to match funds appropriated by the
 25 state for the fiscal year for which the tax is levied.
 26 These revenues shall be deposited in the area school
 27 job training fund. To prevent delay, the board of
 28 directors may match funds from existing funds and
 29 replace those funds from the tax levied when
 30 received."

31 18. Title page, line 23, by inserting after the
 32 word "circumstances;" the following: "establishing
 33 the Iowa small and high risk business new jobs
 34 training program;"

VARN of Johnson
 RUNNING of Linn

H-3109

1 Amend House File 210 as follows:

2 1. Page 1, line 12, by inserting after the word
 3 "district." the following: "The additional weighting
 4 provided under this subsection shall not be given for
 5 a pupil attending school in another school district
 6 under section 282.7, subsection 1."

GROTH of Buena Vista

H-3116

1 Amend House File 225 as follows:

2 1. Page 23, by inserting after line 1 the
 3 following:

4 "(7) Export division created in division IX of
 5 this Act."

6 2. Page 48, by inserting after line 15 the fol-
 7 lowing:

8 "DIVISION IX

9 Sec. 901. Section 28.7, Code 1985, is amended by
 10 adding the following new subsection:

11 NEW SUBSECTION. Aid and encourage Iowa businesses
 12 in the development and expansion of export trade,
 13 including that of agricultural products, by creating a
 14 separate division to provide information and
 15 assistance to Iowa businesses.

16 Sec. 902. NEW SECTION. 28.105 EXPORT DIVISION.

17 1. The commission shall create an export division
 18 to facilitate trade from the state and implement an
 19 overall state trade promotion and development plan.
 20 This plan is designed to promote and develop the trade
 21 of Iowa's agricultural and manufactured products in

22 both the domestic and foreign marketplace. The trade
23 plan shall have specific trade related programs within
24 at least the following four major areas:
25 a. Education and training.
26 b. Marketing and promotion.
27 c. Financing.
28 d. Sales.
29 2. Education and training programs. The division
30 has primary responsibility in the following education
31 and training program areas and shall create programs
32 in these areas as soon as practicable:
33 a. OUTREACH AND COUNSELING. Trade development
34 counseling shall be made available to local businesses
35 through the satellite centers.
36 b. SEMINARS AND WORKSHOPS. The division shall
37 provide at the satellite centers seminars and
38 workshops on trade and conduct industry specific
39 seminars and workshops to identify and focus resources
40 on growth potential markets.
41 c. PUBLICATIONS. The division shall be
42 responsible for disseminating through the satellite
43 centers publications designed to facilitate trade.
44 The center shall be responsible for making information
45 available via the satellite computer network on
46 current trade developments.
47 d. TRAINING AND RECRUITING. The division shall
48 advise the export network of Iowa colleges and
49 universities on curriculum development and develop
50 training programs on the mechanics of exporting. The

Page 2

1 division shall assist in training and recruitment for
2 Iowa businesses.
3 3. Marketing and promotion programs. The export
4 division shall be responsible for, but not be limited
5 to:
6 a. MARKET RESEARCH. The division shall work with
7 the export network and the private sector in market
8 research that focuses on promising sectors and markets
9 with growth potential for the state including, but not
10 limited to:
11 (1) Developing an inventory of Iowa's producers
12 and manufacturers to identify products, types of
13 products that are exported, exports to different world
14 markets, and Iowa's export potential.
15 (2) Examining opportunities in some emerging
16 sectors including high technology with an agricultural
17 and manufacturing orientation and the services sector.
18 (3) Researching new markets both domestically and
19 abroad to identify growing markets for Iowa products

20 and those that could be developed in Iowa to serve
 21 these markets, including an assessment of the
 22 feasibility of establishing permanent representation
 23 overseas.

24 b. OVERSEAS REPRESENTATION. Assessing the
 25 feasibility of strengthening Iowa's overseas
 26 representation and identifying the strategic markets
 27 in which overseas representation would be desirable.

28 c. TRADE MISSIONS AND PROMOTION. The division
 29 shall be responsible for organizing not less than four
 30 trade missions a year. Following the mission, the
 31 division shall assess the impact of the mission on
 32 trade development.

33 d. OTHER MECHANISMS. The division will work with
 34 Iowa businesses to encourage the development of
 35 exporting joint ventures between businesses.

36 4. Trade financing programs. The division shall
 37 inform Iowa businesses about sources of public and
 38 private funding including state and federal sources of
 39 export financing. The division shall examine the
 40 feasibility of establishing a countertrade or barter
 41 exchange.

42 5. Sales programs shall not involve the export
 43 division in direct sales but shall encourage the
 44 development of the middleman structure necessary for
 45 the small and medium-sized businesses to consummate
 46 sales and support and expand overseas sales through
 47 the division's marketing functions."

48 3. Title page, line 23, by inserting after the
 49 word "circumstances;" the following: "establishing an
 50 export division within the Iowa development

Page 3

1 commission;".

BAXTER of Des Moines

H-3119

1 Amend House Joint Resolution 1 as follows:

2 1. Page 1, line 34, by inserting after the figure
 3 "1873;" the words and figures "Wyoming on March 3,
 4 1978;"

5 2. Page 2, lines 33 and 34 by striking the words
 6 "to the secretary of state of the United States,".

7 3. Page 3, line 1, by inserting after the word
 8 "States," the words "to the members of the Iowa
 9 congressional delegation with the request that it be
 10 printed in its entirety in the Congressional Record,
 11 to the United States national archives and records
 12 service,".

H-3121

- 1 Amend House amendment H-3106 to House File 225 as
- 2 follows:
- 3 1. Page 1, by striking lines 12 through 17,

VARN of Johnson

H-3126

- 1 Amend House File 30 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "charter." the following: "However, in a city under a
- 4 council-manager form of government, the appointment of
- 5 the chief of the police department and the chief of
- 6 the fire department shall follow that city's
- 7 ordinances."

HATCH of Polk

H-3128

- 1 Amend House File 266 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "agreement" the following: "that the fence is necessary
- 4 to prevent damage from domestic animals and".

PAULIN of Plymouth

H-3132

- 1 Amend House File 225 as follows:
- 2 1. Page 20, line 27, by striking the words "Iowa
- 3 development commission" and inserting the words "Iowa
- 4 community economic betterment commission in the office
- 5 for planning and programming".
- 6 2. Page 29, line 1, by striking the words "Iowa
- 7 development commission" and inserting the words "Iowa
- 8 community économic betterment commission".
- 9 3. By striking page 32, line 28 through page 36,
- 10 line 19.

HANSON of Delaware

H-3135

- 1 Amend House File 225 as follows:
- 2 1. By striking page 20, line 3 through page 48,
- 3 line 15 and inserting the following:
- 4 "Sec. 201. Chapter 422, division IV, Code 1985, is
- 5 amended by adding the following new sections.

6 NEW SECTION. 422.47A.

7 Sales, services, and use tax paid on purchases of
8 farm machinery and equipment, including replacement
9 parts which are depreciable for state and federal
10 income tax purposes, shall be refunded to the
11 purchaser provided all of the following conditions are
12 met:

13 a. The tax shall have been collected and timely
14 paid by the retailer, or timely paid to the department
15 by the user if section 423.14, is applicable.

16 b. The farm machinery and equipment shall be
17 directly and primarily used in production of
18 agricultural products.

19 c. The farm machinery and equipment shall
20 constitute self-propelled implements or implements
21 customarily drawn or attached to self-propelled
22 implements.

23 Any use tax paid on vehicles subject to
24 registration, as defined in section 423.1, or sales or
25 use tax paid on purchases of replacement parts for
26 such vehicles, shall not be eligible for refund.

27 NEW SECTION. 422.47B.

28 Sales, services, and use taxes paid on purchases of
29 industrial machinery, equipment and computers,
30 including replacement parts which are depreciable for
31 state and federal income tax purposes, shall be
32 refunded to the purchaser provided all of the
33 following conditions are met:

34 a. The tax must have been collected and timely
35 paid by the retailer or timely paid to the department
36 by the user if section 423.14, is applicable.

37 b. The industrial machinery and equipment and
38 computers shall be directly and primarily used in the
39 manner described in section 428.20, in processing
40 tangible personal property.

41 c. The industrial machinery, equipment or any
42 computer must be real property within the scope of
43 section 427A.1 subsection one, (1), paragraphs "e" or
44 "j", and must be subject to taxation as real property.

45 However, the provisions of chapters 404 and 427B
46 which result in the exemption from taxation of
47 property for property tax purposes shall not preclude
48 the property from receiving the benefits of this
49 section if the property otherwise qualifies for this
50 exemption.

Page 2

1 Any tax paid on hand tools shall not be eligible
2 for a refund. Any tax paid on pollution control
3 equipment qualifying under paragraphs "a" and "b" of

4 this subsection shall be eligible for a refund. Any
 5 tax paid on industrial machinery, equipment or
 6 computers, including pollution control equipment,
 7 within the scope of section 427A.1, subsection 1,
 8 paragraphs "h" and "i", shall not be eligible for
 9 refund.

10 NEW SECTION. 422.47C

11 Annual claims for refund of taxes made pursuant to
 12 sections 422.47A and 422.47B shall be filed with the
 13 department within three months following the end of
 14 the prior fiscal year ending June 30. The claim is
 15 limited to tax collected during the prior fiscal year
 16 by the retailer, or if the provisions of section
 17 423.14 are applicable, to tax timely paid during the
 18 prior fiscal year to the department. The claim shall
 19 be considered a return.

20 Refunds made pursuant to sections 422.47A and
 21 422.47B shall be paid from the Iowa plan fund for
 22 economic development created in section 99E.10. There
 23 is appropriated from that fund for the fiscal year
 24 beginning July 1, 1985 and ending June 30, 1986 and
 25 each year thereafter to the office of the state
 26 comptroller a sum sufficient to carry out this
 27 section. If, for any fiscal year the amount in the
 28 fund is insufficient to pay in full the amounts
 29 claimed for refund of sales, services, and use taxes
 30 paid during a fiscal year, then the amount of each
 31 claim for refund shall be reduced by the same
 32 percentage, so that the aggregate amount of all claims
 33 for refund so reduced shall be equal to the amount
 34 appropriated in the fund for payment.

35 Annually, the director of revenue shall certify and
 36 forward to the state comptroller the amount of refund
 37 which each taxpayer is entitled to receive under this
 38 section.

HANSON of Delaware

H-3136

1 Amend House File 225 as follows:

2 1. Page 48, by inserting before line 16 the
 3 following:

4 DIVISION III

5 Sec. 301. Section 98.6, subsection 2, Code 1985,
 6 is amended to read as follows:

7 2. Notwithstanding subsection 1, there is imposed
 8 beginning July 1, 1981 and shall be collected and paid
 9 to the department a tax on all cigarettes used or
 10 otherwise disposed of in this state for any purpose at
 11 the rate of nine mills on each cigarette.

12 Notwithstanding the provisions of this subsection
13 there is imposed beginning October 1, 1985 and shall
14 be collected and paid to the department an additional
15 tax on all cigarettes used or otherwise disposed of in
16 this state for any purpose at a rate equal to the
17 amount the tax imposed on each item pursuant to United
18 States Code Title 26, section 5701 after December 31,
19 1982, and before October 1, 1985 is greater than the
20 amount of the tax imposed on each similar item
21 pursuant to that law after September 30, 1985.

22 Sec. 302. Section 98.35, Code 1985, is amended to
23 read as follows:

24 98.35 TAX AND FEES PAID TO GENERAL FUND.

25 The proceeds derived from the sale of stamps and
26 the payment of taxes, fees and penalties provided for
27 under this chapter, and the permit fees received from
28 all permits issued by the department, shall be
29 credited to the general fund of the state. However,
30 the revenue arising from the additional tax imposed by
31 this division shall be credited to the Iowa plan fund
32 for economic development created in section 99E.10.

33 All permit fees provided for in this chapter and
34 collected by cities in the issuance of permits granted
35 by the cities shall be paid to the treasurer of the
36 city where the permit is effective, or to another city
37 officer as designated by the council, and credited to
38 the general fund of the city. Permit fees so
39 collected by counties shall be paid to the county
40 treasurer.

41 Sec. 303.

42 1. All persons required to be licensed under
43 section 98.13 as distributors having in their
44 possession prior to delivery for resale as of the
45 close of business on September 30, 1985 cigarettes or
46 little cigars upon which the tax under section 98.6 or
47 98.43 has been paid, unused cigarette and little cigar
48 tax stamps which have been paid for under section
49 98.8, or unused metered imprints which have been paid
50 for under section 98.12 shall be subject to an

Page 2

1 inventory tax on such items as provided in this
2 section.

3 2. Persons subject to the inventory tax imposed
4 under this section shall take an inventory as of the
5 close of business on September 30, 1985 of those items
6 subject to the inventory tax for the purpose of
7 determining the tax due. These persons shall report
8 the tax on forms provided by the department of revenue
9 and remit the tax due with the forms by October 31,

10 1985. The department of revenue shall adopt rules as
11 are necessary to carry out this section.

12 3. The rate of the inventory tax on each item
13 subject to the tax as specified in subsection 1 is
14 equal to the difference between the amount paid on
15 each item under section 98.6, 98.8, 98.12, or 98.43
16 prior to October 1, 1985 and the amount that is to be
17 paid on each similar item under section 98.6, 98.8,
18 98.12, or 98.43 on or after October 1, 1985 except
19 that in computing the rate of the inventory tax any
20 discount allowed or allowable under section 98.8 shall
21 not be considered.

22 DIVISION IV

23 Sec. 401. There is appropriated from the moneys in
24 the Iowa plan fund for economic development created in
25 section 99E.10 for each of the fiscal years beginning
26 July 1, 1985, July 1, 1986, July 1, 1987, July 1,
27 1988, and July 1, 1989 to the Iowa development
28 commission the sum of ten million (10,000,000)
29 dollars, or so much thereof as may be necessary, to be
30 used for the following purposes:

31 a. Principal buy-down program to reduce the
32 principal of a business loan.

33 b. Interest buy-down program to reduce the
34 interest on a business loan.

35 c. Business equity investments.

36 d. Grants and loans to aid in economic
37 development.

38 e. Site development or infrastructure costs
39 directly related to a project resulting in new
40 employment.

41 Only a political subdivision of the state may apply
42 to receive funds for any of the above purposes. The
43 political subdivision shall make application to the
44 commission specifying the purpose for which the funds
45 will be used. In ranking applications for funds, the
46 commission shall consider the proportion of political
47 subdivision match to be provided, the proportion of
48 private contributions to be provided, the total number
49 of jobs to be created, the recapture, if any, of these
50 funds by the political subdivision that will occur,

Page 3

1 level of need in the political subdivision, and impact
2 of proposed project on the economy of the political
3 subdivision. The commission shall not provide more
4 than one million dollars for any project.

5 Notwithstanding section 8.33, moneys remaining of
6 the appropriations made in this section shall not
7 revert to the Iowa plan fund but shall be used for the

8 purposes for which they were appropriated.

9 DIVISION V

10 Sec. 501. NEW SECTION. INCUBATOR PROGRAM.

11 1. There is established the "Iowa business
12 incubator program" to assist innovative new businesses
13 through the small business development centers. The
14 program shall be administered by the small business
15 division of the Iowa development commission.

16 2. The money appropriated for this program shall
17 be used to fund programs through the small business
18 development centers to provide innovative new
19 businesses with low cost physical facilities,
20 equipment and support staff, business consultation, or
21 other assistance that the center deems appropriate.
22 Selection of business enterprises to be assisted shall
23 be made by the small business development centers.

24 Sec. 502. NEW SECTION. MAIN STREET PROGRAM.

25 1. There is established the "Iowa main street
26 program" to assist Iowa communities in revitalizing,
27 preserving and restoring older downtown and central
28 business districts. The program will be administered
29 by the Iowa development commission.

30 2. The program shall advise local governments
31 about the potential for and benefits of revitalizing
32 older central business districts, provide technical
33 assistance and implementing such programs, creating
34 "main street" models in selected cities, encouraging
35 historic preservation in central business districts,
36 and helping local communities to stimulate economic
37 growth and diversification in such areas.

38 3. All Iowa cities are eligible to receive
39 assistance. The Iowa development commission will be
40 responsible for selecting cities to be assisted.

41 Sec. 503. NEW SECTION. ENTREPRENEUR PROGRAM.

42 There is established the "entrepreneur, and
43 research program" to assist entrepreneurs in
44 evaluating their current resources and the development
45 of their business. This program shall be administered
46 by the Iowa development commission.

47 Sec. 504. There is appropriated from the Iowa plan
48 fund for economic development created in section
49 99E.10 for the fiscal year beginning July 1, 1985 to
50 the Iowa development commission the sum of two million

Page 4

1 five hundred thousand (2,500,000) dollars, or so much
2 thereof as is necessary, and for the fiscal year
3 beginning July 1, 1986 to the Iowa development
4 commission the sum of two million (2,000,000) dollars,
5 or so much thereof as is necessary, to be used to

6 carry out the provisions of the division. Any portion
7 used for research must be matched.

8 **DIVISION VI**

9 Sec. 601. There is appropriated from the Iowa plan
10 fund for economic development created in section
11 99E.10 to the following state agencies for each fiscal
12 year of the fiscal biennium beginning July 1, 1985,
13 and ending June 30, 1987, the following amounts, or so
14 much thereof as is necessary, to be used in the manner
15 designated:

	<u>1985-1986</u>	<u>1986-1987</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
18 1. BOARD OF REGENTS:		
19 a. For allocation to the Iowa		
20 state university of science and tech-		
21 nology for construction of a home		
22 economics building	\$ 3,500,000	\$
23 b. For allocation to the Iowa		
24 state university of science and		
25 technology for remodeling Gillman		
26 Hall	\$	\$ 1,000,000
27 c. For allocation to the Iowa		
28 state university of science and		
29 technology for remodeling of the		
30 agriculture diversification center	\$ 45,000	\$
31 d. For allocation to the Iowa		
32 state university of science and		
33 technology for remodeling of the food		
34 crop research center	\$ 350,000	\$
35 e. For allocation to the state		
36 university of Iowa for chemistry/botany		
37 remodeling	\$	\$ 1,250,000
38 f. For allocation to the		
39 university of northern Iowa for		
40 remodeling of Latham Hall	\$	\$ 750,000
41 2. DEPARTMENT OF PUBLIC DEFENSE:		
42 a. For construction of an		
43 armory at Carroll, Iowa	\$ 245,000	\$
44 b. For construction of an		
45 addition to the armory facility at		
46 Cedar Rapids, Iowa	\$ 265,000	\$
47 c. For construction of an		
48 armory & maintenance shop at		
49 Mason City, Iowa	\$	\$ 425,000
50 3. STATE CONSERVATION COMMISSION:		

Page 5

1 For construction, replacement,
2 development and alterations to state
3 parks and preserves, state forest

4 facilities and state waters including
 5 artificial lake development; shoreline
 6 erosion and siltation control; river,
 7 stream and lake access; and engineer-
 8 ing and planning services or to supplement
 9 any prior appropriation for such
 10 purpose \$ 1,000,000 \$ 750,000

11 4. DEPARTMENT OF GENERAL
 12 SERVICES:

13 For capital improvements on
 14 buildings in the capital complex
 15 including the Lucas state office
 16 building \$ 750,000 \$ 475,000

17 5. COMMISSION FOR THE BLIND:

18 To correct code and life safety
 19 deficiencies, correct inefficient
 20 building utilization and incorporate
 21 energy conservation practices \$ 345,000 \$ 350,000

22 6. DEPARTMENT OF CORRECTIONS:

23 For capital maintenance projects
 24 at institutions under the control of
 25 the department \$ 500,000 \$

26 Sec. 13. Unobligated or unencumbered funds
 27 remaining on June 30, 1988 from funds appropriated by
 28 section 601 shall revert to the Iowa plan fund for
 29 economic development on September 30, 1988.

30 DIVISION VII

31 Sec. 701. Divisions III, IV, V and VI of this Act
 32 are effective only if the federal cigarette tax
 33 increase for the period after December 31, 1982 and
 34 before October 1, 1985 is sunsetted as provided in the
 35 United States Code Title 26, section 5701."

36 2. Title page, by striking lines 3 through 25 and
 37 inserting the following: "revenues from the state
 38 lottery to be used to refund the sales, services, and
 39 use tax paid for industrial and farm machinery,
 40 equipment, computers and replacement parts, increasing
 41 the cigarette and tobacco tax, imposing an inventory
 42 tax on cigarettes and tobacco products and providing
 43 appropriations for certain economic development
 44 programs, projects and activities and providing for
 45 effective dates."

HANSON of Delaware

H-3145

1 Amend Senate File 15 as follows:

- 2 1. Page 1, line 4, by striking the word "Grand" and
- 3 inserting the word "Moon".

BLANSHAN of Greene

H—3149

- 1 Amend amendment H—3026 to House File 30 as follows:
 2 1. Page 1, line 13, by inserting after the word
 3 "council." the following: "However, in a city under a
 4 council-manager form of government, the appointment of
 5 the chief of the police department and the chief of
 6 the fire department shall follow that city's
 7 ordinances."

HATCH of Polk

H—3152

- 1 Amend House File 30 as follows:
 2 1. Page 1, by striking lines 2 through 7 and
 3 inserting the following: "1985, is amended to read as
 4 follows:
 5 In cities under the commission plan of government
 6 the superintendent of public safety, with the approval
 7 of the city council, shall appoint the chief of the
 8 fire department and the chief of the police
 9 department. In cities under the city manager plan the
 10 city manager shall make ~~such~~ the appointments with the
 11 approval of the city council, and in all other cities
 12 ~~such~~ the appointments shall be made by the mayor.
 13 However, in cities under a home rule charter, the
 14 method of appointing the chief of the police
 15 department and the chief of the fire department shall
 16 be as provided in the charter."

CARPENTER of Polk

H—3153

- 1 Amend House File 92 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 232.69, Code 1985, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 3. A person required to make a
 7 report under subsection 1, other than a physician
 8 whose professional practice does not regularly involve
 9 providing primary health care to children, shall
 10 complete two hours of training relating to the
 11 identification and reporting of child abuse within one
 12 year of initial employment or self-employment
 13 involving the examination, attending, counseling, or
 14 treatment of children. If the person's professional
 15 training included child abuse identification and
 16 reporting training, the two-hour training requirement

17 is waived. The person shall complete at least two
18 hours of additional child abuse identification and
19 reporting training every five years. If the person is
20 an employee of a hospital or similar institution, or
21 of a public or private institution, agency, or
22 facility, the employer shall be responsible for
23 providing the child abuse identification and reporting
24 training. If the person is self-employed, the person
25 shall be responsible for obtaining the child abuse
26 identification and reporting training. The person may
27 complete the initial or additional training as part of
28 a continuing education program required under chapter
29 258A or may complete the training as part of a
30 training program offered by the department of human
31 services, the department of public instruction, an
32 area education agency, a school district, the Iowa law
33 enforcement academy, or a similar public agency."

FEY of Scott

H-3154

1 Amend Senate File 91 as amended, passed, and re-
2 printed by the Senate as follows:
3 1. Page 9, by inserting after line 35, the fol-
4 lowing:
5 "Sec. _____ Section 277.4, unnumbered paragraph 1,
6 Code 1985, is amended to read as follows:
7 Nomination papers for all candidates for election
8 to office in each school district shall be filed with
9 the secretary of the school board not more than sixty-
10 five days, nor less than ~~forty~~ fifty-five days prior
11 to the election. Nomination petitions shall be filed
12 not later than five o'clock p.m. on the last day for
13 filing. If the school board secretary is not readily
14 available during normal office hours, the secretary
15 may designate a full-time employee of the school
16 district who is ordinarily available to accept
17 nomination papers under this section. Each candidate
18 shall be nominated by a petition signed by not less
19 than ten eligible electors of the district. To each
20 such petition shall be attached the affidavit of an
21 eligible elector of the district that all of the
22 signers ~~thereof~~ are electors of such the district and
23 that the signatures ~~thereto~~ are genuine. The candidate
24 being nominated by the petition may sign the affidavit
25 only if the candidate personally circulated the
26 petition. If the affiant also signed the nomination
27 petition, that signature shall not be counted toward
28 the total required by this section. The petition shall
29 include the affidavit of the candidate being

30 nominated, stating the candidate's name, place of
 31 residence, that such person is a candidate and is
 32 eligible for the office the candidate seeks, and that
 33 if elected the candidate will qualify for the office."

34 2. Page 14, by inserting after line 32, the fol-
 35 lowing:

36 "Sec._____. Section 280A.15, subsection 3, Code
 37 1985, is amended to read as follows:

38 3. Nomination papers in behalf of candidates for
 39 member of the board of directors of a merged area
 40 shall be filed with the secretary of the board not
 41 earlier than sixty-five days nor later than five
 42 o'clock p.m. on the ~~fortieth~~ fifty-fifth day prior to
 43 the election at which members of the board are to be
 44 elected. The secretary shall deliver all nomination
 45 petitions so filed, together with the text of any
 46 public measure being submitted by the board of
 47 directors to the electorate, to the county
 48 commissioner of elections who is responsible under
 49 section 47.2 for conducting elections held for the
 50 merged area, not later than five o'clock p.m. on the

Page 2

1 day following the last day on which nomination
 2 petitions can be filed. That commissioner shall
 3 certify the names of candidates, and the text and
 4 summary of any public measure being submitted to the
 5 electorate, to all county commissioners of elections
 6 in the merged area by the thirty-fifth day prior to
 7 the election."

8 3. Page 16, line 13, by inserting after the
 9 figure "47.2." the following: "Nomination papers for
 10 candidates for a trustee of the regional board shall
 11 be filed with the county commissioner of elections who
 12 is responsible for the election under section 47.2 not
 13 earlier than sixty-five days nor later than five
 14 o'clock p.m. on the fifty-fifth day prior to the
 15 election. That commissioner shall certify the names
 16 of candidates to all county commissioners of elections
 17 in the region by the thirty-fifth day prior to the
 18 election."

19 4. Page 16, by inserting after line 28, the fol-
 20 lowing:

21 "Sec._____. Section 376.4, unnumbered paragraph 1,
 22 Code 1985, is amended to read as follows:

23 An eligible elector of a city may become a
 24 candidate for an elective city office by filing with
 25 the city clerk a valid petition requesting that the
 26 elector's name be placed on the ballot for that
 27 office. The petition must be filed not more than

28 sixty-five days nor less than forty fifty-five days
29 before the date of the election, and must be signed by
30 eligible electors equal in number to at least two
31 percent of those who voted to fill the same office at
32 the last regular city election, but not less than ten
33 persons. Nomination petitions shall be filed not
34 later than five o'clock p.m. on the last day for
35 filing."

36 5. Title page, line 2, by inserting after the word
37 "agency," the following: "elective city offices,".

38 6. By renumbering as necessary.

HANSON of Delaware

H-3156

1 Amend the committee amendment, H-3069, to Senate
2 File 19 as amended, passed and reprinted by the Senate
3 as follows:

4 1. Page 1, by striking lines 18 through 22 and
5 inserting the following: "license and at other
6 suitable times. However, the abstract of court
7 records shall not include convictions of speeding
8 violations of ten miles per hour or less over the
9 legal speed limit in speed zones having a legal limit
10 greater than twenty-five miles per hour or five miles
11 per hour or less over the legal speed limit in speed
12 zones having a legal limit of twenty-five miles per
13 hour or less, occurring on or after July 1, 1985."

14 2. Page 1, by striking lines 36 through 40 and
15 inserting the following: "recommendation. However, a
16 record of conviction for a speeding violation of ten
17 miles per hour or less over the legal speed limit in
18 speed zones having a legal limit greater than twenty-
19 five miles per hour or five miles per hour or less
20 over the legal speed limit in speed zones having a
21 legal limit of twenty-five miles per hour or less
22 shall not be forwarded to the department, except for
23 violations by nonresidents under section 321.513 and
24 chapter 321C."

25 3. Page 1, by striking lines 43 through 47 and
26 inserting the following:

27 "NEW UNNUMBERED PARAGRAPH. The department shall
28 not consider or assess any points for speeding
29 violations of ten miles per hour or less over the
30 legal speed limit in speed zones having a legal speed
31 limit greater than twenty-five miles per hour or five
32 miles per hour or less over the legal speed limit in
33 speed zones having a legal speed limit of twenty-five
34 miles per hour or less in determining a license
35 suspension under this section."

36 4. Page 2, by striking lines 11 through 16 and
 37 inserting the following: "same to be true and
 38 correct. However, an abstract of the record shall not
 39 be forwarded for convictions of speeding violations of
 40 ten miles per hour or less over the legal speed limit
 41 in speed zones having a legal limit greater than
 42 twenty-five miles per hour or five miles per hour or
 43 less in speed zones having a legal limit of twenty-
 44 five miles per hour or less, except for violations by
 45 nonresidents as required under section 321.513 and
 46 chapter 321C."

47 5. Page 2, by striking lines 20 through 24 and
 48 inserting the following:

49 "NEW SUBSECTION. The abstract provided under this
 50 section shall not include records of convictions for

Page 2

1 speeding violations of ten miles per hour or less over
 2 the legal speed limit in speed zones having a legal
 3 limit greater than twenty-five miles per hour or five
 4 miles per hour or less over the legal speed limit in
 5 speed zones having a legal limit of twenty-five miles
 6 per hour or less, occurring on or after July 1,
 7 1985." "

8 6. Page 2, by striking lines 27 and 28 and
 9 inserting the following: "relating to the recording
 10 of certain violations of the legal speed limit." "

HUMMEL of Benton

H-3157

1 Amend the committee amendment, H-3069, to Senate
 2 File 19 as amended, passed and reprinted by the Senate
 3 as follows:

4 1. Page 1, by striking lines 18 through 22 and
 5 inserting the following: "license and at other
 6 suitable times. However, the abstract of court
 7 records shall not include convictions of speeding
 8 violations of ten miles per hour or less over the
 9 legal speed limit in speed zones having a legal limit
 10 greater than twenty-five miles per hour, occurring on
 11 or after July 1, 1985."

12 2. Page 1, by striking lines 36 through 40 and
 13 inserting the following: "recommendation. However, a
 14 record of conviction for a speeding violation of ten
 15 miles per hour or less over the legal speed limit in
 16 speed zones having a legal limit greater than twenty-
 17 five miles per hour shall not be forwarded to the
 18 department, except for violations by nonresidents

19 under section 321.513 and chapter 321C."

20 3. Page 1, by striking lines 43 through 47 and
21 inserting the following:

22 "NEW UNNUMBERED PARAGRAPH. The department shall
23 not consider or assess any points for speeding
24 violations of ten miles per hour or less over the
25 legal speed limit in speed zones having a legal speed
26 limit greater than twenty-five miles per hour in
27 determining a license suspension under this section."

28 4. Page 2, by striking lines 11 through 16 and
29 inserting the following: "same to be true and
30 correct. However, an abstract of the record shall not
31 be forwarded for convictions of speeding violations of
32 ten miles per hour or less over the legal speed limit
33 in speed zones having a legal limit greater than
34 twenty-five miles per hour, except for violations by
35 nonresidents as required under section 321.513 and
36 chapter 321C."

37 5. Page 2, by striking lines 20 through 24 and
38 inserting the following:

39 "NEW SUBSECTION. The abstract provided under this
40 section shall not include records of convictions for
41 speeding violations of ten miles per hour or less over
42 the legal speed limit in speed zones having a legal
43 limit greater than twenty-five miles per hour,
44 occurring on or after July 1, 1985."

45 6. Page 2, by striking lines 27 and 28 and
46 inserting the following: "relating to the recording
47 of certain violations of the legal speed limit."

HUMMEL of Benton

H-3158

1 Amend Senate File 19 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 10, by inserting after the word
4 "limit" the following: "in speed zones having a legal
5 limit greater than twenty-five miles per hour".

6 2. Page 1, line 26, by inserting after the word
7 "limit" the following: "in speed zones having a legal
8 limit greater than twenty-five miles per hour".

9 3. Page 2, line 17, by inserting after the word
10 "limit" the following: "in speed zones having a legal
11 limit greater than twenty-five miles per hour".

12 4. Page 2, line 29, by inserting after the word
13 "limit" the following: "in speed zones having a legal
14 limit greater than twenty-five miles per hour".

15 5. Page 3, line 6, by inserting after the word
16 "limit" the following: "in speed zones having a legal
17 limit greater than twenty-five miles per hour".

- 18 6. Page 3, line 23, by inserting after the word
 19 "limit" the following: "in speed zones having a legal
 20 limit greater than twenty-five miles per hour".
 21 7. Title page, by striking lines 1 and 2 and
 22 inserting the following:
 23 "An Act which treats certain violations of the
 24 legal speed limit".

HUMMEL of Benton

H-3159

- 1 Amend Senate File 19 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 10, by inserting after the word
 4 "limit" the following: "in speed zones having a legal
 5 limit greater than twenty-five miles per hour or five
 6 miles per hour or less over the legal speed limit in
 7 speed zones having a legal limit of twenty-five miles
 8 per hour or less".
 9 2. Page 1, line 26, by inserting after the word
 10 "limit" the following: "in speed zones having a legal
 11 limit greater than twenty-five miles per hour or five
 12 miles per hour or less over the legal speed limit in
 13 speed zones having a legal limit of twenty-five miles
 14 per hour or less".
 15 3. Page 2, line 17, by inserting after the word
 16 "limit" the following: "in speed zones having a legal
 17 limit greater than twenty-five miles per hour or five
 18 miles per hour or less over the legal speed limit in
 19 speed zones having a legal limit of twenty-five miles
 20 per hour or less".
 21 4. Page 2, line 29, by inserting after the word
 22 "limit" the following: "in speed zones having a legal
 23 limit greater than twenty-five miles per hour or five
 24 miles per hour or less over the legal speed limit in
 25 speed zones having a legal limit of twenty-five miles
 26 per hour or less".
 27 5. Page 3, line 6, by inserting after the word
 28 "limit" the following: "in speed zones having a legal
 29 limit greater than twenty-five miles per hour or five
 30 miles per hour or less over the legal speed limit in
 31 speed zones having a legal limit of twenty-five miles
 32 per hour or less".
 33 6. Page 3, line 23, by inserting after the word
 34 "limit" the following: "in speed zones having a legal
 35 limit greater than twenty-five miles per hour or five
 36 miles per hour or less over the legal speed limit in
 37 speed zones having a legal limit of twenty-five miles
 38 per hour or less".
 39 7. Title page, by striking lines 1 and 2 and

40 inserting the following:
 41 "An Act which treats certain violations of the
 42 legal speed limit".

HUMMEL of Benton

H-3160

1 Amend the amendment, H-3072, to House File 186 as
 2 follows:
 3 1. Page 1, by striking lines 4 through 7 and
 4 inserting the following:
 5 "_____. Page 7, by striking lines 21 through 28 and
 6 inserting the following:
 7 "2. A correctional officer of a correctional
 8 institution or the officer's assistants may, in case
 9 an inmate resists the officer's lawful authority, or
 10 refuses to obey the officer's lawful command, enforce
 11 immediate obedience by the use of weapons or other
 12 aids, approved by the department, as may be effectual,
 13 and if, in so doing, the inmate is injured or killed,
 14 the officer and the officer's assistants shall be
 15 justified." "

HUMMEL of Benton

H-3163

1 Amend House File 206 as follows:
 2 1. Page 1, by striking lines 28 through 31 and
 3 inserting the following: "an elective officer, the
 4 board shall set the initial salary for the elective
 5 officer, which salary shall be at thirty percent
 6 greater than the salary otherwise established for the
 7 combined office or position with the highest salary."

Committee on Local Government

H-3179

1 Amend House File 136 as follows:
 2 1. Page 1, by striking lines 1 through 8 and
 3 inserting the following:
 4 "Section 1. Section 85.20, Code 1985, is amended
 5 to read as follows:
 6 85.20 RIGHTS OF EMPLOYEE EXCLUSIVE.
 7 The rights and remedies provided in this chapter,
 8 chapter 85A or chapter 85B for an employee on account
 9 of injury, occupational disease or occupational
 10 hearing loss for which benefits under this chapter,
 11 chapter 85A or chapter 85B are recoverable, shall be

12 are the exclusive and only rights and remedies of such
 13 the employee, the employee's personal or legal
 14 representatives, dependents, or next of kin, at common
 15 law or otherwise, on account of such the injury,
 16 occupational disease, or occupational hearing loss
 17 against all of the following:

- 18 1. The employee's employer; or,
- 19 2. any Any other employee of such the employer,
 20 provided that such the injury, occupational disease,
 21 or occupational hearing loss arises out of and in the
 22 course of such the employment and is not caused by the
 23 other employee's gross negligence amounting to such
 24 lack of care as to amount to wanton neglect for the
 25 safety of another."

Committee on Labor and Industrial Relations

H-3196

1 Amend the amendment, H-3072, to House File 186 as
 2 follows:

- 3 1. Page 1, by striking lines 4 through 7 and
 4 inserting the following:
 5 "_____. Page 7, by striking lines 21 through 28 and
 6 inserting the following:
 7 "2. A correctional officer of a correctional
 8 institution or the officer's assistant shall, in case
 9 an inmate resists the officer's or assistant's lawful
 10 authority, or refuses to obey the officer's or
 11 assistant's lawful command, only use such force as is
 12 reasonably necessary under all attendant
 13 circumstances. The use of a deadly weapon is
 14 justified only under conditions of extreme necessity
 15 and as a last resort to protect the life or safety of
 16 a person. The use of a deadly weapon is not justified
 17 solely to prevent damage to or destruction of property
 18 where there is no danger to the life or safety of a
 19 person. An officer or assistant is justified in using
 20 force which causes injury or death to an inmate if the
 21 officer's or assistant's actions comply with the
 22 requirements of this subsection." "

SPEAR of Lee

H-3197

1 Amend House File 206 as follows:

- 2 1. Page 1, line 6, by inserting after the number
 3 "331.434." the following: "However, an increase in
 4 the annual salary or per diem compensation of the
 5 supervisors shall not be effective until January 1
 6 following the next general election."

SPEAR of Lee

H—3198

- 1 Amend the Committee amendment, H—3069, to Senate
2 File 19, as amended, passed and reprinted by the
3 Senate as follows:
- 4 1. Page 1, line 21, by inserting after the word
5 "limit" the following: "on fully controlled-access,
6 divided, multilaned highways".
- 7 2. Page 1, line 38, by inserting after the word
8 "limit" the following: "on a fully controlled-access,
9 divided, multilaned highway".
- 10 3. Page 1, line 46, by inserting after the word
11 "limit" the following: "on fully controlled-access,
12 divided, multilaned highways".
- 13 4. Page 2, line 14, by inserting after the word
14 "limit" the following: "on fully controlled-access,
15 divided, multilaned highways".
- 16 5. Page 2, line 23, by inserting after the word
17 "limit" the following: "on fully controlled-access,
18 divided, multilaned highways".
- 19 6. Page 2, line 28, by inserting after the word
20 "limit" the following: "on fully controlled-access,
21 divided, multilaned highways".

BLANSHAN of Greene

H—3203

- 1 Amend House amendment H—3162 to House File 377 as
2 follows:
- 3 1. Page 3, by inserting after line 2 the
4 following:
- 5 "Sec. _____. NEW SECTION. There is created a value-
6 added corn tax credit which is to be determined and
7 claimed as provided in this section.
- 8 The value-added corn tax credit may be claimed on
9 any agricultural building which is used directly by
10 the owner in the production of meat, milk and eggs.
11 The amount of the credit shall be computed on the
12 basis of the amount of corn used directly in the
13 production of the meat, milk and eggs. The credit
14 allowed under this section shall not extend to any
15 other agricultural land or building which is used by
16 the owner for machinery or equipment storage or
17 commodity storage whose use is only incidental to the
18 production of meat, milk or eggs.
- 19 To provide standards for uniform application of the
20 credit allowed under this section, the department of
21 revenue shall adopt rules which determine the number
22 of bushels of corn needed to produce a specified
23 amount of meat, a certain volume of milk, and certain

24 numbers of eggs. The value of the credit shall not
 25 exceed four cents per bushel for corn or oats and one
 26 dollar per ton for hay. The department may consult
 27 with and use statistical data provided by Iowa state
 28 university of science and technology, the state
 29 department of agriculture and the United States
 30 department of agriculture in developing suitable
 31 measures to be placed in the rules.

32 Application for the credit shall be filed by the
 33 owner of the agricultural building with the assessing
 34 authority not later than February first of the year
 35 for which the credit is claimed on forms provided by
 36 the department of revenue. The credit shall be
 37 allowed for meat, milk and eggs produced in the
 38 preceding calendar year. The credit shall be allowed
 39 against taxes due and payable in the fiscal year
 40 beginning in the succeeding calendar year. The
 41 application shall describe and locate the specific
 42 agricultural building upon which the credit shall be
 43 applied. The claim filed under this section shall be
 44 subject to the same procedures provided by law for all
 45 other property tax exemption claims.

46 If the amount of the credit claimed exceeds the
 47 amount of property taxes due on the agricultural
 48 building, the agricultural building shall be exempt
 49 for the year. Any amount of the credit claimed which
 50 exceeds the amount of property taxes due and payable

Page 2

1 on the agricultural building shall not be carried
 2 forward or backward by the owner and the owner shall
 3 not be entitled to any refund."

4 2. Page 20, line 35, by inserting after the word
 5 "parts," the following: "providing for a value-added
 6 corn tax credit for property tax purposes,".

NORLAND of Worth
 SCHNEKLOTH of Scott
 PELLETT of Cass
 RENKEN of Grundy
 GRANDIA of Marion
 HANSON of Delaware

STROMER of Hancock
 MAULSBY of Calhoun
 HANDORF of Marshall
 RENSINK of Sioux
 ROYER of Page
 MILLER of Cherokee
 METCALF of Polk

H-3207

1 Amend Senate File 19 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by inserting before line 1 the follow-
 4 ing:

5 "Sec. _____, NEW SECTION. 313.30 IMPROVEMENT OF
 6 U.S. HIGHWAY 34.

7 The state department of transportation shall con-
 8 struct or reconstruct to four lanes U.S. highway 34
 9 from its intersection with Interstate 35 to its inter-
 10 section with the corporate limits of the city of
 11 Burlington by July 1, 1995."

PONCY of Wapello

H-3210

1 Amend Senate File 19 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 1, line 10, by inserting after the word
 4 "limit" the following: "in speed zones having a legal
 5 limit greater than thirty miles per hour".

6 2. Page 1, line 26, by inserting after the word
 7 "limit" the following: "in speed zones having a legal
 8 limit greater than thirty miles per hour".

9 3. Page 2, line 17, by inserting after the word
 10 "limit" the following: "in speed zones having a legal
 11 limit greater than thirty miles per hour".

12 4. Page 2, line 29, by inserting after the word
 13 "limit" the following: "in speed zones having a legal
 14 limit greater than thirty miles per hour".

15 5. Page 3, line 6, by inserting after the word
 16 "limit" the following: "in speed zones having a legal
 17 limit greater than thirty miles per hour".

18 6. Page 3, line 23, by inserting after the word
 19 "limit" the following: "in speed zones having a legal
 20 limit greater than thirty miles per hour".

21 7. Title page, by striking lines 1 and 2 and
 22 inserting the following:

23 "An Act which treats certain violations of the
 24 legal speed limit":

LAGESCHULTE of Bremer
 MUHLBAUER of Crawford
 WOODS of Polk

H-3213

1 Amend House File 102 as follows:

2 1. Page 1, line 23, by inserting after the word
 3 "facility." the following: "The person in custody or
 4 control of the facility shall provide a sufficient
 5 number of rooms in which smoking is not permitted to
 6 accommodate all persons who desire such rooms."

ZIMMERMAN of Dallas

H-3215

- 1 Amend House File 291 as follows:
 2 1. Page 1, by striking lines 3 through 9 and
 3 inserting the following:
 4 "NEW UNNUMBERED PARAGRAPH. If a publisher
 5 publishes two or more separately designated newspapers
 6 having approximately the same subscriber list or
 7 offered for sale in or delivered to the same
 8 geographic area, the board of supervisors may choose
 9 to select only one of those newspapers as an official
 10 newspaper to receive payment for official publication.
 11 The board of supervisors may select another newspaper
 12 of another publisher having the next largest list of
 13 subscribers to receive payment for official
 14 publication."

Committee on Local Government

H-3217

- 1 Amend House File 313 as follows:
 2 1. Page 1, line 4, by striking the words "license
 3 or" and inserting the following: "license, at an
 4 established fur auction, or at".

BAXTER of Des Moines

H-3221

- 1 Amend House File 206 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 331.321, subsection 1,
 5 paragraph n, Code 1985, is amended by striking the
 6 paragraph.
 7 Sec. 2. Section 331.502, subsection 32, Code 1985,
 8 is amended by striking the subsection.
 9 Sec. 3. Section 331.905, subsection 1, Code 1985,
 10 is amended by striking the subsection and inserting in
 11 lieu thereof the following:
 12 1. There is created in each county a county
 13 compensation board which shall be composed of the
 14 members of the board of supervisors, county attorney,
 15 auditor, treasurer, recorder, and sheriff.
 16 Sec. 4. Section 331.905, subsections 2 and 3, Code
 17 1985, are amended by striking the subsections.
 18 Sec. 5. Section 331.905, subsection 5, Code 1985,
 19 is amended to read as follows:
 20 5. The county compensation board shall elect a
 21 chairperson and vice chairperson annually from among

22 its membership. The county compensation board shall
23 meet at the call of the chairperson or upon written
24 request of a majority of its membership. The
25 concurrence of a majority of the members of the county
26 compensation board shall determine any matter relating
27 to its duties. The county compensation board shall
28 select one member to record official actions taken by
29 the county compensation board.

30 Sec. 6. Section 331.907, subsections 1 and 2, Code
31 1985, is amended to read as follows:

32 1. The annual compensation of the auditor,
33 treasurer, recorder, sheriff, county attorney, and
34 supervisors shall be determined as provided in this
35 section. The county compensation board annually shall
36 meet as necessary to review the compensation paid to
37 comparable officers in other counties of this state,
38 other states, private enterprise, and the federal
39 government. The county compensation board shall
40 prepare a recommended compensation schedule for the
41 elective county officers. Following completion of the
42 compensation schedule, the county compensation board
43 shall publish the compensation schedule in a newspaper
44 having general circulation throughout the county. The
45 publication shall also include a public notice of the
46 date and location of a hearing to be held by the
47 county compensation board not less than one week nor
48 more than three weeks from the date of notice. Upon
49 completion of the public hearing, the county
50 compensation board shall prepare a final compensation

Page 2

1 schedule recommendation.

2 2. Annually during the month of December, the
3 county compensation board shall transmit its
4 recommended compensation schedule to the board of
5 supervisors. The board of supervisors shall review
6 the recommended compensation schedule and determine
7 the final compensation schedule for the elected county
8 officers which shall not exceed the recommended
9 compensation schedule. In determining the final
10 compensation schedule if the board of supervisors
11 wishes to reduce the amount of the recommended
12 compensation schedule, the recommended increase in the
13 annual salary or compensation of each elected county
14 officer, if any, shall be reduced an equal percentage.
15 However, a reduction in the final compensation
16 schedule ordered by the board of supervisors shall not
17 reduce a proposed increase to annual salary or
18 compensation to no increase or shall not reduce an
19 annual salary compensation rate below its current

20 level. A copy of the final compensation schedule
 21 adopted by the board of supervisors shall be filed
 22 with the county budget at the office of the state
 23 comptroller. The final compensation schedule takes
 24 effect on July 1 following its adoption by the board
 25 of supervisors.

26 Sec. 7. EXPIRATION OF TERMS. The terms of members
 27 of the county compensation board serving unexpired
 28 terms immediately before the effective date of this
 29 Act expire on the effective date of the Act.

30 Sec. 8. Section 331.906, Code 1985, is repealed."

CARL of Poweshiek

H-3222

1 Amend House File 206 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting the following:

4 "Section 1. Section 331.907, subsection 2, Code
 5 1985, is amended to read as follows:

6 2. Annually during the month of December, the
 7 county compensation board shall transmit its
 8 recommended compensation schedule to the board of
 9 supervisors. The board of supervisors shall review
 10 the recommended compensation schedule and determine
 11 the final compensation schedule for the elected county
 12 officers which shall not exceed the recommended
 13 compensation schedule. In determining the final
 14 compensation schedule if the board of supervisors
 15 wishes to reduce the amount of the recommended
 16 compensation schedule, the recommended increase in the
 17 annual salary or compensation of each elected county
 18 officer, if any, shall be reduced an equal percentage.
 19 A copy of the final compensation schedule adopted by
 20 the board of supervisors shall be filed with the
 21 county budget at the office of the state comptroller.
 22 The final compensation schedule takes effect on July 1
 23 following its adoption by the board of supervisors."

VAN MAANEN of Mahaska

H-3225

1 Amend House File 350 as follows:

2 1. Page 2, by inserting after line 22 the
 3 following:

4 "Sec. _____. Section 442.3, Code 1985, is amended to
 5 read as follows:

6 442.3 STATE FOUNDATION BASE.

7 The state foundation base for the school year

8 beginning July 1, 1972, is seventy percent of the
9 state cost per pupil. Except as otherwise provided in
10 this section, for each succeeding school year the
11 state foundation base shall be increased by the amount
12 of one percent of the state cost per pupil, up to a
13 maximum of ~~eighty eighty-five~~ percent of the state
14 cost per pupil. However, for the school years
15 beginning July 1, 1980, July 1, 1981, and July 1,
16 1982, the state foundation base shall be the same as
17 the state foundation base for the school year
18 beginning July 1, 1979. ~~For the school year beginning~~
19 ~~July 1, 1984, the state foundation base is eighty~~
20 ~~percent of the state cost per pupil if the estimate of~~
21 ~~the ending fund balance of the state general fund for~~
22 ~~the fiscal year beginning July 1, 1984 and ending June~~
23 ~~30, 1985, as estimated by the state comptroller in~~
24 ~~January, 1984, is equal to or greater than thirty~~
25 ~~million dollars. The district foundation base is the~~
26 larger of the state foundation base or the amount per
27 pupil which the district will receive from foundation
28 property tax and state school foundation aid."

DAGGETT of Taylor

H-3226

1 Amend House File 167 as follows:
2 1. Page 1, line 20, by striking the word "person"
3 and inserting the word "producer".
4 2. Page 2, by inserting after line 25 the
5 following:
6 "13. "Producer" means a person who is directly
7 involved in the production of grain or who owns land
8 on which grain is produced."
9 3. Page 4, by striking lines 17 through 24 and
10 inserting the following:
11 "1. Except as provided in subsection 2, every
12 licensed grain dealer and grain warehouse subject to
13 this chapter shall collect an assessment of one-half
14 cent on each bushel of corn and one cent on each
15 bushel of soybeans. The grain dealer or grain
16 warehouse shall collect the assessment on the corn or
17 soybeans at the time of initial delivery for sale or
18 storage including the pledge or other encumbrance of
19 the corn or soybeans as security for a loan extended
20 under a federal price support program. An assessment
21 will be collected only once on each bushel of corn or
22 soybeans. The grain dealer or grain warehouse shall
23 collect and forward the assessments to the board in
24 the manner and at the intervals determined by the
25 commission."

26 4. Page 4, line 25 by striking the word "five"
27 and inserting the word "three".

28 5. Page 4, line 30, by striking the word "five"
29 and inserting the word "three".

30 6. Page 6, by striking lines 2 through 6.

31 7. Page 6, by striking lines 16 through 34 and
32 inserting the following:

33 "Within ninety days of the director's approval of a
34 valid claim, the commission shall in accordance with
35 this section compensate from the fund a claimant who
36 has incurred a financial loss due to a failure of a
37 grain dealer or grain warehouse to a maximum of fifty
38 thousand dollars. To the maximum extent that funds
39 are or may be made available for such purpose, the
40 remaining balance of a claim shall be paid by the
41 commission from the assets and other security of the
42 failed grain dealer or grain warehouse."

43 8. Page 9, by inserting after line 33 the
44 following:

45 "Sec. 18. Section 543.11, unnumbered paragraph 1,
46 Code 1985, is amended to read as follows:

47 When the commission determines that a bond filed
48 under this chapter and approved by the commission, is,
49 or has become, insufficient to secure the faithful
50 performance of the obligations of the licensed

Page 2

1 warehouse operator, or when the commission determines
2 that insurance is not fully provided as required under
3 section 543.15, it may require the licensed warehouse
4 operator to provide additional bond or additional
5 evidence of insurance coverage so that the bond and
6 insurance conform with the requirements of this
7 chapter. If additional insurance is not provided
8 within five days after receipt by the licensee of
9 notice by certified mail, the license of the warehouse
10 operator concerned shall be automatically suspended.
11 If additional insurance is not filed within another
12 ten days, the warehouse license shall be automatically
13 revoked. If additional bond is not provided within
14 thirty days after receiving notice, the warehouse
15 license shall be suspended. If additional bond is not
16 filed within ten days following suspension, the
17 warehouse license shall be automatically revoked. If
18 the commission determines that assessments collected
19 under chapter 543A have not been forwarded, the
20 commission shall send notice to the licensed warehouse
21 operator that the assessments are due. If the
22 assessments are not forwarded within five days of
23 receipt of notice the license shall be suspended and

24 if the assessments are not forwarded within another
 25 ten days the license shall be revoked. When a license
 26 is so revoked, the commission shall notify each holder
 27 of an outstanding warehouse receipt and all known
 28 persons who have grain retained in open storage of the
 29 revocation. The commission shall further notify each
 30 receipt holder and all known persons who have grain
 31 retained in open storage that the grain must be
 32 removed from the warehouse not later than the
 33 thirtieth day following the revocation. The notice
 34 shall be by ordinary mail sent to the last known
 35 address of each person having grain in storage as
 36 provided in this section."

37 9. Page 11, line 5, by striking the word "from"
 38 and inserting the words "after the effective date of
 39 this act due to".

40 10. Page 11, line 8, by striking the word "five"
 41 and inserting the word "three".

42 11. Page 11, line 8, by inserting after the word
 43 "date." the words "When this date passes, the
 44 commission shall compensate those claimants whose
 45 claims arose after the effective date of this Act."

KOENIGS of Mitchell
 MUHLBAUER of Crawford
 SULLIVAN of Van Buren

H-3227

1 Amend House File 424 as follows:

2 1. Page 3, by inserting after line 31 the
 3 following:
 4 "7. If after three years from the effective date
 5 of this Act an agreement has not been recorded
 6 establishing the respective landowner's responsibility
 7 for a partition fence, and if the landowners are
 8 continuing to negotiate to establish the respective
 9 landowner's responsibility for a partition fence,
 10 either landowner may notify the township trustees that
 11 negotiations are continuing and partition fence
 12 responsibility under subsection 5 shall not attach for
 13 a further three years.

SCHNEKLOTH of Scott

H-3233

1 Amend House File 102 as follows:

2 1. Page 1, line 18, by inserting after the word
 3 "include" the following: "a beauty salon,".

PAVICH of Pottawattamie

H-3234

- 1 Amend House File 102 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "include" the following: "a business operated only by
- 4 the owner,".

PAVICH of Pottawattamie

H-3238

- 1 Amend House File 169 as follows:
- 2 1. Page 1, by striking lines 6 through 12 and
- 3 inserting the following:
- 4 "In addition to the agricultural land tax credit to
- 5 which agricultural lands are eligible under chapter
- 6 426, agricultural lands which are converted from row
- 7 crop uses and reseeded to grasses or legumes and for
- 8 which a cost-share grant has been made under the
- 9 permanent pasture and hayland program of the
- 10 department of soil conservation, are eligible for a
- 11 tax credit of five dollars per acre commencing with
- 12 the next fiscal year after the reseeded is
- 13 completed."
- 14 2. Page 1, by striking lines 20 and 21 and
- 15 inserting the following: "certified by the soil
- 16 conservation district commissioners as having received
- 17 a grant under the permanent pasture and hayland
- 18 program. The".
- 19 3. Page 3, line 6, by striking the words "seven
- 20 years" and inserting the following: "the period
- 21 required by the agreement adopted under the permanent
- 22 pasture and hayland program".
- 23 4. Page 4, by striking lines 7 and 8 and
- 24 inserting the following: "chapter, will remain
- 25 grassland for the minimum period required under the
- 26 permanent pasture and hayland program."

DAGGETT of Taylor

H-3239

- 1 Amend House File 451 as follows:
- 2 1. By striking page 9, line 31 through page 13,
- 3 line 10.
- 4 2. By renumbering as necessary.

LONERGAN of Boone

H-3240

- 1 Amend House File 102 as follows:
- 2 1. Page 4, by inserting after line 14 the
- 3 following:
- 4 "Sec._____. The state department of health shall
- 5 conduct a study beginning July 1, 1985 to determine
- 6 cost factors regarding enforcement of this Act and the
- 7 health effects of inhaling smoke. The department
- 8 shall report the findings to the general assembly by
- 9 January 15, 1986.
- 10 Sec._____. This Act takes effect July 1, 1986."
- 11 2. Title page, line 2, by inserting after the
- 12 word "penalties" the following: "and providing an
- 13 effective date".

WOODS of Polk

H-3241

- 1 Amend House File 102 as follows:
- 2 1. Page 1, line 32 by inserting after the word
- 3 "time" the following: "and located in a separate room
- 4 from the bar area".

WOODS of Polk

H-3242

- 1 Amend House File 424 as follows:
- 2 1. Page 9, by striking line 24 and inserting the
- 3 following:
- 4 "The secretary of state shall publish a notice
- 5 prepared by the legislative service bureau in a
- 6 newspaper of general circulation in each county".

DE GROOT of Lyon

H-3244

- 1 Amend Senate File 286, as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking line 13 and inserting the
- 4 following: "be converted to and operate as a bank
- 5 office".
- 6 2. Page 1, by inserting after line 15 the
- 7 following:
- 8 "Sec._____. Section 524.1202, Code 1985, is amended
- 9 by adding the following new subsection:
- 10 NEW SUBSECTION. 3. Notwithstanding subsection 1,
- 11 if the assets of a state or national bank in existence

12 on January 1, 1985 are transferred to a different
 13 state or national bank, the resulting or acquiring
 14 bank may convert to and operate as its bank office any
 15 one or more of the business locations occupied as the
 16 principal place of business or as a bank office of the
 17 bank whose assets are so acquired. The limitations on
 18 bank office locations contained in unnumbered para-
 19 graph 1 of this section, and the limitation on the
 20 number of bank offices within the municipality or
 21 urban complex of the resulting or acquiring bank
 22 contained in subsection 2 shall be applicable to any
 23 bank office otherwise authorized by this subsection.
 24 A bank office established under the authority of this
 25 subsection is subject to the approval of the
 26 superintendent, shall be operated in accordance with
 27 this chapter relating to the operation of bank
 28 offices, and may be augmented by an integral facility
 29 when approved under subsection 2, paragraph "d".
 30 3. Title page, by striking line 2 and inserting
 31 the following: "when the bank".

BLANSHAN of Greene
 HUMMEL of Benton
 SCHNEKLOTH of Scott
 SWARTZ of Marshall

H-3248

1 Amend House File 451 as follows:
 2 1. Page 1, line 14, by inserting after the word
 3 "primary" the following: "and secondary".

TEAFORD of Black Hawk

H-3254

1 Amend House File 179 as follows:
 2 1. Page 1, line 13, by striking the word "census"
 3 and inserting the following: "(census) or county seat
 4 cities".

McKEAN of Jones

H-3261

1 Amend House File 187 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 607.3, Code 1985, is amended
 5 to read as follows:
 6 607.3 JURORS EXCUSED.

7 The court may defer a term of grand or petit juror
 8 service upon a finding of hardship, inconvenience, or
 9 public necessity, however the juror must serve at a
 10 later date established by the court. The court may
 11 excuse a person from grand juror service in part or in
 12 full, upon a finding of hardship, inconvenience, or
 13 public necessity, considering the length of grand
 14 juror service. The court may excuse a person from
 15 petit juror service, in part or in full, upon a
 16 finding of extreme hardship. The courts shall
 17 exercise this authority strictly. However, in
 18 exercising this authority the court shall allow the
 19 employer of the person being asked to serve to give
 20 testimony in support of a request by the person for
 21 deferral or excuse. The court may dismiss a juror at
 22 any time in the interest of justice."

23 2. Title page, line 2, by inserting after the
 24 word "jurors," the following: "to allow employers to
 25 give testimony relating to an employee's request for
 26 deferral or excuse."

27 3. By renumbering as necessary to conform to this
 28 amendment.

Committee on Labor and Industrial Relations

H-3265

1 Amend House File 102 as follows:

2 1. Page 1, line 18, by inserting after the word
 3 "include" the following: "the public areas of a bus
 4 terminal,".

RENAUD of Polk
 WOODS of Polk

H-3266

1 Amend House File 102 as follows:

2 1. Page 1, line 18, by inserting after the word
 3 "include" the following: "the public areas of an
 4 airport terminal,".

RENAUD of Polk
 WOODS of Polk

H-3269

1 Amend Senate Concurrent Resolution 21 as passed by
 2 the Senate as follows:

3 1. Page 1, by striking line 20 and inserting the
 4 following: "children and their grandchildren to be".

- 5 2. Page 1, by striking lines 26 and 27 and
 6 inserting the following: "present-day Iowa women,
 7 their children and their grandchildren, each to their
 8 fullest potential; *Now*".

SPEAR of Lee

H-3271

- 1 Amend House amendment H-3244 to Senate File 286 as
 2 passed by the Senate as follows:
 3 1. Page 1, line 13, by inserting after the word
 4 "bank" the following: "located in this state".

BLANSHAN of Greene

H-3275

- 1 Amend House File 179 as follows:
 2 1. Page 1, line 11, by inserting after the word
 3 "means" the following: "county seat".
 4 2. Page 1, line 12, by striking the word
 5 "between" and inserting the following: "less than".
 6 3. Page 1, line 12, by inserting after the word
 7 "and" the following: "all other Iowa cities with
 8 population between five thousand and".

McKEAN of Jones

H-3279

- 1 Amend House File 454 as follows:
 2 1. Page 1, line 20, by striking the word "The"
 3 and inserting the following: "The".
 4 2. Page 1, by striking lines 21 through 26 and
 5 inserting the following: "provisions of this
 6 paragraph are applicable to counties with a population
 7 of two hundred thousand or more. The provisions of
 8 this paragraph shall be applicable to any county with
 9 a population of less than two hundred thousand upon
 10 the adoption of a resolution by the county board of
 11 supervisors so providing."

SPEAR of Lee

H-3281

- 1 Amend House amendment H-3244 to Senate File 286, as
 2 passed by the Senate as follows:
 3 1. Page 1, by inserting after line 7 the
 4 following:

5 "Sec._____. Section 524.1202, subsection 1, Code
6 1985, is amended to read as follows:

7 1. Except as otherwise provided in subsection 2 of
8 this section or section 524.1421, no a state bank
9 shall not establish a bank office outside the
10 corporate limits of a municipal corporation or in a
11 municipal corporation in which there is already an
12 established state or national bank or office, however,
13 However, the subsequent chartering and establishment
14 of any a state or national bank, through the opening
15 of its principal place of business within the
16 municipal corporation where the bank office is
17 located, shall not affect the right of the bank office
18 to continue in operation in that municipal
19 corporation. The existence and continuing operation
20 of a bank office shall not be affected by the
21 subsequent discontinuance of a municipal corporation
22 pursuant to the provisions of sections 368.11 to
23 368.22. A bank office existing and operating on July
24 1, 1976, which is not located within the confines of a
25 municipal corporation, shall be allowed to continue
26 its existence and operation without regard to this
27 subsection."

28 2. Page 1, by inserting after line 29 the
29 following:

30 "Sec._____. NEW SECTION. 524.1421 REORGANIZATION
31 OF BANK AFFILIATES.

32 1. Notwithstanding any other provision of this
33 chapter, the resulting bank of a merger or
34 consolidation of two or more banks, which have been
35 affiliates as defined in section 524.1101 for more
36 than five years prior to the effective date of the
37 merger or consolidation, may retain and operate as its
38 retained bank offices the principal places of business
39 and all bank offices of the affiliate banks which are
40 merged or consolidated into the resulting bank.

41 2. The resulting bank may establish bank offices
42 allowed by other sections of this chapter to the same
43 extent as if the merger or consolidation had not
44 occurred.

45 3. This section does not permit the resulting bank
46 to establish after the effective date of the merger or
47 consolidation any bank offices in addition to those
48 allowed to the resulting bank by other sections of
49 this chapter. However, the resulting bank may
50 establish and operate facilities which in the absence

Page 2

1 of the merger or consolidation would be considered
2 under section 524.1202, subsection 2, paragraphs "c"

3 and "d", to be an integral part of the former
4 principal places of business of the affiliates which
5 are merged or consolidated into the resulting bank.
6 4. Retained bank offices as provided in subsection
7 1 shall be operated by the resulting bank in the same
8 manner as bank offices established under section
9 524.1201. The banks which are merged or consolidated
10 under this section shall retain an advisory board of
11 directors to advise on the operations of the retained
12 bank office. The board shall be comprised of citizens
13 residing in the area served by the bank office.
14 5. This section does not alter the limitations
15 upon bank holding companies contained in section
16 524.1802.
17 6. The privileges of this section are available on
18 the same conditions to national banks.
19 7. This section shall be strictly construed as an
20 exception to the bank office location limitations
21 contained in section 524.1202 and it is the intent of
22 the general assembly that a court or regulatory agency
23 interpreting this section shall not interpret it to
24 permit statewide branch banking or the location of a
25 bank office in this state other than as provided in
26 this section and in sections 524.312 and 524.1202.
27 This section does not authorize the establishment of
28 bank offices at any time or by any bank except when
29 done as the direct and immediate consequence of a
30 merger or consolidation, does not authorize the
31 establishment of the principal place of business of
32 the resulting bank of a merger or consolidation at any
33 location other than one actually occupied and operated
34 as a principal place of business of one of the parties
35 to the merger or consolidation, does not authorize a
36 bank office at any location other than one actually
37 occupied and operated as a principal place of business
38 or bank office by one of the parties to the merger or
39 consolidation, and does not authorize a greater number
40 of bank offices within the municipality or urban
41 complex of the principal place of business of the
42 resulting bank than is expressly permitted by section
43 524.1202, subsection 2."

BAXTER of Des Moines
McINTEE of Black Hawk
HUMMEL of Benton
SHERZAN of Polk

H—3286

1 Amend Senate File 32 as amended, passed and
2 reprinted by the Senate as follows:

- 3 1. Page 1, by striking lines 13 through 16 and
 4 inserting the following:
 5 "1. "Agricultural commodity" means milk, soy-
 6 beans, feed grains, wheat, rye, buckwheat, flaxseed,
 7 sunflowers, peas, beans, or any other commodity
 8 determined by the secretary.
 9 1A. "Feed grain" means corn, oats, barley,
 10 sorghum, and any other feed grain determined by the
 11 secretary."
 12 2. Page 2, line 19, by inserting after the word
 13 "section." the following: "However, the minimum price
 14 of a feed grain is not effective until at least sixty
 15 percent of the previous year's United States
 16 production of each feed grain, including the volume of
 17 the feed grains produced in this state, is subject to
 18 a minimum price established by other states equal to
 19 the minimum price established in this state under this
 20 section."
 21 3. By renumbering as necessary.

BENNETT of Ida

H—3287

- 1 Amend House File 102 as follows:
 2 1. Page 1, line 18, by inserting after the word
 3 "include" the following: "a shoe repair shop,"

BUHR of Polk

H—3289

- 1 Amend House File 102 as follows:
 2 1. Page 4, by striking lines 4 through 11 and
 3 inserting the following:
 4 "A person who smokes in those areas ~~covered by~~
 5 prohibited in section 98A.2, or who violates section
 6 98A.4, shall pay a civil fine of five dollars for
 7 the first violation and not less than ten nor more
 8 than not to exceed one hundred dollars for each
 9 subsequent violation."

SHERZAN of Polk

H—3291

- 1 Amend House File 102 as follows:
 2 1. Page 1, line 18, by inserting after the word
 3 "include" the following: "a barbershop,"

TABOR of Jackson

H—3292

- 1 Amend House File 102 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "include" the following: "the public areas of a
- 4 railroad depot,".

TABOR of Jackson

H—3293

- 1 Amend House File 76 as follows:
- 2 1. Page 2, line 13, by inserting after the word
- 3 "quality." the following: "The secretary shall also
- 4 establish the minimum price for all other products
- 5 grown, sown, produced, manufactured, or sold and all
- 6 services rendered in this state."
- 7 2. Page 2, line 19, by inserting after the word
- 8 "section." the following: "The minimum price for all
- 9 other products grown, sown, produced, manufactured, or
- 10 sold and all services rendered in this state shall be
- 11 effective when the minimum price for an agricultural
- 12 commodity is in effect."

HALVORSON of Clayton
HARBOR of Mills

H—3294

- 1 Amend House File 102 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "include" the following: "a blacksmith shop,".

TABOR of Jackson

H—3295

- 1 Amend House File 424 as follows:
- 2 1. Page 3, by inserting after line 20 the
- 3 following:
- 4 "6. A landowner's responsibility for a partition
- 5 fence pursuant to sections 1 and 2 is for the entire
- 6 portion of the partition fence when the landowner is
- 7 engaged in farming as defined in section 172C.1,
- 8 subsection 6 and the adjoining landowner's parcel of
- 9 land is one acre or less and is zoned for residential
- 10 structures. The adjoining owner shall pay to the
- 11 owner who is engaged in farming an amount of money
- 12 equal to one half the amount of the cost for the
- 13 materials and installation of the fence for that
- 14 portion of the fence which abuts on the adjoining

15 owner's land. If the adjoining owner fails to pay the
16 money due, the costs may be collected as provided in
17 section 113.6."

18 2. Page 3, by inserting after line 31 the
19 following:

20 "8. If after three years from the effective date
21 of this Act an agreement has not been, recorded
22 establishing the respective landowner's responsibility
23 for a partition fence, and if the assigned
24 responsibilities under subsection 5 require that a
25 landowner abandon a portion of the partition fence
26 that the landowner had maintained, then prior to
27 abandoning that portion of the fence, it will be
28 repaired or replaced as necessary to be of comparable
29 quality to that portion of the fence previously
30 maintained by the adjoining landowner."

31 3. By renumbering according to this amendment.

PELLETT of Cass

H-3296

1 Amend amendment H-3215 to House File 291 as
2 follows:

3 1. Page 1, line 14, by inserting after the word
4 "publication." the following: "In making its
5 decision, the board of supervisors shall select
6 newspapers providing the most extensive county-wide
7 coverage."

MULLINS of Kossuth

H-3300

1 Amend House File 450 as follows:

2 1. Page 5, by inserting after line 13 the
3 following:

4 "Sec. . NEW SECTION. 260.4A. SUPPORT
5 SERVICES ADVISORY COMMITTEE.

6 In addition to the advisory committee established
7 in section 260.4, the state board of public
8 instruction shall appoint a six-member support
9 services advisory committee consisting of one of each
10 of the following: Speech clinician, audiologist,
11 school psychologist, occupational therapist, social
12 worker, and physical therapist. Each member shall
13 possess a certificate issued under chapter 260 with
14 appropriate endorsement and shall be employed by a
15 school corporation. The support services advisory
16 committee shall advise the board of educational
17 examiners concerning the endorsement of support -

18 services personnel.

19 Members shall serve staggered three-year terms
20 commencing and ending as provided in section 69.19.

21 Section 260.2 relating to the frequency of
22 meetings, payment of board members, and service of
23 board members applies to the advisory committee
24 appointed under this section."

25 2. Page 19, line 26, by inserting after the
26 figure "1989." the following: "For the initial
27 support services advisory committee, the state board
28 of public instruction shall appoint the speech
29 clinician and the audiologist to terms ending April
30 30, 1986, the school psychologist and occupational
31 therapist to terms ending April 30, 1987, and the
32 social worker and physical therapist to terms ending
33 April 30, 1988."

34 3. By numbering and renumbering sections as
35 necessary.

LLOYD-JONES of Johnson

H-3301

1 Amend House File 450 page 7, line 31 by
2 striking the words "if none is available,".

MILLER of Cherokee

H-3304

1 Amend Senate File 32 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 5, line 33, by inserting after the word
4 "state," the following: "to a person who buys or
5 sells an agricultural commodity for feed for
6 livestock,".

HANSON of Delaware

H-3317

1 Amend House File 169 as follows:

2 1. Page 4, by inserting after line 20 the
3 following:

4 "Sec._____. Section 467A.7, subsection 16, Code
5 1985, is amended to read as follows:

6 16. The commissioners shall, as a condition for
7 the receipt of any state cost-sharing funds for
8 permanent soil conservation practices, require the
9 owner of the land on which the practices are to be
10 established to covenant and file, in the office of the
11 soil conservation district of the county in which the

12 land is located, an agreement identifying the
 13 particular lands upon which the practices for which
 14 state cost-sharing funds are to be received will be
 15 established and providing that the project will not be
 16 removed, altered, or modified so as to lessen its
 17 effectiveness without the consent of the
 18 commissioners, obtained in advance and based on
 19 guidelines drawn up by the state soil conservation
 20 committee, for a period of ~~twenty~~ seven years after
 21 the date of receiving payment. The commissioners
 22 shall assist the state soil conservation committee in
 23 the enforcement of this subsection. The agreement
 24 shall not create a lien on the land, but shall be a
 25 charge personally against the owner of the land at the
 26 time of removal, alteration or modification if an
 27 administrative order is made under section 467A.61,
 28 subsection 3.”
 29 2. By renumbering sections as necessary.

DAGGETT of Taylor

H—3318

1 Amend House File 291 as follows:
 2 1. Page 1, by inserting after line 9 the
 3 following:
 4 “Sec. 2. Section 349.8, Code 1985, is amended to
 5 read as follows:
 6 349.8 TIE LISTS.
 7 When newspapers are, by equality of circulation,
 8 equally entitled to such selection, the board shall,
 9 in the presence of the contestants, determine the
 10 question by lot. However, those newspapers may agree
 11 to both publish with each billing the county at one
 12 half of their normal publication charge.”

HAMMOND of Story

H—3323

1 Amend House File 102 as follows:
 2 1. Page 4, line 11, by inserting after the word
 3 “violation” the following: “and death on a pyre of
 4 smoldering cigarettes”.

HAMMOND of Story
 HANSON of Delaware

H-3326

1 Amend House File 450 as follows:

- 2 1. By striking page 1, line 1 through page 5,
3 line 18.
- 4 2. Page 5, line 21, by striking the word
5 "provisional" and inserting the word "initial".
- 6 3. Page 6, line 4, by striking the words "a
7 provisional" and inserting the words "an initial".
- 8 4. Page 6, by striking lines 18 through 20.
- 9 5. By striking page 6, line 21 through page 11,
10 line 6.
- 11 6. Page 11, by striking lines 10 through 13 and
12 inserting the following: "shall be issued by the
13 board to the holder of a professional certificate or
14 permanent professional certificate. The requirements
15 for issuance of a master".
- 16 7. Page 11, by striking lines 20 and 21.
- 17 8. Page 11, by striking lines 24 through 26 and
18 inserting the following: "the conditions for its
19 renewal."
- 20 9. By striking page 11, line 27 through page 19,
21 line 34, and inserting the following:
22 "Sec._____. NEW SECTION. 260.29 APPROPRIATION.
23 Annually, commencing July 1, 1986, there is
24 appropriated from the general fund of the state to the
25 department of public instruction the sum of one
26 million dollars. The moneys shall be distributed by
27 the department to school districts for costs incurred
28 by a school district and its staff in evaluating
29 first-year teachers and in providing additional
30 assistance and resources for first-year teachers
31 employed in the district."

McKEAN of Jones

H-3327

1 Amend Senate File 269 as passed by the Senate as
2 follows:

- 3 1. Page 1, by inserting after line 17 the
4 following:
5 "Notwithstanding the provisions of chapter 118A,
6 the board of landscape architectural examiners shall
7 not collect any fees under chapter 118A or enforce the
8 provisions of that chapter."
- 9 2. Page 5, by inserting after line 30 the
10 following:
11 "Sec._____. Section 258A.1, subsection 1, Code
12 1985, is amended by striking paragraph "f" and
13 relettering the remaining paragraphs.
14 Sec._____. Chapter 118A, Code 1985 is repealed."

HANSON of Delaware

H-3340

- 1 Amend House File 461 as follows:
 2 1. Page 2, line 28, by striking the words
 3 "subsections 2 and 3,".

ZIMMERMAN of Dallas

H-3341

- 1 Amend House File 264 as follows:
 2 1. Page 1, by striking lines 3 through 7 and
 3 inserting the following:
 4 "The appropriate county conservation board or, in a
 5 county without a county conservation board, the
 6 assessor as designated by the county board of
 7 supervisors, shall inspect the area for which an
 8 application is filed for a fruit tree or forest
 9 reservation tax exemption before the application is
 10 accepted. Use of aerial photographs may be
 11 substituted for on-site inspection when appropriate.
 12 The An application can only be".

BRAMMER of Linn

H-3343

- 1 Amend House File 412 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 524.1202, subsection 1, Code
 5 1985, is amended to read as follows:
 6 1. Except as otherwise provided in subsection 2 of
 7 this section or section 524.1421, no a state bank
 8 shall not establish a bank office outside the
 9 corporate limits of a municipal corporation or in a
 10 municipal corporation in which there is already an
 11 established state or national bank or office, however.
 12 However, the subsequent chartering and establishment
 13 of any a state or national bank, through the opening
 14 of its principal place of business within the
 15 municipal corporation where the bank office is
 16 located, shall not affect the right of the bank office
 17 to continue in operation in that municipal
 18 corporation. The existence and continuing operation
 19 of a bank office shall not be affected by the
 20 subsequent discontinuance of a municipal corporation
 21 pursuant to the provisions of sections 368.11 to
 22 368.22. A bank office existing and operating on July
 23 1, 1976, which is not located within the confines of a
 24 municipal corporation, shall be allowed to continue

25 its existence and operation without regard to this
26 subsection.

27 Sec. 2. Section 524.1202, Code 1985, is amended by
28 adding the following new subsection:

29 **NEW SUBSECTION. 3.** Notwithstanding subsection 1,
30 if the assets of a state or national bank in existence
31 on January 1, 1985 are transferred to a different
32 state or national bank located in this state, the
33 resulting or acquiring bank may convert to and operate
34 as its bank office any one or more of the business
35 locations occupied as the principal place of business
36 or as a bank office of the bank whose assets are so
37 acquired. The limitations on bank office locations
38 contained in unnumbered paragraph 1 of this section,
39 and the limitation on the number of bank offices
40 within the municipality or urban complex of the
41 resulting or acquiring bank contained in subsection 2
42 shall be applicable to any bank office otherwise
43 authorized by this subsection. A bank office
44 established under the authority of this subsection is
45 subject to the approval of the superintendent, shall
46 be operated in accordance with this chapter relating
47 to the operation of bank offices, and may be augmented
48 by an integral facility when approved under subsection
49 2, paragraph "d".

50 Sec. 3. **NEW SECTION. 524.1421 REORGANIZATION OF**

Page 2

1 BANK AFFILIATES.

2 1. Notwithstanding any other provision of this
3 chapter, the resulting bank of a merger or
4 consolidation of two or more banks, which have been
5 affiliates as defined in section 524.1101 for more
6 than five years prior to the effective date of the
7 merger or consolidation, may retain and operate as its
8 retained bank offices the principal places of business
9 and all bank offices of the affiliate banks which are
10 merged or consolidated into the resulting bank.

11 2. The resulting bank may establish bank offices
12 allowed by other sections of this chapter to the same
13 extent as if the merger or consolidation had not
14 occurred.

15 3. This section does not permit the resulting bank
16 to establish after the effective date of the merger or
17 consolidation any bank offices in addition to those
18 allowed to the resulting bank by other sections of
19 this chapter. However, the resulting bank may
20 establish and operate facilities which in the absence
21 of the merger or consolidation would be considered
22 under section 524.1202, subsection 2, paragraphs "c"

23 and "d", to be an integral part of the former
24 principal places of business of the affiliates which
25 are merged or consolidated into the resulting bank.

26 4. Retained bank offices as provided in subsection
27 1 shall be operated by the resulting bank in the same
28 manner as bank offices established under section
29 524.1201. The banks which are merged or consolidated
30 under this section shall retain an advisory board of
31 directors to advise on the operations of the retained
32 bank office. The board shall be comprised of citizens
33 residing in the area served by the bank office.

34 5. This section does not alter the limitations
35 upon bank holding companies contained in section
36 524.1802.

37 6. The privileges of this section are available on
38 the same conditions to national banks.

39 7. This section shall be strictly construed as an
40 exception to the bank office location limitations
41 contained in section 524.1202 and it is the intent of
42 the general assembly that a court or regulatory agency
43 interpreting this section shall not interpret it to
44 permit statewide branch banking or the location of a
45 bank office in this state other than as provided in
46 this section and in sections 524.312 and 524.1202.
47 This section does not authorize the establishment of
48 bank offices at any time or by any bank except when
49 done as the direct and immediate consequence of a
50 merger or consolidation, does not authorize the

Page 3

1 establishment of the principal place of business of
2 the resulting bank of a merger or consolidation at any
3 location other than one actually occupied and operated
4 as a principal place of business of one of the parties
5 to the merger or consolidation, does not authorize a
6 bank office at any location other than one actually
7 occupied and operated as a principal place of business
8 or bank office by one of the parties to the merger or
9 consolidation, and does not authorize a greater number
10 of bank offices within the municipality or urban
11 complex of the principal place of business of the
12 resulting bank than is expressly permitted by section
13 524.1202, subsection 2."

BAXTER of Des Moines
SWARTZ of Marshall
McINTEE of Black Hawk
SHERZAN of Polk
SCHNEKLOTH of Scott

H-3344

- 1 Amend House File 288 as follows:
 2 1. Page 3, line 2, by striking the words "elect
 3 either to".
 4 2. Page 3, by striking lines 4 through 8 and
 5 inserting the words "date the commission establishes
 6 the amount of the surety's liability, with interest as
 7 specified in section 535.3 accruing from that date so
 8 much thereof as the court finds necessary into the
 9 court, and when so".

HARBOR of Mills

H-3356

- 1 Amend House File 531 as follows:
 2 1. Page 1, line 7, by inserting after the word
 3 "state." the following: "Financial institution" does
 4 not include an individual who makes less than five
 5 mortgage loans a year."

KREMER of Buchanan

H-3357

- 1 Amend House File 570 as follows:
 2 1. Page 1, by inserting after line 23 the
 3 following:
 4 "Sec._____. A company currently operating and
 5 organized pursuant to chapter 514 may convert to an
 6 insurance company operating under the laws of this
 7 state. Such conversion shall be completed by July 1,
 8 1986.
 9 Sec._____. Chapter 514, Code 1985, is repealed
 10 effective July 1, 1986."
 11 2. Page 1, by striking lines 24 through 34.

ZIMMERMAN of Dallas

H-3368

- 1 Amend House File 631 as follows:
 2 1. Page 1, line 5, by inserting after the word
 3 "including" the following: "available".

SWARTZ of Marshall

H-3369

1 Amend House File 631 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. **NEW SECTION. 225C.19 COMMUNITY ADULT**
5 **RESIDENTIAL LIVING ARRANGEMENTS.**

6 1. As used in this section, "community adult
7 residential living arrangements" means the provision
8 of a residence, including available twenty-four hour
9 care or supervision, to mentally retarded or
10 developmentally disabled adults who are capable of
11 physical self-care but are unable to live
12 independently because of mental or physical
13 impairment, developmental delays, or inadequate social
14 or vocational skills, and who require some daily
15 supervision as well as planning for daily activities,
16 including educational and recreational activities, and
17 planning for daily services to be provided to the
18 adults, including medical, social, and rehabilitation
19 services.

20 2. The department shall adopt rules pursuant to
21 chapter 17A establishing minimum standards for the
22 operation of community adult residential living
23 arrangements. The department shall approve annually
24 all community adult residential living arrangements
25 which meet the minimum standards.

26 3. Approved community adult residential living
27 arrangements are entitled to receive funding on a per
28 diem basis from departmental funds available to pay
29 the expenses of treatment or care to residents of
30 community adult residential living arrangements.

31 Sec. 2. Section 135C.6, subsection 1, Code 1985,
32 is amended to read as follows:

33 1. ~~No~~ A person or governmental unit acting
34 severally or jointly with any other person or
35 governmental unit shall not establish or operate a
36 health care facility in this state without a license
37 for such the facility. A community adult residential
38 living arrangement, as defined in section 225C.19, is
39 not required to be licensed under this chapter, but is
40 subject to approval under section 225C.19."

41 2. Title page, by striking lines 1 and 2, and
42 inserting the following: "An Act relating to the
43 operation and funding of community adult residential
44 living arrangements."

H—3373

- 1 Amend House File 635 as follows:
 2 1. Page 1, line 11, by striking the words "or
 3 contained within".

SPEAR of Lee

H—3376

- 1 Amend Senate File 101 as passed by the Senate as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. Section 524.802, subsection 6, Code
 6 1985, is amended to read as follows:
 7 6. All other powers incidental to the conduct of
 8 the business of banking, including but not limited to,
 9 engaging in the purchase and sale of futures contracts
 10 and options on futures contracts for the account of
 11 the bank and as a futures commission merchant,
 12 introducing broker or associated person pursuant to
 13 the national futures association registration where
 14 such conduct is conducted in accordance with safe and
 15 sound banking practices and is reasonably related to
 16 the bank's business practices."
 17 2. Renumber as necessary.

SCHNEKLOTH of Scott

H—3381

- 1 Amend House amendment H—3343 to House File 412 as
 2 follows:
 3 1. Page 2, line 22, by inserting after the word
 4 "under" the following: "section 524.312 or".

BAXTER of Des Moines

H—3382

- 1 Amend House File 467 as follows:
 2 1. Page 1, line 19, by inserting after the numeral
 3 "123.96" the following: "which shall be set at the
 4 same rate as the tax provided in section 123.96".

HANSON of Delaware

H—3385

- 1 Amend House File 268 as follows:
 2 1. Page 1, line 6, by striking the word "to" and

- 3 inserting the words "to in".
 4 2. Page 1, line 7, by striking the word
 5 "committed" and inserting the words "committed
 6 confined".
 7 3. Page 1, line 14, by striking the word "to" and
 8 inserting the words "to in".
 9 4. Page 1, line 14, by striking the word
 10 "committed" and inserting the words "committed
 11 confined".
 12 5. Page 1, line 18, by striking the words
 13 "committed to" and inserting the words "committed to
 14 confined in".
 15 6. Page 1, line 19, by striking the word "to" and
 16 inserting the word "in".
 17 7. Page 1, line 20, by striking the word "to" and
 18 inserting the words "to in".

SPEAR of Lee

H-3387

- 1 Amend House File 579 as follows:
 2 1. Page 1, by striking lines 17 through 22 and
 3 inserting the following: "growing within the highway
 4 right-of-way. This section does not prevent a
 5 landowner from".

Committee on Transportation

H-3395

- 1 Amend amendment H-3343 to House File 412 as
 2 follows:
 3 1. Page 1, by striking line 7 and inserting the
 4 following: "this section, no section 524.312, or
 5 section 524.1421, a state bank".

BAXTER of Des Moines

H-3410

- 1 Amend House File 252 as follows:
 2 1. Page 8, by striking lines 10 through 13 and
 3 inserting the following: "constitutes the providing
 4 of matching funds."
 5 2. Page 8, by striking lines 20 through 31.
 6 3. Title page, lines 2 and 3, by striking the
 7 words ", authorizing an area school to levy a tax to
 8 provide matching funds,".

Committee on Economic Development

H-3414

1 Amend Senate File 27 as follows:

2 1. Page 4, by inserting after line 16 the fol-
3 lowing:

4 "Sec._____. Section 633.123, subsection 1, Code
5 1985, is amended to read as follows:

6 1. INVESTMENTS BY FIDUCIARIES. In acquiring,
7 investing, reinvesting, exchanging, retaining, selling
8 and managing property for the benefit of another, a
9 fiduciary shall exercise the judgment and care under
10 the circumstances then prevailing, which persons of
11 prudence, discretion and intelligence exercise in the
12 management of their own affairs, not for the purpose
13 of speculation, but with regard to the permanent
14 disposition of their funds, considering the probable
15 income, as well as the probable safety, of their
16 capital. Within the limitations of the foregoing
17 standards, a fiduciary is authorized to acquire and
18 retain every kind of property and every kind of
19 investment, specifically including, but not by way of
20 limitation, bonds, debentures, and other corporate
21 obligations, and stocks and shares, preferred or
22 common, pass through or trust certificates, real
23 estate mortgages and mortgage participation interests,
24 which persons of prudence, discretion and intelligence
25 acquire or retain for their own account."

26 2. Page 4, by inserting after line 16 the fol-
27 lowing:

28 "Sec._____. This Act, being deemed of immediate
29 importance, takes effect from and after its
30 publication in The Jefferson Bee, a newspaper
31 published in Jefferson, Iowa, and in the Sigourney
32 News-Review, a newspaper published in Sigourney,
33 Iowa."

BLANSHAN of Greene

H-3416

1 Amend House File 556 as follows:

2 1. Page 6, by striking lines 13 through 16 and
3 inserting the following:

4 "A licensee may sell the borrower insurance against
5 loss of or damage to property owned by the borrower or
6 loss from liability arising out of the ownership or
7 use of property owned by the borrower. The insurance
8 shall be sold at premium rates approved by the
9 insurance department. In selling the insurance, the
10 licensee shall furnish to the borrower a clear,
11 conspicuous, and specific statement in writing setting

12 forth the cost of the insurance and stating that the
 13 borrower may choose the person through whom the
 14 insurance is to be obtained."

SKOW of Guthrie

H-3423

1 Amend Senate File 422 as passed by the Senate as
 2 follows:

3 1. Page 1, by inserting after line 7 the
 4 following:

5 "Sec. 2. Section 123.56, subsection 2, Code 1985,
 6 is amended to read as follows:

7 2. A manufacturer of native wines shall not sell
 8 such wines otherwise than as permitted by this section
 9 or allow any wine so sold to be drunk upon the
 10 premises of the manufacturer. However, prior to sale,
 11 native wines may be sampled on the premises where
 12 made, when no charge is made for the sampling. Any
 13 person may manufacture native wine for consumption on
 14 the person's own premises."

15 2. Page 1, by striking lines 14 through 16 and
 16 inserting the words "on the licensed premises and to
 17 sell those native wines for consumption off the
 18 premises in a retail establishment operated by the
 19 manufacturer of the native wines which is no closer
 20 than five miles from an existing native winery. The
 21 rules shall".

22 3. By renumbering sections as required by this
 23 amendment.

VARN of Johnson
 CARL of Poweshiek

H-3424

1 Amend House File 508 as follows:

2 1. Page 1, line 9, by striking the word "Add" and
 3 inserting the following: "Except for a family farm
 4 corporation as defined in section 172C.1, subsection
 5 8, add".

SCHNEKLOTH of Scott

H-3428

1 Amend amendment H-3388 to House File 631 as follows:

2 1. Page 1, line 9, by inserting after the word "to"
 3 the following: "mentally ill,"

CLARK of Cerro Gordo

H-3430

1 Amend House File 700 as follows:

2 1. Page 1, by striking lines 1 through 9 and
3 inserting the following:

4 "Section 1. Section 235B.1, subsection 2, is
5 amended by striking the subsection and inserting in
6 lieu thereof the following:

7 2. Dependent adult abuse does not include the
8 withholding and withdrawing of health care from a
9 dependent adult who is terminally ill in the opinion
10 of a licensed physician, when the withholding and
11 withdrawing of health care is done at the request of
12 the dependent adult or at the request of the dependent
13 adult's next-of-kin or guardian pursuant to the
14 applicable procedures under chapter 125, 222, 229, or
15 633."

16 2. Page 2, by striking lines 2 through 8 and
17 inserting the following: "emotional health."

SHONING of Woodbury

H-3432

1 Amend Senate File 296 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 2, by striking lines 27 through 30 and
4 inserting the following:

5 "b. If a depository is a credit union or an office
6 of a credit union, then the public deposits in those
7 depositories shall be secured pursuant to sections
8 453.22 through 453.24.

9 c. If a depository is a bank or an office of a
10 bank, then the depository shall secure the public
11 deposits in the depository pursuant to either of the
12 following:

13 (1) Sections 453.16 through 453.19 and sections
14 453.23 and 453.24.

15 (2) Sections 453.22 through 453.24."

16 2. Page 3, by inserting after line 16 the
17 following:

18 "Sec._____. Section 453.17, subsection 1, paragraph
19 c, Code 1985, is amended to read as follows:

20 c. The securities shall be deposited with the
21 federal reserve bank of Chicago, Illinois or the
22 federal home loan bank of Des Moines, Iowa pursuant to
23 a bailment agreement or a pledge custody agreement."

24 3. Page 6, line 27, by inserting after the word
25 "bank" the following: "and was a public deposit
26 secured pursuant to sections 453.22 through 453.24,".

27 4. Page 6, line 31, by inserting after the word

28 "funds" the following: "pursuant to sections 453.22
29 through 453.24".

30 5. Page 6, line 35, by inserting after the word
31 "banks" the following: "pursuant to sections 453.22
32 through 453.24".

33 6. Page 7, by inserting after line 11 the
34 following:

35 "(_____). If the loss was incurred in a bank and was
36 a public deposit secured pursuant to sections 453.16
37 through 453.19, then any further payments to cover the
38 loss will come from the alternative state sinking fund
39 for public deposits in banks. If the funds are
40 inadequate to cover the entire loss, then the
41 treasurer shall make an assessment against other banks
42 who hold public funds pursuant to sections 453.16
43 through 453.19. The assessment shall be determined by
44 multiplying the total amount of the remaining loss to
45 public depositors by a percentage that represents the
46 average of public funds deposits held by banks
47 pursuant to sections 453.16 through 453.19 during the
48 preceding twelve month period ending on the last day
49 of the month immediately preceding the month the
50 depository was closed. Each bank shall pay its

Page 2

1 assessment to the treasurer within three business days
2 after it receives notice of assessment. If a bank
3 fails to pay its assessment when due, the treasurer
4 shall initiate a lawsuit to collect the assessment.
5 If a bank is found to have failed to pay the
6 assessment as required by this subparagraph, the court
7 shall order it to pay the assessment, court costs of
8 the action, reasonable attorney's fees based upon the
9 amount of time the attorney general's office spent
10 preparing and bringing the action, and reasonable
11 expenses incurred by the treasurer of state's office.
12 In addition, a state chartered bank shall have its
13 charter revoked. A federally chartered bank shall be
14 permanently barred from being a depository under this
15 chapter. Public funds on deposit in such a bank shall
16 be promptly removed by any public body with public
17 funds in the institution."

18 7. Page 9, by inserting after line 30 the
19 following:

20 "_____. An alternative state sinking fund for public
21 deposits in banks."

22 8. Renumber as necessary.

H—3433

1 Amend House Resolution 11 as follows:

2 1. Page 1, by striking lines 13 and 14, and
3 inserting the following: "substantial hazard".

4 2. By striking page 1, line 24, through page 2,
5 line 2.

6 3. Page 2, by striking lines 15 through 23, and
7 inserting the following: "that by approval of this
8 resolution it is the recommendation of the House of
9 Representatives to proceed as fast as possible to install
10 a ground water barrier and collection structure to prevent
11 movement of ground and surface water through the
12 contaminated material. Also, to continue to monitor
13 the site and take any further steps which may be
14 necessary to isolate the hazardous material in its
15 present location."

CLARK of Cerro Gordo
WELDEN of Hardin

H—3434

1 Amend House File 705 as follows:

2 1. Page 1, by striking lines 13 through 25 and
3 inserting the following: "superintendent."

SCHNEKLOTH of Scott

H—3440

1 Amend the amendment, H—3152, to House File 30 as
2 follows:

3 1. Page 1, by striking line 9 and inserting the
4 following: "department. In cities under the city
5 manager plan a council-manager form of government
6 the".

7 2. Page 1, by striking lines 12 through 16 and
8 inserting the following: "such the appointments shall
9 be made by the mayor as provided by city ordinance or
10 city charter."

SPEAR of Lee

H—3443

1 Amend House File 649 as follows:

2 1. Page 1, line 17, by striking the words
3 "maintain and".

4 2. Page 1, line 35, by striking the word
5 "less" and inserting in lieu thereof the word
6 "more".

WELDEN of Hardin

H-3447

1 Amend House File 461 as follows:

2 1. Page 2, by striking lines 18 through 20 and
 3 inserting the following:
 4 "4. An applicant for a license shall submit a fee
 5 with the application, which corresponds to the number
 6 of beds in the hospital, according to the following
 7 annual fee schedule:

8	Beds	Fee
9	1-10	\$20
10	11-24	\$40
11	25-74	\$60
12	75-149	\$80
13	150 or more	\$100"

LONERGAN of Boone

H-3449

1 Amend House File 467 as follows:

2 1. Page 1, by striking lines 16 through 26 and
 3 inserting the following: "wines, for consumption off
 4 the premises. The rules shall provide for the
 5 assessment, collection, reporting and payment by the
 6 native wine manufacturer of a tax in lieu of the tax
 7 provided in section 123.06. Sales to class "A", class
 8 "B", and class "C" liquor control licensees and in a
 9 retail establishment by a native wine manufacturer are
 10 exempt from other sales tax state taxes. A native
 11 wine manufacturer selling native wine to a class "A",
 12 class "B", or class "C" liquor control licensee shall
 13 assess, collect, report and pay to the state, the in-
 14 lieu tax specified in this subsection."

HALVORSON of Clayton

H-3461

1 Amend House File 712 as follows:

2 1. Page 1, by inserting before line 1 the
 3 following:

4 "Section 1. Section 570.1, Code 1985, is amended
 5 to read as follows:
 6 570.1 LIEN CREATED - PROPERTY SUBJECTED.
 7 A landlord ~~shall have~~ has a lien for the rent upon
 8 all crops grown upon the leased premises, and upon any
 9 other personal property of the tenant which has been
 10 used or kept ~~thereon~~ on the leased premises during the
 11 term and which is not exempt from execution. A
 12 landlord claiming a lien under this section shall file

13 an itemized and verified statement of the rent claimed
 14 due. The statement shall be filed in the office of
 15 the secretary of state and shall be filed within sixty
 16 days after the time the rent is due and unpaid. The
 17 secretary of state shall note the filing of the
 18 verified statement in a book kept by the secretary for
 19 that purpose and shall index the filing under the name
 20 of the tenant."

21 2. Title page, by striking line 2 and inserting
 22 the following: "landlord's, thresher's, or
 23 cornsheller's lien".

24 3. Renumber as necessary.

HUGHES of Union

H-3464

1 Amend House File 507 as follows:

2 1. Page 2, by inserting after line 33 the
 3 following:

4 "Sec. _____. Section 602.1401, subsection 3, Code
 5 1985, is amended to read as follows:

6 3. The state court administrator is the public
 7 employer of court employees for purposes of chapter
 8 20, relating to public employment relations.

9 For purposes of chapter 20, certifications of
 10 employee organizations, which on July 1, 1983
 11 represent employees who become court employees as a
 12 result of this Act, shall remain in effect when the
 13 employees become court employees and thereafter,
 14 unless a public employee files a petition under
 15 section 20.14, subsection 3, and the employee
 16 organization is decertified in an election held under
 17 section 20.15. ~~However, collective~~ Collective
 18 bargaining negotiations shall be conducted by judicial
 19 district on a statewide basis and the certified
 20 employee organizations which engage in bargaining
 21 shall negotiate by judicial district on a statewide
 22 basis. The public employment relations board shall
 23 adopt rules pursuant to chapter 17A to implement this
 24 subsection."

25 2. By renumbering as necessary.

HALVORSON of Clayton
 HARBOR of Mills

H-3465

1 Amend House File 703 as follows:

2 1. Page 14, by inserting after line 19 the
 3 following:

4 "Sec._____. NEW SECTION. 508B.16 RULES FOR
 5 DISPERSEMENT OF RESERVES. The insurance department
 6 shall adopt rules regarding requiring the dispersement
 7 of reserves of a mutual company as part of the
 8 approval of a plan of conversion under this chapter.
 9 The rules shall provide that the dispersement may be
 10 made only if the department finds that the
 11 dispersement is economically feasible and practicable.
 12 Consideration shall be given, but not limited to, the
 13 amount of the dispersement per policyholder, the cost
 14 of the dispersement to the company, and the
 15 administrative burden of the dispersement imposed on
 16 the company."

SCHNEKLOTH of Scott

H-3475

1 Amend House File 656 as follows:

2 1. Page 1, by inserting after line 13 the
 3 following:

4 "Sec._____. Section 189A.3, Code 1985, is amended
 5 to read as follows:

6 189A.3 LICENSE - FEE.

7 No person shall operate an establishment other than
 8 a grocery store or food service establishment as
 9 defined in section 170A.2 without first obtaining a
 10 license from the department. The license fee for each
 11 establishment per year or any part of a year shall be:

12 1. For all meat and poultry slaughtered or
 13 otherwise prepared not exceeding twenty thousand
 14 pounds per year for sale, resale, or custom, twenty-
 15 five dollars.

16 2. For all meat and poultry slaughtered or
 17 otherwise prepared in excess of twenty thousand pounds
 18 per year for sale, resale, or custom, fifty dollars.

19 3. In addition to the above fees, for all hogs
 20 produced in Canada and slaughtered or otherwise
 21 prepared in Iowa, ten cents per pound, as adjusted
 22 pursuant to this subsection. On the first day of each
 23 month, the secretary shall adjust the ten cent per
 24 pound inspection fee upward or downward by a
 25 percentage, the dividend of which shall be that
 26 month's foreign exchange value of the United States
 27 dollar, and the divisor of which shall be the current
 28 exchange value of the Canadian dollar, all in constant
 29 terms as certified by the United States department of
 30 commerce.

31 The funds shall be deposited with the department of
 32 agriculture. The license year shall be from July 1 to
 33 June 30. Applications for licenses shall be in

34 writing on forms prescribed by the department.
 35 It is the objective of this chapter to provide for
 36 meat and poultry products inspection programs that
 37 will impose and enforce requirements with respect to
 38 intrastate operations and commerce that are at least
 39 equal to those imposed and enforced under the federal
 40 Meat Inspection Act and the federal Poultry Products
 41 Inspection Act with respect to operations and
 42 transactions in interstate commerce; and the secretary
 43 is directed to administer this chapter so as to
 44 accomplish this purpose. A director of the meat and
 45 poultry inspection service shall be designated as the
 46 secretary's delegate to be the appropriate state
 47 official to co-operate with the secretary of
 48 agriculture of the United States in administration of
 49 this chapter."

DE GROOT of Lyon
 SKOW of Guthrie

H—3479

- 1 Amend House File 547 as follows:
- 2 1. Page 22, by striking lines 21 through 24.

HAVERLAND of Polk

H—3483

- 1 Amend House File 493 as follows:
- 2 1. Page 1, line 3, by striking the words "seven
- 3 ten" and inserting the word "seven".
- 4 2. Page 1, line 4, by striking the word "twenty"
- 5 and inserting the words "twenty fourteen".
- 6 3. Page 1, line 6, by striking the words
- 7 "fourteen twenty" and inserting the word "fourteen".
- 8 4. Page 1, line 7, by striking the word "forty"
- 9 and inserting the words "forty twenty-eight".

VAN CAMP of Scott

H—3485

- 1 Amend House File 547 as follows:
- 2 1. Page 23, line 31, by striking the word "thirty"
- 3 and inserting the word "forty-two".

ZIMMERMAN of Dallas

H-3488

- 1 Amend amendment H-3337 to House File 461 as follows:
- 2 1. Page 1, by inserting after line 6 the following:
- 3 "The renewal fee for hospitals accredited by the joint
- 4 commission on the accreditation of hospitals shall be
- 5 ten dollars."

WELDEN of Hardin

H-3490

- 1 Amend amendment H-3337 to House File 461 as
- 2 follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "rule." the following: "However, the minimum biennial
- 5 fees shall be as follows:
- 6

<u>Beds</u>	<u>Fee</u>
7 1-10	\$40
8 11-24	\$80
9 25-74	\$120
10 75-149	\$160
11 150 or more	\$200".

ZIMMERMAN of Dallas

H-3491

- 1 Amend House File 648 as follows:
- 2 1. Page 1, line 4, by striking the word "public"
- 3 and inserting the word "public".

RUNNING of Linn

H-3492

- 1 Amend House File 725 as follows:
- 2 1. Page 2, line 4, by striking the word
- 3 "unadvisability" and inserting the following:
- 4 "inadvisability".

SPEAR of Lee

H-3494

- 1 Amend House File 726 as follows:
- 2 1. Page 1, by striking lines 13 through 17 and
- 3 inserting the following: "has the power of eminent
- 4 domain for the purposes of constructing a
- 5 hydroelectric utility only after it has exhausted all

6 efforts to secure the necessary voluntary easements
 7 and only with the approval of the commerce
 8 commission."

JAY of Appanoose
 OSTERBERG of Linn
 LONERGAN of Boone

H—3495

1 Amend House File 579 as follows:
 2 1. Page 1, by striking lines 12 through 14 and
 3 inserting the following: "traveling upon the highway,
 4 or obstruct the highway or tile drains. An owner,
 5 lessee, or tenant of property abutting".

McKEAN of Jones
 MULLINS of Kossuth

H—3496

1 Amend House File 579 as follows:
 2 1. Page 1, by inserting after line 33 the
 3 following:
 4 "NEW UNNUMBERED PARAGRAPH. Prior to the removal of
 5 all or part of a tree, shrub, underbrush, or other
 6 growth under this section, the agency in control of
 7 the secondary or primary road shall fix a time for a
 8 hearing on the proposed removal and shall publish
 9 notice of the hearing. The notice shall state the
 10 time and place of the hearing and a description of the
 11 proposed removal. The notice shall be published once
 12 each week for two successive weeks in some newspaper
 13 of general circulation in the county. The last
 14 publication shall not be less than five days prior to
 15 the hearing. At the hearing the agency in control of
 16 the secondary or primary road shall hear objections on
 17 the removal. The agency may then proceed to a
 18 determination of the matter whereby the proposed
 19 removal may be rejected, approved, or modified and
 20 approved."

McKEAN of Jones

H—3502

1 Amend House File 102 as follows:
 2 1. Page 1, by striking lines 12 and 13, and inserting
 3 the following: "but not limited to, restaurants with
 4 a seating capacity of thirty-two or more persons, all
 5 retail stores, offices containing two hundred or more

6 square feet of floor space, including waiting rooms of
 7 two hundred or more square feet of floor space, and other
 8 commercial establishments;"

PAULIN of Plymouth

H-3506

1 Amend House File 737 as follows:
 2 1. Page 3, by inserting after line 32 the
 3 following:
 4 "Sec._____. The Iowa state commerce commission
 5 shall file a copy of the rankings and ratings of
 6 investor-owned electric, natural gas and telephone
 7 utilities with the governor and the general assembly
 8 by January 1, 1986. By January 1, 1989, the Iowa
 9 state commerce commission shall file with the governor
 10 and the general assembly a report on the effects this
 11 Act has made on rates charged to customers of
 12 investor-owned electric, natural gas and telephone
 13 utilities in Iowa."
 14 2. Renumber sections as necessary.

DE GROOT of Lyon
 OSTERBERG of Linn

H-3513

1 Amend House File 507 as follows:
 2 1. Page 7, by inserting after line 28 the
 3 following:
 4 "Sec._____. Section 602.9104, subsection 1, Code
 5 1985, is amended to read as follows:
 6 1. Each judge coming within the purview of this
 7 article shall, on or before retirement, pay to the
 8 court administrator for deposit with the treasurer of
 9 state to the credit of a fund to be known as the
 10 "judicial retirement fund", hereinafter called the
 11 "fund", a sum equal to four percent of the judge's
 12 basic salary for services as such judge for the total
 13 period of service as a judge of a municipal, superior,
 14 district or supreme court, or the court of appeals,
 15 including district associate judges, before the date
 16 of said notice, and after the date of the notice there
 17 shall be deducted and withheld from the basic salary
 18 of each judge coming within the purview of this
 19 article a sum equal to ~~four percent~~ the following
 20 percentages, to vary according to the age when the
 21 judge becomes a member of the judicial retirement
 22 system, of such the judge's basic salary. :

<u>Age when becoming</u>	<u>Percentage</u>
<u>a member</u>	<u>rate of contribution</u>
25 <u>31 or younger</u>	<u>5.6</u>
26 <u>32</u>	<u>5.7</u>
27 <u>33</u>	<u>5.8</u>
28 <u>34</u>	<u>5.9</u>
29 <u>35</u>	<u>6.0</u>
30 <u>36</u>	<u>6.1</u>
31 <u>37</u>	<u>6.2</u>
32 <u>38</u>	<u>6.3</u>
33 <u>39</u>	<u>6.4</u>
34 <u>40 or older</u>	<u>6.5</u>

35 Provided that

36 PARAGRAPH DIVIDED. However, the maximum amount
 37 which any judge shall be required to contribute for
 38 past service shall not exceed for municipal or
 39 superior or district associate judges thirty-five
 40 hundred dollars, for district judges four thousand
 41 dollars, for court of appeals judges four thousand
 42 five hundred dollars, and for supreme court judges
 43 five thousand dollars.

44 Sec. _____ Section 602.9107, Code 1985, is amended
 45 to read as follows:

46 602.9107 AMOUNT OF ANNUITY.

47 The annuity of a judge under this system shall be
 48 an amount equal to ~~three~~ two percent of the judge's
 49 average annual basic salary for the judge's last three
 50 years as a judge of one or more of the courts included

Page 2

1 in this article, multiplied by the judge's years of
 2 service as a judge of one or more of such courts, but
 3 no such annuity shall exceed an amount equal to fifty
 4 percent of the salary that the judge is receiving at
 5 the time the judge becomes separated from such
 6 service."

7 2. By renumbering as necessary.

HARBOR of Mills
 HALVORSON of Clayton
 DODERER of Johnson

H-3515

1 Amend Senate File 216, as passed by the Senate as
 2 follows:

3 1. Page 1, line 5, by inserting after the word
 4 "board." the following: "However, the board may
 5 permit entrance into an institution or program of a
 6 student who is preregistered for entrance into the
 7 institution or program by August 1, 1985."

Committee on Education

H-3516

1 Amend the amendment, H-3513, to House File 507 as
2 follows:

3 1. Page 2, by inserting after line 6 the
4 following:

5 "_____. Page 19, by inserting after line 8 the
6 following:

7 "Sec._____. JUDICIAL RETIREMENT RATE OF
8 CONTRIBUTIONS.

9 A judge who became a member of the judicial
10 retirement system prior to the effective date of this
11 Act, shall contribute to the judicial retirement fund
12 at the percentage rate of contribution which
13 corresponds to the age of the judge on the effective
14 date of this Act, rather than the age of the judge
15 when the judge became a member, as provided in section
16 602.9104, subsection 1 as contained in this Act." "

17 2. By renumbering as necessary.

HARBOR of Mills
HALVORSON of Clayton

H-3519

1 Amend House File 736 as follows:

2 1. Page 1, line 12, by striking the word "physicians"
3 and inserting the following: "physicians' assistants".

SPEAR of Lee

H-3522

1 Amend House File 264 as follows:

2 1. Page 1, by striking lines 3 through 7 and
3 inserting the following:

4 "The appropriate county conservation board or, in a
5 ~~county without a county conservation board, the~~
6 assessor as designated by the county board of
7 supervisors, shall inspect the area for which an
8 application is filed for a fruit-tree or forest
9 reservation tax exemption before the application is
10 accepted. Use of aerial photographs may be
11 substituted for on-site inspection when appropriate.
12 The An application can only be".

Committee on Ways and Means

H-3524

- 1 Amend House File 707 as follows:
 2 1. Page 1, line 16, by inserting after the word
 3 "spouse." the following: "The department shall adopt
 4 rules under chapter 17A listing circumstances under
 5 which the written approval of a member's spouse is not
 6 required."

HANSON of Delaware

H-3528

- 1 Amend the amendment, H-3472, to House File 547 as
 2 follows:
 3 1. Page 1, by striking lines 36 and 37 and
 4 inserting the following:
 5 "_____. Page 10, line 32, by striking the words "or
 6 independent child-placing person".
 7 _____. Page 11, by striking lines 13 through 20, and
 8 inserting the following:
 9 "5. After notice, the birth parent may request
 10 vacation of the order terminating the parent's
 11 parental rights and may request that a preplacement
 12 investigation of the birth parent's ability to resume
 13 the parent-child relationship be completed and a
 14 report of the investigation be sent to the court."

CARL of Poweshiek

H-3534

- 1 Amend the amendment, H-3390, to House File 392 as
 2 follows:
 3 1. Page 4, by striking lines 16 through 19 and
 4 inserting the following: "department of public
 5 instruction and the Iowa department of job service.
 6 The".

METCALF of Polk

H-3535

- 1 Amend House File 719 as follows:
 2 1. Page 1, by inserting after line 23 the
 3 following:
 4 "c. A person selling subscriptions to a newspaper
 5 of general circulation printed in this state or a
 6 state adjacent to this state."

CHAPMAN of Linn
 KREMER of Buchanan
 METCALF of Polk

H-3537

- 1 Amend House File 507 as follows:
 2 1. By striking page 6, line 33, through page 7,
 3 line 4.

HAMMOND of Story
 CHAPMAN of Linn

H-3542

- 1 Amend Senate File 16 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 3, by striking the words
 4 "September 1" and inserting the words "October 15".
 5 2. Page 1, line 4, by striking the word
 6 "residence," and inserting the word "gender,".

Committee on State Government

H-3547

- 1 Amend House File 554 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 714.1, Code 1985, is amended
 5 by adding the following new subsection 7 and
 6 renumbering the remaining subsection:
 7 NEW SUBSECTION. 7. If the person is engaged in
 8 farming operations, sells or otherwise transfers a
 9 farm product as defined in section 554.9109,
 10 subsection 3, in which the person has granted a
 11 security interest pursuant to chapter 554, article 9,
 12 unless prior to the sale or transfer the person does
 13 either of the following:
 14 a. Notifies the secured party of the sale or
 15 transfer, obtains the secured party's written
 16 permission for the sale or transfer, and distributes
 17 the proceeds in accordance with the written
 18 permission.
 19 b. Within five business days of the sale or
 20 transfer, the person either satisfies the debt for
 21 which the security interest was granted or pays the
 22 entire proceeds to the secured party.
 23 To determine the degree of theft pursuant to
 24 section 714.2, the value is determined by aggregating
 25 the value of all security interests granted by the
 26 person on the farm product sold or transferred for
 27 which the person has not complied with either
 28 paragraph "a" or "b."

HUMMEL of Benton

H-3548

- 1 Amend Senate File 245 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 5, line 2, by inserting after the word
- 4 "strictly" the following: "However, in exercising
- 5 this authority the court shall allow the employer of
- 6 the person being asked to serve to give testimony in
- 7 support of a request by the person for deferral or
- 8 excuse."

CHAPMAN of Linn

H-3551

- 1 Amend Senate File 342, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting after line 28 the
- 4 following:
- 5 "Sec. _____. This Act, being deemed of immediate
- 6 importance, takes effect from and after its
- 7 publication in the Atlantic News-Telegraph, a
- 8 newspaper published in Atlantic, Iowa, and in The Sun,
- 9 a newspaper published in Mount Vernon, Iowa."
- 10 2. Renumber sections and correct internal
- 11 references as necessary in accordance with this
- 12 amendment.

Committee on Agriculture

H-3562

- 1 Amend House File 722 as follows:
- 2 1. Page 4, line 15, by striking the word
- 3 "Latin,".
- 4 2. Page 4, line 23, by inserting after the word
- 5 "level." the following: "Payments shall be made under
- 6 this section only for foreign languages currently
- 7 spoken in the world."

SPEAR of Lee

H-3565

- 1 Amend House File 747 as follows:
- 2 1. Page 6, line 21, by striking the figure
- 3 "43,992,818" and inserting the figure "43,192,818".
- 4 2. Page 6, by striking lines 22 through 27 and
- 5 inserting the following:
- 6 "b. The department of public".
- 7 3. Page 7, by striking lines 2 through 25.

JOCHUM of Dubuque

H-3569

1 Amend Senate File 9 as amended, passed and re-
2 printed by the Senate, as follows:

3 1. Page 1, line 23, by striking the words "lieu
4 of" and inserting the words "addition to".

5 2. Page 1, line 24, by inserting after the figure
6 "321.383." the following: "An all-terrain vehicle may
7 be operated on a highway between sunset and sunrise
8 pursuant to this section if the vehicle also displays
9 an amber flashing light as required under section
10 321.423, subsection 6."

DE GROOT of Lyon
JAY of Appanoose

H-3570

1 Amend House File 747 as follows:

2 1. Page 20, line 20, by striking the word
3 "Latin,".

4 2. Page 20, line 28, by inserting after the word
5 "level". the following: "Payments shall be made under
6 this section only for foreign languages currently
7 spoken in the world."

SPEAR of Lee

H-3575

1 Amend House File 747 as follows:

2 1. Page 8, by inserting after line 7, the following:

3 "Further, it is the intent of the general assembly
4 that the state board of public instruction shall
5 submit to the general assembly recommendations for the
6 reorganization of the merged area schools to achieve
7 greater equity. The recommendations shall address
8 the governance of the merged area schools and the
9 optimum number of merged area schools based on
10 approximately equal geographic areas, population and
11 assessed valuation."

SHERZAN of Polk

H-3578

1 Amend House File 740 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Sec._____. Section 556.2, subsection 1, unnumbered
5 paragraph 1, Code 1985, is amended to read as follows:

- 6 1. Any demand, savings, or matured time deposit
 7 made in this state with a banking organization,
 8 together with any interest or dividend, excluding any
 9 charges that may lawfully be withheld, unless the
 10 owner has, within five ten years:".
- 11 2. Page 1, by inserting after line 9 the
 12 following:
 13 "Sec. _____. Section 556.2, subsection 2, unnumbered
 14 paragraph 1, Code 1985, is amended to read as follows:
 15 2. Any funds paid in this state toward the
 16 purchase of shares or other interest in a financial
 17 organization or any deposit made in this state, and
 18 any interest or dividends, excluding any charges that
 19 may lawfully be withheld, unless the owner has within
 20 five ten years:".
- 21 3. Renumber as necessary.

ROSENBERG of Story

H-3579

- 1 Amend amendment H-3289 to House File 102 as
 2 follows:
 3 1. Page 1, line 8, by striking the words "one
 4 hundred" and inserting the following: "fifty".

SHERZAN of Polk

H-3581

- 1 Amend Senate File 70 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 24 the
 4 following subsection:
 5 "_____ . A bicycle shall be driven as close as
 6 practicable to the right-hand curb or edge of the
 7 roadway, except when overtaking and passing another
 8 vehicle proceeding in the same direction or when
 9 preparing for a left turn at an intersection, an
 10 alley, private road or driveway."
 11 2. Renumber subsections, as necessary.

LLOYD-JONES of Johnson

H-3582

- 1 Amend House File 753 as follows:
 2 1. Page 1, by striking lines 20 through 22 and
 3 inserting the following: "employees in job titles
 4 whose pay grade for the pay period beginning February
 5 22, 1985, is above their comparable worth pay grade

6 shall not be adjusted downward or frozen. However,
 7 new employees hired after the effective date of this
 8 Act to job titles which are above their comparable
 9 worth pay rate shall be hired at the comparable worth
 10 pay grade for that job title."

SWARTZ of Marshall

H-3588

1 Amend House File 747 as follows:
 2 1. Page 6, line 21, by striking the figure
 3 "43,992,818" and inserting the figure "43,192,818".
 4 2. Page 6, by striking lines 22 through 27 and
 5 inserting the following:
 6 "b. The department of public".
 7 3. Page 7, by striking lines 2 through 25.
 8 4. Page 8, line 12, by inserting after the figure
 9 "280A," the following: "to provide funds for
 10 retaining existing programs,".
 11 5. Page 8, line 16, by striking the figure
 12 "8,456,400" and inserting the figure "9,256,400".

HUGHES of Union
 DAGGETT of Taylor

H-3589

1 Amend House File 747 as follows:
 2 1. Page 6, line 21, by striking the figure
 3 "43,992,818" and inserting the figure "43,459,485".
 4 2. Page 8, line 12, by inserting after the figure
 5 "280A," the following: "to provide funds for
 6 retaining existing programs,".
 7 3. Page 8, line 16, by striking the figure
 8 "8,456,400" and inserting the figure "8,989,733".

HUGHES of Union

H-3590

1 Amend House File 747 as follows:
 2 1. Page 6, line 21, by striking the figure
 3 "43,992,818" and inserting the figure "43,726,151".
 4 2. Page 8, line 12, by inserting after the figure
 5 "280A," the following: "to provide funds for
 6 retaining existing programs,".
 7 3. Page 8, line 16, by striking the figure
 8 "8,456,400" and inserting the figure "8,723,067".

HUGHES of Union

H—3595

- 1 Amend House File 746 as follows:
- 2 1. Page 2, line 32, by inserting after the word
- 3 "nonprofit" the following: "or profit".

SPEAR of Lee

H—3599

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 7, line 33, by striking the figure "2,".

PLATT of Muscatine
VAN CAMP of Scott

H—3600

- 1 Amend amendment H—3587 to Senate File 395 as amended,
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 8, by inserting after line 39, the following:
- 4 "NEW SUBSECTION. The gross receipts from the sale of
- 5 grain storage bins and related equipment used primarily
- 6 for the storage of agricultural products as defined in
- 7 section 543.1, subsections 4, 5 and 6."

HANSON of Delaware
RENKEN of Grundy

H—3607

- 1 Amend House File 737 as follows:
- 2 1. Page 1, by striking lines 11 through 14 and
- 3 inserting the following:
- 4 "1. COMPARISON GROUP. Investor-owned electric
- 5 utilities shall be compared to the other investor-
- 6 owned electric utilities in Iowa and the adjoining
- 7 states. The natural gas utilities".
- 8 2. Page 1, line 19, by inserting after the word
- 9 "states" the following: "where similar services are
- 10 regulated".
- 11 3. Page 1, by striking lines 26 through 33 and
- 12 inserting the following:
- 13 "(1) The price per unit of service by customer
- 14 class and type of service measured over a three-year
- 15 period and with reference to revenues collected
- 16 subject to refund. For natural gas utilities, one
- 17 "unit of service" is one thousand British thermal
- 18 units.

19 (2) Operation and maintenance costs per unit of
20 service measured over a three-year period and with
21 reference both to total operation and maintenance
22 expense and to each significant subcategory of expense
23 included in the total.

24 (3) Total plant investment per customer and
25 percentage of annual revenue attributed to earnings on
26 investment.

27 (4) Total compensation paid the top five corporate
28 officers responsible in whole or in part for the
29 utility's Iowa operations, measured as a proportion of
30 total revenue from sales and with reference to the
31 average compensation paid management personnel holding
32 comparable positions in nonregulated firms operating
33 in Iowa and the adjoining states.

34 (5) Objective measures of cash management policies
35 including, but not limited to, the company's bad debt
36 ratio, average collection lag time, average expense
37 lead time and interest or earnings on deposited funds
38 or reserves.

39 (6) Quality of service."

40 4. Page 2, by striking line 2 and inserting the
41 following:

42 "(1) Total fuel cost per kilowatt-hour and fuel
43 cost per kilowatt-hour generated at each plant serving
44 the electric utility's system."

45 5. Page 2, by striking lines 9 through 16 and
46 inserting the following:

47 (1) Total cost per unit of gas purchased by
48 distribution companies from an affiliated pipeline
49 supplier and percentage of total gas purchases
50 received from the affiliate.

Page 2

1 (2) Total cost per unit of gas purchased by
2 distribution companies from an unaffiliated pipeline
3 supplier and percentage of total gas purchases
4 received from the pipeline.

5 (3) Total cost per unit of gas purchased from
6 other sources and percentage of total gas purchases
7 received from these other sources.

8 (4) Resident and commercial sales volume in
9 relation to investment in the system.

10 (5) Unaccounted-for gas as a percentage of total
11 sales volume."

12 6. Page 2, by striking line 20 and inserting the
13 following:

14 "(1) Percentage of total revenues generated from
15 regulated services and percentage of total investment
16 costs and operation and maintenance expense charged to

17 customers receiving regulated services."

18 7. Page 2, line 22, by striking the words "with
19 access to" and inserting the word "receiving".

20 8. Page 2, by striking lines 23 through 26 and
21 inserting the following:

22 "3. PERFORMANCE RANKING. The commission shall
23 determine the relative weight to be given each of the
24 performance measures when evaluating a utility's
25 efficiency. The commission shall specify a method for
26 comparing utilities in the applicable comparison
27 groups and shall specify a method for ranking
28 utilities in terms of relative efficiency."

29 9. Page 3, line 3, by striking the words
30 "salaries of" and inserting the words "total
31 compensation paid".

32 10. Page 3, by striking lines 5 and 6 and
33 inserting the following: "expenditures. The
34 commission shall specify by rule the evidence and
35 criteria to be considered when deciding the amount of
36 the adjustment or reduction which shall be made to
37 provide".

38 11. Page 3, by striking lines 15 through 18.

39 12. Page 3, line 19, by striking the letter "c."
40 and inserting the letter "b."

41 * 13. Page 3, by striking lines 24 through 28 and
42 inserting the following:

43 "1. The commission's operations review division
44 shall file with the commission, on or before January 1
45 of each year, rankings and ratings for investor-owned
46 electric, natural gas and telephone utilities based on
47 the performance measures listed in section 476.52,
48 subsection 2 and using the methods specified by the
49 commission pursuant to section 476.52, subsections 3
50 and 4."

OSTERBERG of Linn
PARKER of Jasper

H-3611

1 Amend House File 753 as follows:

2 1. Page 5, line 35, by striking the word
3 "subsection" and inserting the following:
4 "subsections".

5 2. Page 6, line 1, by inserting after the words
6 "for a" the following: "state".

7 3. Page 6, line 2, by inserting after the words
8 "or a" the following: "state".

9 4. Page 6, by inserting after line 9 the
10 following:

11 "NEW SUBSECTION. 6. It is a prohibited practice

12 for a public employer of a political subdivision of
 13 this state or a public employee organization
 14 representing employees of a political subdivision of
 15 this state to bargain for an agreement which
 16 discriminates on the basis of race, sex, religion or
 17 national origin.
 18 NEW SUBSECTION. 7. Effective July 1, 1987, it is
 19 a prohibited practice for a public employer of a
 20 political subdivision of this state or a public
 21 employee organization representing employees of a
 22 political subdivision of this state to bargain for an
 23 agreement which discriminates in compensation for work
 24 of comparable worth as defined in section 79.18
 25 between jobs held predominantly by women and jobs held
 26 predominantly by men."

HANSON of Delaware
 DODERER of Johnson
 CARPENTER of Polk
 HALVORSON of Webster
 BLANSHAN of Greene
 MULLINS of Kossuth

H-3625

1 Amend House File 507 as follows:
 2 1. By striking page 4, line 32 through page 5,
 3 line 5 and inserting the following:
 4 "45. Report monthly to the office for planning and
 5 programming the following information related to each
 6 district court conviction for, acquittal of, or
 7 dismissal of a felony, an aggravated misdemeanor, or a
 8 serious misdemeanor:
 9 a. The name of the convicted offender or
 10 defendant.
 11 b. The statutory citation and character of the of-
 12 fense of which the offender was convicted or the
 13 defendant charged.
 14 c. The sentence imposed on the convicted
 15 offender."

ROSENBERG of Story

H-3630

1 Amend House File 554 as follows:
 2 1. Page 1, line 3, by striking the word and
 3 figure "subsection 4" and inserting the following:
 4 "subsections 4 and 5".
 5 2. By striking page 1, line 15 through page 3,
 6 line 6 and inserting the following:

7 "Sec. 2. Section 554.9307, Code 1985, is amended
8 by adding the following new subsections:
9 NEW SUBSECTION. 4. a. A buyer in ordinary course
10 of business buying farm products, which is livestock
11 as defined in section 172D.1, subsection 7, from a
12 person engaged in farming operations takes free of a
13 security interest created by that person's seller even
14 though the security interest is perfected unless the
15 buyer receives prior written notice of the security
16 interest. "Written notice" means a writing which may
17 contain information regarding more than one debtor and
18 more than one lien and contains all of the following:
19 (1) The full name, address, and social security or
20 tax identification number of the debtor.
21 (2) The full name and address of the secured
22 party.
23 (3) A description of the collateral.
24 (4) The date and signature of the secured party.
25 b. The written notice expires on the earlier of
26 either of the following dates:
27 (1) Eighteen months after the date the secured
28 party signs the notice.
29 (2) When the debt that appears on the notice is
30 satisfied.
31 c. For the notice to be effective, the buyer of
32 the livestock must have received the notice prior to
33 the time the buyer has made full payment to the person
34 engaged in farming operations. The notice is not
35 effective against any payments made prior to receipt
36 of the notice.
37 d. Within fifteen days of the satisfaction of the
38 debt, the secured party shall inform in writing each
39 potential buyer listed by the debtor to whom the
40 notice provided in paragraph "e" has been sent that
41 the debt has been satisfied.
42 e. A debtor engaged in farming operations who has
43 created a security interest in farm products which is
44 livestock shall provide the secured party with a
45 written list of potential buyers of the farm products
46 at the time the debt is incurred if the secured party
47 requests such a list. The debtor shall not sell the
48 livestock to a buyer who does not appear on the list
49 unless the secured party has given prior written
50 permission or the debtor applies the proceeds the

Page 2

1 debtor receives from the sale to the debt within
2 fifteen days of the date of sale. A debtor who
3 knowingly or intentionally sells the livestock in
4 violation of this paragraph is guilty of an aggravated

5 misdemeanor.

6 f. A buyer of farm products which is livestock
 7 buying from a person engaged in farming operations
 8 shall issue a check for payment jointly to the debtor
 9 and those secured parties from whom the buyer has
 10 received prior written notice of a security interest.
 11 A buyer who issues a check jointly payable as
 12 specified in this subsection takes the livestock free
 13 of a security interest created by that person's
 14 seller. A buyer who does not issue a check jointly
 15 payable as specified in this subsection does not take
 16 the livestock free of a security interest created by
 17 that person's seller. A buyer shall not withhold all
 18 or part of the payment to satisfy a prior debt.
 19 However, the buyer may withhold the costs incurred by
 20 the purchaser to market or transport the livestock if
 21 such costs are part of the agreement to purchase the
 22 livestock.

23 **NEW SUBSECTION. 5. a.** A buyer in ordinary course
 24 of business buying farm products other than livestock
 25 from a person engaged in farming takes free of a
 26 security interest created by that person's seller, if
 27 all of the following conditions are met:

28 (1) The buyer shall obtain from the seller or the
 29 seller's designated agent an affidavit of disclosure
 30 of security interest.

31 (2) The seller or the seller's designated agent
 32 shall complete and sign the affidavit and disclose the
 33 name and address of any person who holds a security
 34 interest in the farm products or makes a written
 35 disclosure that a security interest has not been given
 36 in the farm products.

37 (3) The buyer pays for the farm product by
 38 issuing a check jointly in the name of the seller and
 39 the name of all secured parties listed in the
 40 affidavit.

41 b. The department of agriculture shall adopt by
 42 rule a form to be used for the affidavit required in
 43 paragraph "a". The affidavit shall clearly and
 44 conspicuously state that the failure to fully disclose
 45 all persons holding a security interest in the farm
 46 product being sold is an aggravated misdemeanor.

47 c. A seller or the seller's agent who fails to
 48 fully disclose in the affidavit required in paragraph
 49 "a" all persons holding a security interest in the
 50 farm products being sold is guilty of an aggravated

Page 3

1 misdemeanor."

FOGARTY of Palo Alto
 VAN MAANEN of Mahaska
 PELLETT of Cass
 HALVORSON of Webster
 CARTER of Henry

H-3631

- 1 Amend the amendment, H-3370, to House File 547 as
 2 follows:
 3 1. Page 1, line 20, by striking the word "July"
 4 and inserting the following: "January".

CARL of Poweshiek

H-3636

- 1 Amend House File 753 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. DEFINITIONS. As used in this Act:
 5 1. "Comparable worth pay grade" means the pay
 6 grade as determined by the factor determined score for
 7 the job title and the appropriate pay grade position
 8 for that factor determined score on the following
 9 scale, except that a job classification shall not be
 10 placed at a pay grade lower than its assignment on
 11 January 1, 1985:

	Factor Determined Score Range:	Pay Grade
12		
13		
14	137-147	10
15	148-158	11
16	169-169	12
17	170-180	13
18	181-191	14
19	192-202	15
20	203-213	16
21	214-224	17
22	225-236	18
23	237-248	19
24	249-261	20
25	262-275	21
26	276-289	22
27	290-304	23
28	305-320	24
29	321-336	25
30	337-354	26
31	355-372	27
32	373-392	28
33	393-412	29
34	413-433	30
35	434-456	31
36	457-480	32
37	481-504	33
38	505-531	34
39	532-558	35
40	559-587	36

41	588—618	37
42	619—650	38
43	651—684	39
44	685—719	40
45	720—757	41
46	758—796	42
47	797—837	43
48	2. "Factor score" means the point score received	
49	by a job title on any of the thirteen factors in the	
50	study, as developed by the study commissioned under	

Page 2

1 1983 Iowa Acts, chapter 170, section 2.

2 3. "Factor determined score" means the score for a
 3 job title determined by adding the factor scores
 4 received for the job title on each of the thirteen
 5 factors.

6 4. "Job title" means one or more positions which
 7 are sufficiently similar in duties and
 8 responsibilities that each position requires the same
 9 minimum qualifications and can be filled based on
 10 substantially the same test of ability or fitness, and
 11 that the same pay grade can be applied with equity to
 12 the positions.

13 5. "Net effect on the general fund" means the
 14 total revenue outlay from the general fund,
 15 subtracting revenues to the state from other sources
 16 which directly defray the revenue outlay from the
 17 state.

18 **Sec. 2. NONCONTRACTUAL EMPLOYEES.** For
 19 noncontractual employees under the state merit system,
 20 the following implementation schedule applies for the
 21 initial phase of comparable worth adjustments:

22 1. In implementing the first phase of comparable
 23 worth adjustments, employees in job titles whose
 24 current pay grade is below the comparable worth pay
 25 grade shall be adjusted upward to their comparable
 26 worth pay grade. Employees in female-dominated job
 27 titles with comparable worth pay grades above pay
 28 grade thirty-two shall be raised to their comparable
 29 worth pay grades in the fiscal year 1985 if funds are
 30 available and if funds are not available, beginning
 31 with the first pay period after July 1, 1985.

32 2. In implementing the first phase of comparable
 33 worth adjustments, employees whose pay grades will be
 34 increased shall retain their merit step positions when
 35 those adjustments are made.

36 3. Comparable worth adjustments made in the first
 37 phase shall be implemented on or after January 1,
 38 1985, with implementation at the earliest pay period

39 possible subject to the limitations in funding
40 provided in 1984 Iowa Acts, chapter 1314, section 7.
41 The amount of funds available under 1984 Iowa Acts,
42 chapter 1314, section 7 for employees covered under
43 this section shall be determined in accordance with
44 section 4 of this Act.
45 Sec. 3. CONTRACTUAL EMPLOYEES. For contractual
46 employees under the state merit system, the governor
47 and the certified bargaining representatives shall
48 implement comparable worth consistent with the
49 provisions of chapter 20.
50 Appropriations made to implement the comparable

Page 3

1 worth adjustments as provided in 1984 Iowa Acts,
2 chapter 1314, section 7 and to complete the comparable
3 worth adjustments as provided for in section 5 of this
4 Act, shall be separate and distinct from any
5 appropriations made to implement a collective
6 bargaining agreement negotiated, consistent with
7 chapter 20, between the state and the state's
8 employees.

9 Sec. 4. DISTRIBUTION OF FUNDS. The state
10 comptroller's office, in consultation with the
11 legislative fiscal bureau, shall determine the total
12 biweekly salary costs for implementing the first phase
13 of comparable worth adjustments, if the adjustments
14 for all employees, both contractual and
15 noncontractual, under the merit system were to be made
16 in accordance with section 2, subsections 1 and 2 of
17 this Act, and shall determine the net effect on the
18 general fund for these adjustments.

19 The state comptroller's office shall determine the
20 earliest pay period after December 31, 1984, that the
21 adjustments may be put into effect subject to the
22 limitations of funds provided in 1984 Iowa Acts,
23 chapter 1314, section 7. The Iowa merit employment
24 department shall place those adjustments into effect
25 for noncontractual employees under the state merit
26 system as provided in section 2 of this Act for the
27 earliest pay period in 1985 as determined by the state
28 comptroller and subsequent pay periods during the
29 fiscal year. Other funds available under 1984 Iowa
30 Acts, chapter 1314, section 7 shall be available to
31 meet any negotiated agreements reached under section 3
32 of this Act.

33 Sec. 5. AGENCY COMPARABLE WORTH REPORTS. Agencies
34 with positions which are exempt or partially exempt
35 from the state merit system shall report to the
36 governor and the legislative council by December 15,

37 1984, on the degree to which the salary plans covering
38 positions substantially equivalent to those in the
39 state merit system comply with the provisions of 1983
40 Iowa Acts, chapter 170. The reports shall include a
41 plan for implementation in fiscal year 1986 of
42 comparable worth salary adjustments, if necessary, and
43 the amount of appropriations necessary to implement
44 those adjustments. However, plans developed pursuant
45 to this section shall be implemented in the fiscal
46 year 1985 if funds are available, and if funds are not
47 available, beginning with the first pay period after
48 July 1, 1985. Implementation of this section shall be
49 consistent with other sections of this Act and section
50 79.18. Notwithstanding sections 602.1204, 602.1208,

Page 4

1 602.1209, and 602.1401 of the Iowa Code, the provi-
2 sions of this section of this Act shall be applicable
3 to the judicial department.

4 Sec. 6. IMPLEMENTATION STAGES. It is the intent
5 of the general assembly that implementation of
6 comparable worth adjustments for state employees,
7 pursuant to section 79.18, be completed in the
8 following three phases:

9 1. The initial phase, with adjustments for merit
10 employees made under this Act for the fiscal year
11 beginning July 1, 1984 and ending June 30, 1985,
12 except as provided in section 5.

13 2. The second phase, with completion of
14 adjustments for merit employees, and with initiation
15 of adjustments for other state employees, for the
16 fiscal year beginning July 1, 1985 and ending June 30,
17 1986.

18 3. The final phase, with completion of any
19 adjustments initiated in the second phase of
20 implementation, for the fiscal year beginning July 1,
21 1986 and ending June 30, 1987.

22 Sec. 7. INTERIM STUDY OF PERSONNEL MANAGEMENT
23 STRUCTURES AND POLICIES. The legislative council
24 shall establish an interim study committee to conduct
25 a comprehensive review of personnel management
26 structures and policies excluding personnel systems
27 under the state board of regents. The membership
28 shall consist of eleven members, three legislators
29 from each house appointed by the legislative council,
30 one person appointed by the governor, and four persons
31 with expertise in personnel matters appointed by the
32 legislative council.

33 Legislative members of the committee are entitled
34 to per diem and expenses as provided for interim study

35 committee members in section 2.44. Public members who
36 are not public employees are entitled to a per diem of
37 forty dollars for attending committee meetings.
38 Public members and public employee members are en-
39 titled to reimbursement for travel and other necessary
40 expenses actually incurred in the performance of their
41 duties on the committee. Payment for authorized per
42 diem and expenses shall be made as provided in section
43 2.12.

44 The committee shall make recommendations to the
45 governor, the legislative council, and the general
46 assembly by January 1, 1986.

47 Sec. 8 INTERIM STUDY ON FEMALE DOMINATED JOBS.
48 The legislative council shall establish an interim
49 study committee to conduct a complete review of all
50 female-dominated jobs to determine whether

Page 5

1 discrimination remains in compensation for work of
2 comparable worth between jobs held predominantly by
3 women and jobs held predominantly by men. The
4 membership shall consist of seven members, three
5 legislators from each house appointed by the
6 legislative council and one person appointed by the
7 governor.

8 Legislative members of the committee are entitled
9 to per diem and expenses as provided for interim study
10 committee members in section 2.44. A public member
11 who is not a public employee is entitled to a per diem
12 of forty dollars for attending committee meetings. A
13 public member or public employee member is entitled to
14 reimbursement for travel and other necessary expenses
15 actually incurred in the performance of their duties
16 on the committee. Payment for authorized per diem and
17 expenses shall be made as provided in section 2.12.

18 The committee shall make recommendations to the
19 governor, the legislative council, and the general
20 assembly by January 1, 1986.

21 Sec. 9. Section 20.9, Code 1985, is amended by
22 adding the following new unnumbered paragraph:

23 NEW UNNUMBERED PARAGRAPH. The implementation of
24 comparable worth pay adjustments pursuant to the
25 requirements of the state comparable worth
26 compensation policy defined in section 79.18 is
27 excluded from the scope of negotiations.

28 Sec. 10. Section 79.18, Code 1985, is amended by
29 adding the following new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. The Iowa merit
31 employment department for state merit system employees
32 and the employing agency for exempt or partially

33 exempt employees in their respective agencies shall
 34 adopt rules, as provided in chapter 17A, to provide
 35 for an ongoing review of the implementation of the
 36 comparable worth compensation policy. The rules shall
 37 include a mechanism for reviewing the assignment of
 38 factor scores to new job classifications.

39 Sec. 11. LIBERAL INTERPRETATION. The provisions
 40 of this Act and all proceedings under this Act shall
 41 be liberally construed with a view to promoting its
 42 objectives and assisting the parties in obtaining
 43 justice.

44 Sec. 12. 1984 Iowa Acts, chapter 1314, sections 1
 45 through 6 and 8 through 10, are repealed.

46 Sec. 13. This Act, being deemed of immediate
 47 importance, takes effect from and after its
 48 publication in the Iowa City Press-Citizen, a
 49 newspaper published in Iowa City, Iowa, and in The
 50 Jefferson Bee, a newspaper published in Jefferson,

Page 6

1 Iowa."

GRUHN of Dickinson
 MULLINS of Kossuth
 CLARK of Cerro Gordo
 HANSON of Delaware
 CARTER of Henry
 OLLIE of Clinton
 DE GROOT of Lyon
 CHAPMAN of Linn
 GRONINGA of Cerro Gordo
 BLANSHAN of Greene
 RENKEN of Grundy
 O'KANE of Woodbury
 HUGHES of Union

DODERER of Johnson
 HAMMOND of Story
 BAXTER of Des Moines
 LLOYD-JONES of Johnson
 HALVORSON of Webster
 BUHR of Polk
 SHOULTZ of Black Hawk
 JOHNSON of Winneshiek
 ARNOULD of Scott
 TEAFORD of Black Hawk
 SWEARINGEN of Keokuk
 FEY of Scott
 CARPENTER of Polk
 OSTERBERG of Linn

H-3639

1 Amend H-3580, filed to Senate File 79 as amended,
 2 passed, and reprinted by the Senate, as follows:
 3 1. By striking page 1, line 3 through page 3,
 4 line 10, and inserting the following:
 5 "1. By striking everything after the enacting
 6 clause and inserting the following:
 7 Sec. _____. NEW SECTION. 12.25 LEGISLATIVE
 8 FINDINGS.
 9 The general assembly finds and declares that
 10 because of differences in the timing of the receipt of
 11 tax and other revenues and the expenditure of funds by

12 the state, the state has been unable to remain timely
 13 on its obligations, including its payments of school
 14 aid; the untimely payment of state aid has created a
 15 hardship for schools by increasing their costs and
 16 hindering their ability to remain timely on their
 17 obligations; it would be advantageous to the state to
 18 be able to issue notes in anticipation of its tax and
 19 other revenues in order to coordinate its cash flow;
 20 and pending their use, the proceeds of notes issued in
 21 anticipation of tax and other revenues should be
 22 invested in order to pay the cost of issuing the notes
 23 and as a benefit to the state. It is the purpose of
 24 this section and section 12.26 to enable the state to
 25 make timely payments of its obligations, including its
 26 school aid payments, by securing funds through the
 27 issuance of notes in anticipation of the state's tax
 28 and other revenues.

29 Sec. _____. **NEW SECTION. 12.26 ISSUANCE OF TAX AND**
 30 **REVENUE ANTICIPATION NOTES.**

31 1. In anticipation of the collection of revenues
 32 in and for a fiscal year, the treasurer of state may
 33 borrow money, and issue notes for the money, in an
 34 amount not exceeding the estimated state revenues for
 35 that year. The sums so anticipated are appropriated
 36 for the payment of the notes with interest at
 37 maturity. The notes may be issued prior to the
 38 beginning of a fiscal year, but the notes shall be
 39 payable not later than the end of the fiscal year for
 40 which they are issued. The proceeds from the issuance
 41 of notes shall be invested in the same manner as other
 42 public funds and shall be used only for the purposes
 43 for which the anticipated tax revenues were levied,
 44 collected, and appropriated.

45 2. The principal of and the interest on notes
 46 shall be payable solely out of the taxes and revenues
 47 of the state for the fiscal year for which the notes
 48 are issued. The notes of each issue shall be dated,
 49 shall bear interest at the rate or rates, without
 50 regard to any limit contained in chapter 74A or any

Page 2

1 other law of this state, and shall mature not later
 2 than the end of the fiscal year, all as may be
 3 determined by the treasurer of state. The notes may
 4 be made redeemable before maturity, at the option of
 5 the treasurer of state, at the price and under the
 6 terms and conditions as provided by the treasurer of
 7 state. The treasurer of state shall determine the
 8 form of the notes and shall fix the denomination of
 9 the notes and the place of payment of principal and

10 interest which may be at any bank within or without
11 the state. The notes shall be executed by the manual
12 or facsimile signatures of the treasurer of state and
13 the state comptroller. If any official whose
14 signature or a facsimile of whose signature appears on
15 any notes ceases to hold office before the delivery of
16 the notes, the signature or the facsimile is valid and
17 sufficient for all purposes the same as if the
18 official had remained in office until the delivery.

19 All notes issued under this section have the qualities
20 and incidents of negotiable instruments under the laws
21 of this state and without regard to any other law.

22 The notes shall be issued in registered form. The
23 notes may be sold in the manner, at public or private
24 sale, as the treasurer of state may determine without
25 regard to chapter 75.

26 3. Notes may be issued under this section without
27 obtaining the consent of any officer or agency of this
28 state, and without any other proceedings or conditions
29 other than those proceedings and conditions which are
30 specifically required by this section. The treasurer
31 of state or the state comptroller is not liable
32 personally on the notes or subject to any personal
33 liability or accountability by reason of the issuance
34 of the notes.

35 4. As used in this section, "notes" means notes
36 and other obligations issued by the treasurer of state
37 pursuant to this section."

WELDEN of Hardin

H-3641

1 Amend the amendment, H-3636, to House File 753 as
2 follows:

3 1. Page 2, line 31, by inserting after the date
4 "1985." the following: "In the implementation of
5 comparable worth adjustments, state employees in job
6 titles whose pay grade for the pay period beginning
7 February 22, 1985, or for those employees paid on a
8 monthly basis, the pay period for February, 1985, is
9 above their comparable worth pay grade shall not be
10 adjusted downward or frozen. However, new employees
11 hired after the effective date of this Act to job
12 titles which are above their comparable worth pay rate
13 shall be hired at the comparable worth pay grade for
14 that job title."

SWARTZ of Marshall
HANSON of Delaware

H-3643

- 1 Amend House File 753 as follows:
- 2 1. By striking page 5, line 34 through page 6,
- 3 line 9.
- 4 2. By renumbering as necessary.

CONNORS of Polk
SHERZAN of Polk
DODERER of Johnson

H-3644

- 1 Amend the amendment H-3636 to House File 753 as
- 2 follows:
- 3 1. Page 5, line 27, by inserting after the word
- 4 "négotiations." the following: "Nothing in this
- 5 paragraph shall prohibit or affect negotiations in
- 6 progress on the effective date of this Act."

CONNORS of Polk
SHERZAN of Polk
DODERER of Johnson

H-3645

- 1 Amend the amendment H-3634 to House File 753 as
- 2 follows:
- 3 1. Page 2, by striking lines 3 through 5.

CONNORS of Polk
SHERZAN of Polk
DODERER of Johnson

H-3648

- 1 Amend the amendment, H-3636, to House File 753 as
- 2 follows:
- 3 1. Page 4, by inserting after line 21 the
- 4 following:
- 5 "New employees hired after July 1, 1987, to job
- 6 titles which are above their comparable worth pay rate
- 7 shall be hired at the comparable worth pay grade for
- 8 that job title.
- 9 Sec._____. RESTORATION OF STEP OR EQUIVALENT
- 10 REDUCTION.
- 11 Effective with the first pay period beginning after
- 12 July 1, 1987, any step reduction within a salary range
- 13 or equivalent pay adjustment reduction given a state
- 14 employee in the implementation of the first phase of
- 15 comparable pay adjustments under 1984 Iowa Acts,

- 16 chapter 1314, section 3, subsection 2, is restored to
 17 the state employee."
 18 2. By renumbering sections as necessary.

CARPENTER of Polk
 LLOYD-JONES of Johnson

H-3649

- 1 Amend the amendment H-3634 to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec. _____. Section 20.9, Code 1985, is amended by
 6 adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. The implementation of
 8 comparable worth pay adjustments pursuant to the
 9 requirements of the state comparable worth
 10 compensation policy defined in section 79.18 is
 11 excluded from the scope of negotiations."
 12 2. By renumbering sections as necessary.

CARPENTER of Polk
 HANSON of Delaware

H-3650

- 1 Amend the amendment, H-3634 to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec. 9. Section 20.10, Code 1985, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 5. It is a prohibited practice
 8 for a state public employer or a state public employee
 9 organization to bargain for an agreement which
 10 discriminates on the basis of race, sex, religion, or
 11 national origin, or in compensation for work of
 12 comparable worth between jobs held predominantly by
 13 women and jobs held predominantly by men. "Comparable
 14 worth" means the value of work as measured by the
 15 composite of the skill, effort, responsibility, and
 16 working conditions normally required in the
 17 performance of work."

HANSON of Delaware
 HAMMOND of Story

H-3652

1 Amend the amendment, H-3636 to House File 753 as
2 follows:

3 1. Page 5, by striking lines 21 through 27 and
4 inserting the following:

5 "Sec. 9. Section 20.10, Code 1985, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 5. It is prohibited practice for
8 a state public employer or a state public employee
9 organization to bargain for an agreement which
10 discriminates on the basis of race, sex, religion, or
11 national origin, or in compensation for work of
12 comparable worth between jobs held predominantly by
13 women and jobs held predominantly by men. "Comparable
14 worth" means the value of work as measured by the
15 composite of skill, effort, responsibility, and
16 working conditions normally required in the
17 performance of work."

HANSON of Delaware
HAMMOND of Story

H-3653

1 Amend the amendment, H-3636, to House File 753 as
2 follows:

3 1. Page 4, by inserting after line 21 the
4 following:

5 "Sec. _____ RESTORATION OF STEP OR EQUIVALENT
6 REDUCTION. Effective with the first pay period
7 beginning after July 1, 1987, any step reduction
8 within a salary range or equivalent pay adjustment
9 reduction given a state employee in the implementation
10 of the first phase of comparable worth pay adjustments
11 under 1984 Iowa Acts, chapter 1314, section 3,
12 subsection 2 is restored to the employee."
13 2. By renumbering sections as necessary.

CARTER of Henry
VARN of Johnson
HAMMOND of Story

H-3654

1 Amend House File 719 as follows:

2 1. Page 1, by striking lines 8 through 10 and
3 inserting the following:

4 "b. An amount equal to the retail selling price of
5 undelivered goods and services that can be reasonably
6 anticipated from the total amount of sales in the

7 state to be made by all of the salespersons presenting
8 the seller. The amount of the bond required under
9 this paragraph shall not exceed one hundred thousand
10 dollars."

KREMER of Buchanan

H—3656

1 Amend Senate File 479 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 455D.4, Code 1985, is amended
6 to read as follows:

7 455D.4 APPLICABILITY TO AGRICULTURAL ACTIVITIES.

8 1. Except for section 455D.9 and as provided in
9 subsections 2 and 3, this chapter does not apply to a
10 person engaged in farming, a commercial applicator as
11 defined in section 206.2, subsection 12, a certified
12 applicator as defined in section 206.2, subsection 17,
13 a certified private applicator as defined in section
14 206.2, subsection 18, a certified commercial
15 applicator as defined in section 206.2, subsection 19,
16 a pesticide dealer as defined in section 206.2,
17 subsection 24, or to activities which are covered
18 under the federal Insecticide, Fungicide, and
19 Rodenticide Act, 7 U.S.C. sec. 135 et seq.; provided,
20 however, that such persons shall comply with the
21 requirements of the federal Insecticide, Fungicide,
22 and Rodenticide Act, 40 C.F.R. sec. 170, and chapter
23 206 where applicable to such persons. As used in this
24 section, "farming" means the cultivation of land for
25 the production of agricultural crops, the raising of
26 poultry, the production of eggs, production of milk,
27 the production of fruit or other horticultural crops,
28 grazing or the production of livestock, spraying, or
29 harvesting. The department of agriculture shall
30 cooperate with the bureau in an investigation of an
31 agricultural employee's complaint filed pursuant to
32 section 455D.9.

33 2. Notwithstanding subsection 1, a pesticide
34 dealer, a commercial applicator, or a certified
35 applicator who retails or stores a pesticide as
36 defined in section 206.2, subsection 1, shall comply
37 with sections 455D.14 and 455D.15 for those hazardous
38 chemicals stored or available for sale.

39 3. A certified applicator shall comply with
40 section 455D.13A.

41 Sec. 2. NEW SECTION. 455D.13A APPLICATION OF
42 PESTICIDES TO DWELLING.

43 A person, other than a person residing at the
 44 dwelling, who applies a pesticide as defined by
 45 section 206.2, subsection 1, on real property used for
 46 residential purposes shall provide the owner of the
 47 property and the person residing on the property with
 48 a copy of the material safety data sheet prior to
 49 applying the pesticide. A person who violates this
 50 section is liable to a person entitled to the notice

Page 2

1 for a civil penalty of one hundred dollars. The
 2 penalty imposed in this section does not bar recovery
 3 for damages caused by a person who applied the
 4 pesticides."
 5 2. Page 1, line 6, by inserting after the word
 6 "premises" the words "of the owner".

PEICK of Linn

H-3657

1 Amend the amendment, H-3636 to House File 753 as
 2 follows:
 3 1. Page 5, by inserting after line 27 the
 4 following:
 5 "Sec. _____ Section 20.10, Code 1985, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 5. It is prohibited practice for
 8 a state public employer or a state public employee
 9 organization to bargain for an agreement which
 10 discriminates on the basis of race, sex, religion, or
 11 national origin, or in compensation for work of
 12 comparable worth between jobs held predominantly by
 13 women and jobs held predominantly by men. "Comparable
 14 worth" means the value of work as measured by the
 15 composite of skill, effort, responsibility, and
 16 working conditions normally required in the
 17 performance of work."

HANSON of Delaware
HAMMOND of Story**H-3659**

1 Amend House File 726 as follows:
 2 1. Page 1, by striking lines 11 through 17.

HUMMEL of Benton

H-3660

1 Amend House File 726 as follows:

2 1. Page 1, line 17, by inserting after the word
3 "facilities." the following: "However, before any
4 power of eminent domain may be exercised, the action
5 shall be submitted to a referendum of the voters of
6 each of the public bodies comprising the hydroelectric
7 utility. The action shall not be taken unless a
8 majority of the voters in the referendum in each
9 public body approves of the exercise of the power of
10 eminent domain."

HUMMEL of Benton

H-3661

1 Amend amendment H-3506 to House File 737 as
2 follows:

3 1. Page 1, line 7, by inserting after the word
4 "utilities" the words "with one hundred or more full-
5 time equivalent employees or more than ten million
6 dollars in annual gross revenues".

KREMER of Buchanan

H-3662

1 Amend Senate File 296 as amended, passed and
2 reprinted by the senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. Notwithstanding section 453.1,
6 sections 453.16 through 453.20 do not apply to banks
7 until July 1, 1987. However, any action by a bank to
8 comply with those sections prior to the effective date
9 of this Act is valid. Compliance with those sections
10 does not relieve a bank from complying with chapter
11 454.

12 Sec. 2. 1984 Acts, chapter 1230, section 28, is
13 amended to read as follows:

14 SEC. 28. The treasurer of state shall close the
15 sinking fund created by section 454.1 within one
16 hundred twenty days after the closing of any
17 receiverships relating to any bank failures prior to
18 the effective date of this Act July 1, 1987 and shall
19 pay all sums remaining in the sinking fund on that
20 date to depository institutions in Iowa within ninety
21 days after the sinking fund is closed in proportion to
22 the amounts which were assessed against the depository
23 institutions during 1983 or any subsequent assessment

24 for the benefit of the sinking fund pursuant to
25 chapter 454.

26 Sec. 3. 1984 Acts, chapter 1230, section 29, is
27 amended to read as follows:

28 SEC. 29. Chapter 454, Code 1983, and Code
29 Supplement 1983, is repealed effective July 1, 1987.
30 However, if pledging to secure the deposit of public
31 funds has not been properly completed by July 1, 1984,
32 then chapter 454 is not repealed until July 1, 1985.
33 The general assembly finds that pledging to secure the
34 deposit of public funds was not properly completed by
35 July 1, 1984.

36 Sec. 4. Section 175.6, subsection 9, Code 1985, is
37 amended to read as follows:

38 9. Subject to an agreement with bondholders or
39 noteholders, invest or deposit moneys of the authority
40 in a manner determined by the authority,
41 notwithstanding chapter 452, ~~or 453~~, or 454.

42 Sec. 5. Section 220.5, subsection 9, Code 1985, is
43 amended to read as follows:

44 9. Subject to an agreement with bondholders or
45 noteholders, invest or deposit moneys of the authority
46 in a manner determined by the authority,
47 notwithstanding chapter 452, ~~or 453~~, or 454.

48 Sec. 6. Section 307B.7, subsection 11, Code 1985,
49 is amended to read as follows:

50 11. Invest or deposit moneys of the authority,

Page 2

1 subject to an agreement with bondholders or
2 noteholders, in a manner determined by the authority,
3 notwithstanding chapter 452, ~~or 453~~, or 454.

4 Sec. 7. It is the intent of the general assembly
5 that sections 4, 5, and 6 of this Act shall have
6 temporary effect only and that the amendments to
7 section 175.6, subsection 9, section 220.5, subsection
8 9, and section 307B.7, subsection 11, made in this Act
9 shall be stricken on July 1, 1987, and on that date
10 those sections shall take the form they would have
11 without the amendments in this Act.

12 Sec. 8. This Act, being deemed of immediate
13 importance, takes effect from and after its
14 publication in The Sioux City Journal, a newspaper
15 published in Sioux City, Iowa, and in The Grundy
16 Register, a newspaper published in Grundy Center,
17 Iowa."

18 2. Title page, by striking line 1 and inserting
19 the following: "An Act extending the sinking fund as
20 it applies to bonds until July 1, 1987."

H-3663

- 1 Amend House amendment H-3630 to House File 554 as
- 2 follows:
- 3 1. Page 2, line 47, by inserting after the word
- 4 "who" the following: "knowingly or intentionally".
- 5 2. Page 2, line 50, by inserting after the word
- 6 "sold" the following: "and who has not received prior
- 7 written permission from the secured party to sell the
- 8 farm products and who does not apply the proceeds of
- 9 the sale to the debt within fifteen days of the sale".

PELLETT of Cass

H-3664

- 1 Amend House File 705 as follows:
- 2 1. Page 3, by striking line 30, and inserting the
- 3 following:
- 4 "Sec. _____ NEW SECTION. 615.4 CHAPTER
- 5 INAPPLICABLE IN CERTAIN SITUATION.
- 6 This chapter shall not be applied to actions which
- 7 are subject to an agreement entered into pursuant to
- 8 section 628.26A."

TABOR of Jackson

H-3666

- 1 Amend House File 554 as follows:
- 2 1. By striking page 1, line 15 through page 3, line
- 3 6.

COCHRAN of Webster

H-3668

- 1 Amend House File 705 as follows:
- 2 1. Page 1, line 11, by striking the words "~~one~~
- 3 year five years" and inserting the following: "one
- 4 year".
- 5 2. Page 1, line 13, by inserting after the word
- 6 "superintendent." the following: "Before the sale or
- 7 disposal of agricultural land used for farming which
- 8 is held by a state bank pursuant to this subsection,
- 9 the state bank shall offer to resell the land to the
- 10 prior owner."
- 11 3. Page 1, line 13, by striking the words "The
- 12 land value of agricultural land used for".
- 13 4. Page 1, by striking lines 14 through 25.

- 14 5. By striking page 2, line 19 through page 3,
 15 line 29.
 16 6. Page 3, by striking line 30.

DAGGETT of Taylor
 SKOW of Guthrie
 HUGHES of Union

H-3670

- 1 Amend the amendment, H-3634, to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec. _____ INTERIM STUDY ON FEMALE DOMINATED JOBS.
 6 The legislative council shall establish an interim
 7 study committee to conduct a complete review of all
 8 female-dominated jobs to determine whether
 9 discrimination remains in compensation for work of
 10 comparable worth between jobs held predominantly by
 11 women and jobs held predominantly by men. The
 12 membership shall consist of seven members, three
 13 legislators from each house appointed by the
 14 legislative council and one person appointed by the
 15 governor.
 16 Legislative members of the committee are entitled
 17 to per diem and expenses as provided for interim study
 18 committee members in section 2.44. A public member
 19 who is not a public employee is entitled to a per diem
 20 of forty dollars for attending committee meetings. A
 21 public member or public employee member is entitled to
 22 reimbursement for travel and other necessary expenses
 23 actually incurred in the performance of their duties
 24 on the committee. Payment for authorized per diem and
 25 expenses shall be made as provided in section 2.12.
 26 The committee shall make recommendations to the
 27 governor, the legislative council, and the general
 28 assembly by January 1, 1986."

DODERER of Johnson
 BUHR of Polk

H-3671

- 1 Amend House amendment H-3634 to House File 753
 1 as follows:
 3 1. Page 2, line 34, by striking the word "may"
 4 and inserting in lieu thereof the word "shall".

DODERER of Johnson

H-3672

- 1 Amend House File 554 as follows:
 2 1. Page 1, by striking lines 23 through 28 and
 3 inserting the following: " "Written notice" means a
 4 writing which may contain information regarding more
 5 than one debtor and more than one lien and shall
 6 contain all of the following:"
 7 2. Page 1, by striking lines 33 and 34.
 8 3. Page 2, by striking line 1.
 9 4. Page 2, line 26, by striking the words "a
 10 serious" and inserting the following: "an
 11 aggravated".
 12 5. Renumber as necessary.

FOGARTY of Palo Alto

H-3673

- 1 Amend the amendment, H-3634, to House File 753 as
 2 follows:
 3 1. Page 1, by striking lines 34 through 36 and
 4 inserting the following: "worth pay grade. However,
 5 no job titles shall be raised above pay grade thirty-
 6 two under the initial implementation process. This
 7 implementation shall".
 8 2. Page 1, line 37, by inserting after the word
 9 "process:" the following: "Employees in female-
 10 dominated job titles with comparable worth pay grades
 11 above pay grade thirty-two shall be raised to their
 12 comparable worth pay grades in the fiscal year 1985 if
 13 funds are available and if funds are not available,
 14 beginning with the first pay period after July 1,
 15 1985."

DODERER of Johnson
 METCALF of Polk
 ZIMMERMAN of Dallas

H-3674

- 1 Amend the amendment H-3634 to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec. _____ Section 79.18, Code 1985, is amended by
 6 adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. The Iowa merit
 8 employment department for state merit system employees
 9 and the employing agency for exempt or partially
 10 exempt employees in their respective agencies shall

11. adopt rules, as provided in chapter 17A, to provide
 12. for an ongoing review of the implementation of the
 13. comparable worth compensation policy. The rules shall
 14. include a mechanism for reviewing the assignment of
 15. factor scores to new job classifications."

DODERER of Johnson
 CARPENTER of Polk

H-3675

- 1 Amend the amendment H-3634 to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec._____. LIBERAL INTERPRETATION. The provisions
 6 of this Act and all proceedings under this Act shall
 7 be liberally construed with a view to promoting its
 8 objectives and assisting the parties in obtaining
 9 justice."

DODERER of Johnson
 SWARTZ of Marshall

H-3676

- 1 Amend the amendment, H-3634, to House File 753 as
 2 follows:
 3 1. Page 2, by inserting after line 40 the
 4 following:
 5 "Sec._____. INTERIM STUDY OF PERSONNEL MANAGEMENT
 6 STRUCTURES AND POLICIES. The legislative council
 7 shall establish an interim study committee to conduct
 8 a comprehensive review of personnel management
 9 structures and policies excluding personnel systems
 10 under the state board of regents. The membership
 11 shall consist of eleven members, three legislators
 12 from each house appointed by the legislative council,
 13 one person appointed by the governor, and four persons
 14 with expertise in personnel matters appointed by the
 15 legislative council.
 16 Legislative members of the committee are entitled
 17 to per diem and expenses as provided for interim study
 18 committee members in section 2.44. Public members who
 19 are not public employees are entitled to a per diem of
 20 forty dollars for attending committee meetings.
 21 Public members and public employee members are en-
 22 titled to reimbursement for travel and other necessary
 23 expenses actually incurred in the performance of their
 24 duties on the committee. Payment for authorized per
 25 diem and expenses shall be made as provided in section

26 2.12.
 27 The committee shall make recommendations to the
 28 governor, the legislative council, and the general
 29 assembly by January 1, 1986."

DODERER of Johnson
 BUHR of Polk
 CARPENTER of Polk

H-3682

1 Amend the amendment, H-3636, to House File 753 as
 2 follows:
 3 1. Page 4, by inserting after line 21 the
 4 following:
 5 "After July 1, 1987, state employees in job titles
 6 whose assigned pay grade is above their comparable
 7 worth pay grade are eligible for step increases to the
 8 maximum step in their current pay grade and cost of
 9 living adjustments. After reaching the maximum step
 10 in their assigned pay grade, the employees are
 11 eligible for cost of living adjustments only. New
 12 employees hired after July 1, 1987, to job titles
 13 which are above their comparable worth pay grade shall
 14 be hired at the comparable worth pay grade for that
 15 job title."

CARL of Poweshiek

H-3683

1 Amend Senate File 317 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking lines 7 and 8 and
 4 inserting the following: "qualification shall be
 5 perfected, after being certified as elected. ~~unless~~
 6 ~~Unless otherwise specified, before the officer shall~~
 7 qualify not later than".

SPEAR of Lee

H-3684

1 Amend amendment H-3654 to House File 719 as follows:
 2 1. Page 1, line 7, by striking the word "presenting"
 3 and inserting the word "representing".

KREMER of Buchanan

H-3686

1 Amend amendment H-3672 to House File 554 as
2 follows:

3 1. Page 1, by inserting after line 11 the
4 following:

5 "_____. Page 3, by inserting after line 6 the
6 following:

7 "Sec._____. Section 554.9404, subsection 1, Code
8 1985, is amended to read as follows:

9 1. If a financing statement covering consumer
10 goods is filed on or after January 1, 1975, then
11 within one month or within ten days following written
12 demand by the debtor after there is no outstanding
13 secured obligation and no commitment to make advances,
14 incur obligations or otherwise give value, the secured
15 party must file with each filing officer with whom the
16 financing statement was filed, a termination statement
17 to the effect that the secured party no longer claims
18 a security interest under the financing statement,
19 which shall be identified by file number. If a
20 financing statement covering farm products is filed,
21 then within sixty days, or within ten days following
22 written demand by the debtor, after there is no
23 outstanding secured objection and no commitment to
24 make advances, incur obligations, or otherwise give
25 value, the secured party shall file with each filing
26 officer with whom the financing statement was filed, a
27 termination statement to the effect that the secured
28 party no longer claims a security interest under the
29 financing statement which shall be identified by file
30 number. In other cases whenever there is no
31 outstanding secured obligation and no commitment to
32 make advances, incur obligations or otherwise give
33 value, the secured party must on written demand by the
34 debtor send the debtor, for each filing officer with
35 whom the financing statement was filed, a termination
36 statement to the effect that the secured party no
37 longer claims a security interest under the financing
38 statement, which shall be identified by file number.
39 A termination statement signed by a person other than
40 the secured party of record must be accompanied by a
41 separate written statement of assignment signed by the
42 secured party of record complying with section
43 554.9405, subsection 2, including payment of the
44 required fee. If the affected secured party fails to
45 file such a termination statement as required by this
46 subsection, or to send such a termination statement
47 within ten days after proper demand therefor the
48 affected secured party shall be liable to the debtor
49 for one hundred dollars, and in addition for any loss

50 caused to the debtor by such failure.””

Page 2

1 2. Renumber as necessary.

PELLETT of Cass
HANDORF of Marshall

H-3687

1 Amend Senate File 406 as passed by the Senate as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 “Section 1. Section 317.1, subsection 2, Code
6 1985, is amended to read as follows:

7 2. Secondary noxious weeds, which shall include
8 butterprint (*Abutilon theophrasti*) annual, cocklebur
9 (*Xanthium commune*) annual, wild mustard (*Brassica*
10 *arvensis*) annual, wild carrot (*Daucus carota*)
11 biennial, buckhorn (*Plantago lanceolata*) perennial,
12 sheep sorrel (*Rumex acetosella*) perennial, sour dock
13 (*Rumex crispus*) perennial, smooth dock (*Rumex*
14 *altissimus*) perennial, poison hemlock (*conium*
15 *maculatum*), multiflora rose (*rosa multiflora*), wild
16 sunflower (wild strain of *Helianthus annus* L.) annual,
17 puncture vine (*Tribulus terrestris*) annual, teasel
18 (*Dipsacus*) biennial, and shattercane (*Sorghum bicolor*)
19 annual.

20 PARAGRAPH DIVIDED. The multiflora rose (*rosa*
21 *multiflora*) shall not be considered a secondary
22 noxious weed when cultivated for or used as understock
23 for cultivated roses or as ornamental shrubs in
24 gardens, or in any county whose board of supervisors
25 has by resolution declared it not to be a noxious
26 weed. Shattercane (*Sorghum bicolor*) shall not be
27 considered a secondary noxious weed when cultivated or
28 in any county whose board of supervisors has by
29 resolution declared it not to be a noxious weed.”

30 2. By renumbering as necessary.

SCHNEKLOTH of Scott

H-3693

1 Amend the amendment, H-3634, to House File 753 as
2 follows:

3 1. Page 2, by inserting after line 40 the
4 following:

5 “Sec. _____. Section 20.3, Code 1985, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 13. "Comparable worth" means the
 8 value of work as measured by the composite score of
 9 the skill, effort, responsibility, and working
 10 conditions normally required in the performance of
 11 work for the employer as defined in section 79.8.
 12 Job classifications used for determining comparable
 13 worth shall include all job classifications of the
 14 public employer.

15 Sec._____. Section 20.9, unnumbered paragraph 1,
 16 Code 1985, is amended to read as follows:

17 The public employer and the employee organization
 18 shall meet at reasonable times, including meetings
 19 reasonably in advance of the public employer's budget-
 20 making process, to negotiate in good faith with
 21 respect to wages, comparable worth, hours, vacations,
 22 insurance, holidays, leaves of absence, shift
 23 differentials, overtime compensation, supplemental
 24 pay, seniority, transfer procedures, job
 25 classifications, health and safety matters, evaluation
 26 procedures, procedures for staff reduction, in-service
 27 training and other matters mutually agreed upon.
 28 Negotiations shall also include terms authorizing dues
 29 checkoff for members of the employee organization and
 30 grievance procedures for resolving any questions
 31 arising under the agreement, which shall be embodied
 32 in a written agreement and signed by the parties. If
 33 an agreement provides for dues checkoff, a member's
 34 dues may be checked off only upon the member's written
 35 request and the member may terminate the dues checkoff
 36 at any time by giving thirty days' written notice.
 37 Such obligation to negotiate in good faith does not
 38 compel either party to agree to a proposal or make a
 39 concession."

40 2. By numbering sections as necessary.

DODERER of Johnson
 CARPENTER of Polk
 HANSON of Delaware
 CARTER of Henry
 CONNORS of Polk

H-3694

1 Amend the amendment, H-3636, to House File 753 as
 2 follows:

3 1. Page 5, by striking lines 21 through 27 and
 4 inserting the following:

5 "Sec._____. Section 20.3, Code 1985, is amended by
 6 adding the following new subsection:

7 NEW SUBSECTION. 13. "Comparable worth" means the
 8 value of work as measured by the composite score of

9 the skill, effort, responsibility, and working
 10 conditions normally required in the performance of
 11 work for the employer as defined in section 79.18.
 12 Job classifications used for determining comparable
 13 worth shall include all job classifications of the
 14 public employer.

15 Sec._____. Section 20.9, unnumbered paragraph 1,
 16 Code 1985, is amended to read as follows:

17 The public employer and the employee organization
 18 shall meet at reasonable times, including meetings
 19 reasonably in advance of the public employer's budget-
 20 making process, to negotiate in good faith with
 21 respect to wages, comparable worth, hours, vacations,
 22 insurance, holidays, leaves of absence, shift
 23 differentials, overtime compensation, supplemental
 24 pay, seniority, transfer procedures, job
 25 classifications, health and safety matters, evaluation
 26 procedures, procedures for staff reduction, in-service
 27 training and other matters mutually agreed upon.
 28 Negotiations shall also include terms authorizing dues
 29 checkoff for members of the employee organization and
 30 grievance procedures for resolving any questions
 31 arising under the agreement, which shall be embodied
 32 in a written agreement and signed by the parties. If
 33 an agreement provides for dues checkoff, a member's
 34 dues may be checked off only upon the member's written
 35 request and the member may terminate the dues checkoff
 36 at any time by giving thirty days' written notice.
 37 Such obligation to negotiate in good faith does not
 38 compel either party to agree to a proposal or make a
 39 concession."

40 2. By numbering sections as necessary.

DODERER of Johnson
 CARPENTER of Polk
 HANSON of Delaware
 CARTER of Henry
 CONNORS of Polk

H-3695

1 Amend House File 683 as follows:
 2 1. Page 1, line 2, by striking the word
 3 "paragraphs" and inserting the following:
 4 "paragraph".
 5 2. Page 1, by striking lines 3 through 6.
 6 3. Page 1, by inserting after line 11 the
 7 following:
 8 "Sec. 2. Section 299.1, Code 1985, is amended by
 9 adding the following unnumbered paragraph:
 10 NEW UNNUMBERED PARAGRAPH. The superintendent of

- 11 the school district shall report a child's
 12 nonattendance daily to the child's parent, guardian,
 13 or custodian."
 14 4. Title page, line 1, by striking the words
 15 "truant or".
 16 5. Title page, line 3, by inserting after the
 17 word "code" the following: "and the requirement of
 18 reporting nonattendance at school to a child's parent,
 19 guardian, or custodian".
 20 6. By relettering as necessary.

O'KANE of Woodbury

H-3696

- 1 Amend House File 683 as follows:
 2 1. Page 1, line 2, by striking the word
 3 "paragraphs" and inserting the following:
 4 "paragraph".
 5 2. Page 1, by striking lines 3 through 6.
 6 3. Title page, line 1, by striking the words
 7 "truant or".
 8 4. By relettering as necessary.

STURGEON of Woodbury

H-3697

- 1 Amend House File 698 as follows:
 2 1. Page 2, by striking line 5 and inserting the
 3 following:
 4 "NEW LETTERED PARAGRAPH. h. A professional fund
 5 raiser shall not solicit for".
 6 2. Page 2, line 6, by inserting after the word
 7 "a" the following: "conspicuous and".
 8 3. Page 2, line 7, by inserting after the word
 9 "displayed" the following: "if the solicitation is in
 10 writing".
 11 4. Page 2, line 13, by inserting after the word
 12 "percent." the following: "A violation of this
 13 subsection is an unlawful practice."
 14 5. Page 2, by inserting after line 18, the
 15 following:
 16 "_____. "Professional fund raiser" means a person
 17 who for compensation or other consideration solicits
 18 in this state for a charitable organization, fund, or
 19 person whether the solicitation is performed
 20 individually or by persons employed or otherwise
 21 engaged on any basis for that purpose or a person who
 22 engages or represents to be engaged in the business of
 23 solicitation for the benefit of charitable purposes.

- 24 A bona fide salaried officer or regular nontemporary
25 employee of a charitable organization, fund, or person
26 is not deemed to be a professional fund raiser."
27 6. Renumber as necessary.

CHAPMAN of Linn

H-3698

- 1 Amend House File 683 as follows:
2 1. Page 1, by inserting after line 11 the fol-
3 lowing:
4 "Sec. 2. Section 232.81, Code 1985, is amended by
5 adding the following new subsection after subsection 3
6 and renumbering the subsequent subsection:
7 NEW SUBSECTION. 4. A petition alleging
8 jurisdiction pursuant to section 232.2, subsection 6,
9 paragraph "n" or "o", shall certify that the
10 petitioner has determined, after diligent inquiry and
11 effort, that all of the following conditions are
12 present, if applicable:
13 a. The child's parent, guardian, or custodian has
14 refused or is unable to provide the necessary supervi-
15 sion or care of the child.
16 b. If the petition alleges jurisdiction pursuant
17 to section 232.2, subsection 6, paragraph "o" due to
18 the child's voluntary absence from the child's
19 residence, reunification of the child and the child's
20 parent, guardian, or custodian was attempted but was
21 unsuccessful.
22 c. Court intervention at the time of filing the
23 petition is in the best interests of the child."

STURGEON of Woodbury

H-3703

- 1 Amend amendment H-3690 to House File 737 as
2 follows:
3 1. Page 1, by inserting before line 2 the
4 following:
5 "_____. Page 1, lines 7 and 8, by striking the
6 words "electric, natural gas and telephone" and
7 inserting the following: "electric and natural gas"."
8 2. Page 1, by striking lines 10 through 13 and
9 inserting the following: "pipelines that serve Iowa.
10 The comparison groups shall."
11 3. Page 2, line 9, by striking the words
12 "electric, natural gas and telephone" and inserting
13 the following: "electric and natural gas".

VAN CAMP of Scott

H-3704

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 1, by inserting before line 2 the
 4 following:
 5 "_____. Page 1, line 10, by inserting after the word
 6 "revenues" the words "and for evaluating the
 7 efficiency of rural electric cooperatives and muni-
 8 cipally owned electric utilities."
 9 2. Page 1, line 4, by striking the words
 10 "Investor-owned electric" and inserting the word
 11 "Electric".
 12 3. Page 1, lines 5 and 6, by striking the word
 13 "investor-owned".
 14 4. Page 1, line 16, by inserting after the word
 15 "revenues." the following: "However, the comparison
 16 group for electric utilities shall include rural
 17 electric cooperatives and municipally owned electric
 18 utilities."
 19 5. Page 2, line 9, by striking the words
 20 "investor-owned electric," and inserting the words
 21 "electric utilities and investor-owned".

VAN CAMP of Scott

H-3705

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 1, line 10, by inserting after the word
 4 "of" the words "rate regulated".
 5 2. Page 1, line 12, by inserting after the word
 6 "comparable" the words "rate regulated".

KNAPP of Dubuque
RENSINK of Sioux
MUHLBAUER of Crawford

H-3706

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 2, lines 5 and 6 by striking the words
 4 "OPERATIONS REVIEW DIVISION".
 5 2. Page 2, line 7, by inserting after the word
 6 "division" the following: "and the rates research and
 7 policy division".

McINTEE of Black Hawk

H-3707

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 1, line 6, by adding after the word
 4 "utilities" the words "which do not distribute natural
 5 gas".
 6 2. Page 1, line 8, by adding after the word
 7 "utilities" the words "which do not sell electricity".

PAULIN of Plymouth

H-3708

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 1, line 33, by inserting before the word
 4 "the" the following: "for three consecutive years".

PAULIN of Plymouth

H-3709

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 1, line 29, by striking the words
 4 "REDUCTION OR ADJUSTMENT FOR LOW RATING" and inserting
 5 the words "ADJUSTMENT FOR RANKING".
 6 2. Page 1, line 33, by deleting the letter "C"
 7 and inserting the letter "A".
 8 3. By striking page 1, line 34 through page 2,
 9 line 4, and inserting the following: "shall have its
 10 level of profit increased or its revenue requirement
 11 adjusted by the commission."

PAULIN of Plymouth

H-3710

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 1, by striking lines 25 through 28 and
 4 inserting the following:
 5 "4. PERFORMANCE RANKING. For each measure
 6 selected by the commission all the utilities in the
 7 comparison group shall be ranked as to their position
 8 within that measure. Based on the weights assigned to
 9 the measures each utility shall be given a composite
 10 ranking. Within the composite ranking, the commission
 11 shall designate whether the utility is rated "A", "B",
 12 or "C".

- 13 5. PERFORMANCE REPORT. The commission shall
 14 prepare a report on its rankings and its ratings
 15 annually. In addition to the statistical rankings and
 16 ratings the report shall contain a brief narrative
 17 analysis of the management efficiency of each rated
 18 utility. The analysis shall consider the utility's
 19 strengths and weaknesses resulting in its evaluation.
 20 The utility shall be given the opportunity to review
 21 the analysis and to include in the report a statement
 22 of up to equal length to the commission's analysis.
 23 The Iowa state commerce commission shall file a copy
 24 of the rankings and ratings of investor-owned
 25 electric, natural gas and telephone utilities with the
 26 governor and the general assembly by January 1, 1986.
 27 By January 1, 1989, the Iowa state commerce commission
 28 shall file with the governor and the general assembly
 29 a report on the effects this Act has made on rates
 30 charged to customers of investor-owned electric,
 31 natural gas and telephone utilities in Iowa."
 32 2. Page 1, line 29, by striking the figure "5"
 33 and inserting the figure "6".
 34 3. Page 1, line 48, by striking the figure "6"
 35 and inserting the figure "7".
 36 4. Page 1, line 49, by striking the figure "5"
 37 and inserting the figure "6".

McINTEE of Black Hawk

H-3711

- 1 Amend amendment H-3690 to House File 737 as
 2 follows:
 3 1. Page 2, by striking lines 5 through 13.

MULLINS of Kossuth

H-3712

- 1 Amend House File 749 as follows:
 2 1. Page 2, by striking lines 23 through 33.

HAMMOND of Story

H-3713

- 1 Amend House File 252 as follows:
 2 1. Page 1, line 3, by striking the words "and
 3 high risk".
 4 2. Page 1, line 10, by striking the words "or
 5 high risk".
 6 3. Page 1, line 31, by striking the words "or

7 high risk".

8 4. Page 2, line 12, by striking the words "or
9 high risk".

10 5. Page 2, line 19, by striking the words "or
11 high risk".

12 6. Page 2, line 26, by inserting after the word
13 "reduced," the following: " "Small business" does not
14 include a business whose training costs can be funded
15 under chapter 280B."

16 7. Page 2, lines 27 and 28, by striking the words
17 "or high risk".

18 8. Page 2, line 30, by striking the words "or
19 high risk".

20 9. Page 2, line 34, by inserting after the word
21 "project." the following: "However, before an area
22 school and a small business enter into an agreement to
23 establish a project, the area school shall consult
24 with the local office of the department of job service
25 to determine if there already exists in the community,
26 a skilled or experienced group of unemployed workers,
27 as a result of a plant closing or reduction in force,
28 sufficiently large to supply the needs of the new or
29 expanding small business. If such a supply of workers
30 exists, the area school shall enter into the agreement
31 only if the small business agrees to give preference
32 in training to those workers over any other workers
33 who do not have greater qualifications."

34 10. Page 4, by striking lines 14 through 16 and
35 inserting the following: "under section 280C.6 plus
36 interest, the taxes shall be paid to the treasurer of
37 state."

38 11. Page 5, by striking lines 9 through 11 and
39 inserting the following: "280C.6 plus interest, it
40 shall be paid to the treasurer of state. When the
41 repayments of an advance plus interest".

42 12. By striking page 5, line 28 through page 6,
43 line 25 and inserting the following:

44 "1. There is established for the area schools an
45 area school job training fund under the supervision of
46 the treasurer of state. The area school job training
47 fund consists of two separate accounts containing
48 moneys as follows:

49 a. An advance account to which is credited moneys
50 appropriated by the state under section 280C.8, plus

Page 2

1 the interest from repayment of advances made to
2 employers for program costs. Moneys in this account
3 shall be used to provide advances to employers for
4 program costs upon requests of the boards of directors

5 of the area schools.

6 b. A repayment account to which is credited the
7 repayments of the advances made to employers for
8 program costs. At the end of each calendar quarter,
9 the treasurer of state shall transfer the moneys in
10 the account to the department of job service as
11 repayment of the appropriations made under section
12 280C.8. However, interest earned on moneys in the
13 repayment account shall be credited to the advance
14 account created in paragraph "a".

15 2. To provide funds for the present payment of the
16 costs of a new jobs training program by the employer,
17 the area school may provide to the employer an advance
18 of the moneys to be used to pay for the program costs
19 as provided in the agreement. To receive the funds
20 for this advance from the area school job training
21 fund, the area school shall submit an application to
22 the treasurer of state. The treasurer shall provide
23 the funds to the extent available. The amount of the
24 advance shall not exceed seventy-five thousand dollars
25 for any project. The advance shall be repaid with
26 interest from the sources provided in the agreement.
27 The rate of interest to be charged for advances made
28 in a calendar month is equal to one-half of the
29 average rate of interest on certificates issued by
30 area schools pursuant to chapter 280B for the previous
31 twelve months. The rate shall be computed by the Iowa
32 development commission."

33 13. Page 6, line 26, by striking the following:
34 "INTENT —".

35 14. By striking page 6, line 28 through page 7,
36 line 4.

37 15. Page 7, line 6, by inserting after the word
38 "instruction" the following: ", department of job
39 service,".

40 16. Page 7, lines 10 and 11, by striking the
41 words "or high risk".

42 17. Page 7, line 13, by striking the words "and
43 high risk business".

44 18. Page 7, line 21, by inserting after the word
45 "activities" the following: "and the future
46 anticipated needs".

47 19. By striking page 7, line 22 through page 8,
48 line 31 and inserting the following:

49 "Sec. 8. NEW SECTION. 280C.8 APPROPRIATIONS.

50 There is appropriated from the temporary emergency

Page 3

- 1 surcharge fund created in section 96.7, subsection 15,
- 2 for the fiscal period beginning July 1, 1985 and

3 ending June 30, 1988 the sum of two million
4 (2,000,000) dollars to provide funds for the purposes
5 of and deposits in the area school job training fund
6 created in section 280C.6. The money appropriated
7 under this section is a loan from the temporary
8 emergency surcharge fund to the area school job
9 training fund and shall be repaid with interest as
10 provided in this section and section 280C.6.
11 Notwithstanding section 8.33, moneys remaining of the
12 appropriations made under this section on June 30,
13 1986 and June 30, 1987 shall not revert to the
14 temporary emergency surcharge fund but remain in the
15 area school job training fund. All moneys in the area
16 school job training fund on June 30, 1988 and each
17 fiscal year thereafter shall revert to the
18 unemployment trust fund."

19 20. Page 8, by inserting after line 31 the
20 following:

21 "Sec. 9. LEGISLATIVE INTENT. It is the intent of
22 the general assembly that this chapter 280C complement
23 chapter 280B. One of the main features of chapter
24 280B is the provision for the issuance of certificates
25 by an area school to pay program costs. These
26 certificates are then repaid from sources provided in
27 the agreement between the area school and the
28 employer. However, the issuance of certificates in
29 relatively small amounts is difficult to sell. This
30 affects the ability of small business to make use of
31 chapter 280B to finance training programs. This
32 chapter substitutes a different funding mechanism for
33 the issuance of certificates with the intent that this
34 chapter will make it easier for those businesses."

35 21. Title page, line 1, by striking the word "and
36 high risk".

37 22. Title page, lines 2 and 3, by striking the
38 words ", authorizing an area school to levy a tax to
39 provide matching funds,".

Committee on Appropriations

H-3714

1 Amend amendment H-3690 to House File 737 as
2 follows:

3 1. Page 1, line 7, by adding after the word
4 "states" the words "which do not distribute natural
5 gas".

6 2. Page 1, line 10, by adding after the word
7 "Iowa" the words "which do not sell electricity".

PAULIN of Plymouth

H—3715

1 Amend the amendment, H—3634, to House File 753 as
2 follows:

3 1. Page 2, by inserting after line 40 the
4 following:

5 "Sec. _____. 1984 Iowa Acts, chapter 1314, section
6 9, is amended by adding the following new unnumbered
7 paragraph:

8 NEW UNNUMBERED PARAGRAPH. After July 1, 1987,
9 state employees in job titles whose assigned pay grade
10 is above their comparable worth pay grade are eligible
11 for step increases to the maximum step in their
12 current pay grade and cost of living adjustments.
13 After reaching the maximum step in their assigned pay
14 grade, the employees are eligible for cost of living
15 adjustments only. New employees hired after July 1,
16 1987, to job titles which are above their comparable
17 worth pay grade shall be hired at the comparable worth
18 pay grade for that job title."

CARL of Poweshiek

H—3716

1 Amend amendment H—3690 to House File 737 as
2 follows:

3 1. Page 2, by striking lines 12 and 13 and
4 inserting the following: "specified by commission
5 rules."

DE GROOT of Lyon

H—3726

1 Amend Senate File 313 as passed by the Senate as
2 follows:

3 1. Page 1, line 5, by striking the word "twenty"
4 and inserting the words "twenty thirty-two".

5 2: Page 1, line 12, by inserting after the word
6 "truck:" the following: "However, a special truck
7 does not include a truck tractor which is driven on
8 the highways more than seventy-five hundred miles in a
9 year."

10 3. Page 1, line 26, by inserting after the word
11 "dollars" the words "and, in addition, twenty-five
12 dollars for each ton over twenty tons and not
13 exceeding thirty-two tons".

14 4. Page 1, line 31, by inserting after the word
15 "vehicle:" the following: "The owner of a truck
16 tractor which is registered as a special truck shall
17 maintain a log book of the vehicle's highway mileage
18 and such other information as required by rules
19 adopted by the department pursuant to chapter 17A."

Committee on Transportation

H-3729

- 1 Amend House File 719 as follows:
- 2 1. Page 1, line 2, by inserting after the words
- 3 "post a" the following: "corporate surety".
- 4 2. Page 1, by inserting after line 23 the
- 5 following:
- 6 "Sec. _____. NEW SECTION. 82.8 ENFORCEMENT.
- 7 A violation of this chapter is a violation of
- 8 section 714.16, subsection 2, paragraph "a", and is
- 9 subject to all investigative and enforcement
- 10 procedures provided for in section 714.16."
- 11 3. Renumber as necessary.

KREMER of Buchanan

H-3730

- 1 Amend amendment H-3685 to Senate File 450 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 15, by inserting before the word
- 5 "A" the following: "A public utility shall not under
- 6 this section offer or perform a weatherization
- 7 improvement service for which the public utility has
- 8 provided a loan."

PAULIN of Plymouth

H-3731

- 1 Amend Senate File 383, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 96.3, subsection 4, Code 1985,
- 6 is amended by adding the following new unnumbered
- 7 paragraph:
- 8 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
- 9 annual recomputation of the statewide average weekly
- 10 wage required by this subsection, the maximum weekly
- 11 benefit amounts effective for benefit claims filed
- 12 during the period beginning July 1, 1984 and ending
- 13 July 6, 1985, are effective for benefit claims filed
- 14 during the period beginning July 7, 1985 and ending
- 15 July 5, 1986."
- 16 2. Page 1, line 1, by striking the word and
- 17 figure "Section 1." and inserting the following:
- 18 "Sec. 2."
- 19 3. Page 2, line 15, by striking the words and

- 20 figure "Sec. 2. This" and inserting the following:
 21 "Sec. 3. Section 2 of this".

HALVORSON of Clayton
 HARBOR of Mills
 McINTEE of Black Hawk

H-3732

- 1 Amend Senate File 383, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 14 the
 4 following:
 5 "Sec. _____. 1986 TAXABLE WAGE BASE.
 6 Notwithstanding section 96.19, subsection 20, the
 7 maximum amount of taxable wages upon which employers
 8 are required to contribute under chapter 96, based on
 9 wages paid to an individual in calendar year 1986,
 10 shall be equal to the maximum amount of taxable wages
 11 upon which the employers were required to contribute
 12 under chapter 96, based on wages paid to an individual
 13 in calendar year 1985."
 14 2. Page 2, line 15, by striking the word "This"
 15 and inserting the following: "Section 1 of this".
 16 3. By renumbering as necessary.

HALVORSON of Clayton
 HARBOR of Mills
 McINTEE of Black Hawk

H-3733

- 1 Amend Senate File 383, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 14 the
 4 following:
 5 "Sec. _____. 1983 Iowa Acts, chapter 190, section
 6 26, is amended to read as follows:
 7 **SEC. 26. PROSPECTIVE REPEAL. Sections 8 and**
 8 **Section 24 of this Act are is prospectively repealed**
 9 **on January 1 of the first calendar year after December**
 10 **31, 1985 for which a contribution rate table other**
 11 **than contribution rate table one is effective.**
 12 **Section 8 is repealed for benefit claims effectively**
 13 **filed for and after the first full week in that first**
 14 **calendar year. Section 24 is repealed for taxable**
 15 **wages for that first calendar year and subsequent**
 16 **calendar years."**
 17 2. Page 2, line 15, by striking the word "This"
 18 and inserting the following: "Section 1 of this".
 19 3. By renumbering as necessary.

HALVORSON of Clayton
 HARBOR of Mills
 McINTEE of Black Hawk

H-3736

- 1 Amend House File 683 as follows:
 2 1. Page 1, by striking lines 1 through 11 and
 3 inserting the following:
 4 "Section 1. Section 232.127, subsection 6, Code
 5 1985, is amended to read as follows:
 6 6. If the court makes such a finding the court may
 7 order any or all of the parties to accept counseling
 8 and to comply with any other reasonable orders
 9 designed to maintain and improve the familial
 10 relationship. The court may order the child to reside
 11 and remain in the home of the child's parent,
 12 guardian, or custodian. At the conclusion of any
 13 counseling ordered by the court, or at any other time
 14 deemed necessary, the parties shall be required to
 15 meet together and be apprised of the findings and
 16 recommendations of such counseling. Such an order
 17 shall remain in force for a period not to exceed one
 18 year unless the court otherwise specifies or sooner
 19 terminates the order."
 20 2. Title page, by striking lines 1 through 3 and
 21 inserting the following: "An Act relating to a court
 22 order requiring a child to remain in the home of the
 23 child's parent, guardian, or custodian under family-
 24 in-need-of-assistance proceedings."

ROSENBERG of Story

H-3737

- 1 Amend House File 547 as follows:
 2 1. Page 3, line 10, by striking the word "agency";
 3 and inserting the word "~~agency~~".
 4 2. Page 3, by inserting after line 16 the follow-
 5 ing new subsection:
 6 "3. "Agency" means the state department of human
 7 services or its subdivisions."

HUMMEL of Benton

H-3738

- 1 Amend House File 547 as follows:
 2 1. Page 18, by striking lines 25 through 26 and
 3 inserting the following: "that reflects the actual
 4 cost of locating the registered individual. If the".

HUMMEL of Benton

H-3742

- 1 Amend Senate Concurrent Resolution 26 as amended,
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 2, line 10, by striking the words
- 4 "Legislative Council" and inserting the words "General
- 5 Assembly".
- 6 2. Page 2, by striking line 11 and inserting the
- 7 following: "January 13, 1986."

Committee on Education

H-3744

- 1 Amend amendment H-3695 to House File 683 as
- 2 follows:
- 3 1. Page 1, line 11, by inserting after the word
- 4 "district" the words "or designee".

O'KANE of Woodbury

H-3748

- 1 Amend Senate File 35 as amended and passed by the
- 2 Senate as follows:
- 3 1. Page 1, line 4, by striking the word
- 4 "agriculture" and inserting the following: "soil
- 5 conservation".
- 6 2. Page 1, line 27, by striking the figure "4"
- 7 and inserting the figure "3".
- 8 3. Page 1, line 28, by striking the word "county"
- 9 and inserting the following: "soil conservation
- 10 district".
- 11 4. Page 1, line 30, by striking the word "county"
- 12 and inserting the word "district".
- 13 5. Page 1, by striking line 33.
- 14 6. Page 2, by striking line 6 and inserting the
- 15 following: "department."
- 16 7. Page 2, lines 17 and 18, by striking the words
- 17 "and any county's share to ten percent".
- 18 8. Page 2, line 25, by striking the word
- 19 "counties" and inserting the words "soil conservation
- 20 districts".
- 21 9. Page 2, line 26, by inserting after the word
- 22 "identify" the words "and prioritize".
- 23 10. By striking page 2, line 34 through page 3,
- 24 line 2.
- 25 11. Page 3, by inserting after line 5 the fol-
- 26 lowing:
- 27 "Sec. _____. NEW SECTION. 172E.4 ANIMAL WASTE
- 28 MANAGEMENT GRANT FUND.

29 1. There is established within the department a
30 fund to be known as the animal waste management grant
31 fund. All moneys appropriated to and deposited in the
32 animal waste management grant fund are appropriated
33 for and shall be used by the department in carrying
34 out the purposes of this chapter.

35 2. For the fiscal year commencing July 1, 1985,
36 and each succeeding fiscal year, the department shall
37 allocate from the animal waste management grant fund
38 to the Iowa department of water, air and waste
39 management a sum not to exceed thirty thousand
40 dollars. The department of water, air and waste
41 management shall use the allocated funds only for
42 carrying out its responsibilities as specified in this
43 chapter.

Committee on Agriculture

H-3753

1 Amend Senate File 422 as follows:

2 1. Page 1, by striking lines 16 through 26 and
3 inserting the following: "wines, for consumption off
4 the premises. The rules shall provide for the
5 assessment, collection, reporting and payment by the
6 native wine manufacturer of a tax in lieu of the tax
7 provided in section 123.06. Sales to class "A", class
8 "B", and class "C" liquor control licensees and in a
9 retail establishment by a native wine manufacturer are
10 exempt from other sales tax state taxes. A native
11 wine manufacturer selling native wine to a class "A",
12 class "B", or class "C" liquor control licensee shall
13 assess, collect, report and pay to the state, the in-
14 lieu tax specified in this subsection."

HALVORSON of Clayton

H-3757

1 Amend amendment H-3634 to House File 753 as
2 follows:

3 1. By striking page 1, line 4 through page 2,
4 line 45, and inserting the following:

5 "Section 1. Section 79.18, Code 1985, is
6 repealed."

WELDEN of Hardin

H-3758

1 Amend House File 507 as follows:

2 1. Page 15, line 26, by inserting after the word
3 "mail" the following: "a copy of".

HOLVECK of Polk

H-3759

- 1 Amend Senate File 303, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, by striking lines 3 through 7.

DE GROOT of Lyon

H-3761

- 1 Amend Senate File 91 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 9 through 25.
- 4 2. Page 3, by striking lines 4 and 5 and
- 5 inserting the following: "meet and organize at the
- 6 first regular meeting in October of each odd-numbered
- 7 year at a suitable place".
- 8 3. Page 9, by striking lines 18 and 19 and
- 9 inserting the following: "the second Tuesday in
- 10 September of each odd-numbered year in each school".
- 11 4. Page 11, by striking lines 15 through 31.
- 12 5. Page 12, by striking lines 2 through 4 and
- 13 inserting the following: "organization meeting of the
- 14 board the third Monday in September of each odd-
- 15 numbered year, and the election and".
- 16 6. Page 12, by striking lines 15 and 16 and
- 17 inserting the following: "the third Monday in
- 18 September of each odd-numbered year at".
- 19 7. Page 13, by striking lines 20 and 21 and
- 20 inserting the following: "shall organize at the first
- 21 regular meeting in October of each odd-numbered year.
- 22 Organization of the board shall".
- 23 8. Page 16, by striking lines 2 through 28.
- 24 9. By striking page 17, line 29 through page 18,
- 25 line 3.
- 26 10. Title page, by striking lines 2 and 3 and
- 27 inserting the following: "district, merged area, area
- 28 education agency, and providing an effective date."

Committee on Education

H-3762

- 1 Amend House File 698 as follows:
- 2 1. Page 5, by inserting after line 4 the
- 3 following:
- 4 "Sec. _____. NEW SECTION. COMPREHENSIVE COVERAGE -
- 5 GLASS BREAKAGE.
- 6 Any policy of motor vehicle insurance providing
- 7 comprehensive coverage, whether designated as such or
- 8 included in a policy providing broader coverage, shall
- 9 provide at the option of the insured complete coverage
- 10 for the repair or replacement of all damaged safety
- 11 glass without regard to any deductible or minimum
- 12 amount."
- 13 2. Renumber as necessary.

HALVORSON of Clayton

H-3764

1 Amend House File 547 as follows:
 2 1. Page 8, line 31, by inserting after the word
 3 "agreement." the following: "If a birth parent is
 4 under the age of eighteen, the court shall appoint the
 5 birth parent's parent or guardian or a guardian ad
 6 litem to act as the birth parent's representative in
 7 developing the open adoption agreement, and the
 8 department shall pay the reasonable compensation of
 9 the appointed guardian ad litem."

HAMMOND of Story
 LONERGAN of Boone

H-3766

1 Amend Senate File 9 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking line 8 and inserting the
 4 following: "originally manufactured for primarily
 5 off-road use but not including farm".

HARBOR of Mills

H-3768

1 Amend Senate File 540 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by inserting after line 16 the
 4 following:
 5 "Sec. 6. Section 56.6, subsection 1, Code 1985, is
 6 amended by adding the following new lettered
 7 paragraph:
 8 **NEW LETTERED PARAGRAPH.** A candidate's committee of
 9 a state officeholder shall file a letter report to be
 10 received within fourteen days of the receipt of any
 11 contribution from a political committee or from a
 12 lobbyist registered under the rules adopted by either
 13 house of the general assembly while the general
 14 assembly is in session. The letter report shall
 15 notify the commission of the following:
 16 (1) The name of the candidate's committee.
 17 (2) The name and complete address of the political
 18 committee or registered lobbyist making the
 19 contribution.
 20 (3) The amount of the contribution.
 21 (4) The date the contribution was received.
 22 (5) In the event the contribution was caused by a
 23 fundraiser, an explanation of the sponsor and type of
 24 event held."

McINTEE of Black Hawk

H-3769

- 1 Amend Senate File 475 as passed by the Senate as
2 follows:
3 1. By striking page 2, line 5 through page 5,
4 line 16.
5 2. Page 9, line 6, by striking the figure
6 "502A.8" and inserting the figure "502A.7".

Committee on Small Business and Commerce

H-3771

- 1 Amend Senate File 449 as passed by the Senate as
2 follows:
3 1. By striking page 1, line 1 through page 2,
4 line 2.
5 2. Page 6, by striking lines 31 through 35 and
6 inserting the following:
7 "Sec. 101. Section 12.10, Code 1985, is amended to
8 read as follows:
9 12.10 DEPOSITS BY STATE OFFICERS.
10 Except as otherwise provided, all elective and
11 appointive state officers, boards, commissions, and
12 departments shall, within ten days succeeding the
13 collection, deposit with the treasurer of state, or to
14 the credit of the treasurer of state in any depository
15 designated by the treasurer of state, ninety percent
16 of all fees, commissions, and moneys collected or
17 received. The balance actually collected in cash,
18 remaining in the hands of any officer, board, or
19 department shall not exceed the sum of five thousand
20 dollars and money collected shall not be held more
21 than thirty days. This section does not apply to the
22 state fair board, the state board of regents, the Iowa
23 state commerce commission, the commissioner of the
24 department of human services, the Iowa housing finance
25 authority or to the funds received by the state racing
26 commission under sections 99D.7 and 99D.14.
27 Sec. 102. Section 117.46, subsection 1, Code 1985,
28 is amended to read as follows:
29 1. Each real estate broker shall maintain a common
30 trust account in a bank, ~~or~~ a savings and loan
31 association, savings bank, or credit union for the
32 deposit of all down payments, earnest money deposits,
33 or other trust funds received by the broker or the
34 broker's salespersons on behalf of the broker's
35 principal, ~~except that a broker acting as a~~
36 salesperson shall deposit these funds in the common
37 trust account of the broker for whom the broker acts
38 as salesperson. The account shall be an interest-

39 bearing account. The interest on the account shall be
40 transferred quarterly to the treasurer of state and
41 deposited in a special commitment cost fund and used
42 pursuant to 220.40 unless there is a written agreement
43 between the buyer and seller to the contrary. The
44 broker shall not benefit from interest received on
45 funds of others in the broker's possession.

46 Sec. 103. Section 175.3, subsection 2, Code 1985,
47 is amended to read as follows:

48 2. The appointed members of the authority shall be
49 appointed by the governor for terms of six years
50 except that, of the first appointments, three members

Page 2

1 shall be appointed for terms of two years and three
2 members shall be appointed for a ~~term~~ terms of four
3 years. A person appointed to fill a vacancy shall
4 serve only for the unexpired portion of the term. A
5 member is eligible for reappointment. An appointed
6 member of the authority may be removed from office by
7 the governor for misfeasance, malfeasance or willful
8 neglect of duty or other just cause, after notice and
9 hearing, unless the notice and hearing is expressly
10 waived in writing. An appointed member of the
11 authority may also serve as a member of the Iowa
12 housing finance authority.

13 Sec. 104. Section 220.1, subsection 1, Code 1985,
14 is amended to read as follows:

15 1. "Authority" means the Iowa housing finance
16 authority established in section 220.2.

17 Sec. 105. Section 220.1, subsection 28, unnumbered
18 paragraph 1, Code 1985, is amended to read as follows:

19 "Small business" means a profit or nonprofit
20 business entity organized for profit, including but
21 not limited to an individual, partnership,
22 corporation, joint venture, association or
23 cooperative, to which the following apply:

24 Sec. 106. Section 220.1, Code 1985, is amended by
25 adding the following new subsections:

26 NEW SUBSECTION. 34. "Title Guaranty" means a
27 guaranty against loss or damage caused by defective
28 title to real property.

29 NEW SUBSECTION. 35. "Division" means the title
30 guaranty division.

31 Sec. 107. Section 220.2, subsection 1, Code 1985,
32 is amended by striking the subsection and inserting
33 the following:

34 1. The Iowa finance authority is established, and
35 constituted a public instrumentality and agency of the
36 state exercising public and essential governmental

37 functions, to undertake programs which assist in
38 attainment of adequate housing for low or moderate
39 income families, elderly families, and families which
40 include one or more persons who are handicapped or
41 disabled, and to undertake the Iowa homesteading
42 program and the small business loan program. The
43 powers of the authority are vested in and shall be
44 exercised by a board of nine members appointed by the
45 governor subject to confirmation by the senate. One
46 member of the board shall be the commissioner of
47 insurance or the designee of the commissioner. No
48 more than five members shall belong to the same
49 political party. As far as possible the governor
50 shall include within the membership persons who

Page 3

1 represent community and housing development
2 industries, housing finance industries, the real
3 estate sales industry, elderly families, minorities,
4 lower income families, very low income families,
5 handicapped and disabled families, average taxpayers,
6 local government, and any other person specially
7 interested in community housing.

8 A title guaranty division is created within the
9 authority. The powers of the division as relating to
10 the issuance of title guaranties shall be vested in
11 and exercised by a division board of five members
12 appointed by the governor subject to confirmation by
13 the senate. The membership of the board shall include
14 an attorney, an abstractor, a real estate broker, a
15 representative of a mortgage-lender and a
16 representative of the housing development industry.
17 The executive director of the authority shall appoint
18 a director of the title guaranty division who shall be
19 an attorney and shall serve as an ex officio member of
20 the board. The appointment of and compensation for
21 the division director shall be exempt from the
22 provisions of chapter 19A.

23 a. Members of the board of the division shall be
24 appointed by the governor for staggered terms of six
25 years beginning and ending as provided in section
26 69.19. A person shall not serve on the division board
27 while serving on the authority board. A person
28 appointed to fill a vacancy shall serve only for the
29 unexpired portion of the term. A member is eligible
30 for reappointment. A member of the division board may
31 be removed from office by the governor for
32 misfeasance, malfeasance or willful neglect of duty or
33 for other just cause, after notice and hearing, unless
34 notice and hearing is expressly waived in writing.

35 b. Three members of the board shall constitute a
36 quorum. An affirmative vote of a majority of the
37 appointed members is necessary for any substantive
38 action taken by the division.

39 c. Members of the board are entitled to receive
40 forty dollars per diem for each day spent in
41 performance of duties as members and shall be
42 reimbursed for all actual and necessary expenses
43 incurred in the performance of duties as members.

44 d. Members of the board and the director shall
45 give bond as required for public officers in chapter
46 64.

47 e. Meetings of the board shall be held at the call
48 of the chair of the board or on written request of two
49 members.

50 f. Members shall elect a chair and vice chair

Page 4

1 annually and other officers as they determine. The
2 director shall serve as secretary to the board.

3 g. The net earnings of the division, beyond that
4 necessary for reserves, backing, guaranties issued or
5 to otherwise implement the public purposes and
6 programs authorized, shall not inure to the benefit of
7 any person other than the state and are subject to
8 section 220.2, subsection 8.

9 Sec. 108. Section 220.3, subsection 10, Code 1985,
10 is amended to read as follows:

11 10. It is necessary to create a state housing
12 finance authority to encourage the investment of
13 private capital and stimulate the construction and
14 rehabilitation of adequate housing through the use of
15 public financing.

16 Sec. 109. Section 220.3, Code 1985, is amended by
17 adding the following new subsection:

18 NEW SUBSECTION. 14. The abstract-attorney's title
19 opinion system promotes land title stability for
20 determining the marketability of land titles and is a
21 public purpose. A public purpose will be served by
22 providing, as an adjunct to the abstract-attorney's
23 title opinion system, a low cost mechanism to provide
24 for additional guaranties of real property titles in
25 Iowa. The title guaranties will facilitate mortgage
26 lenders participation in the secondary market and add
27 to the integrity of the land-title transfer system in
28 the state.

29 Sec. 110. Section 220.5, Code 1985, is amended by
30 adding the following new subsection:

31 NEW SUBSECTION. 16. Through the title guaranty
32 division, make and issue title guaranties on Iowa real

33 property in a form acceptable to the secondary market,
 34 to fix and collect the charges for the guaranties and
 35 to procure reinsurance against any loss in connection
 36 with the guaranties.

37 Sec. 111. Section 220.6, subsection 4, unnumbered
 38 paragraph 1, Code 1985, is amended to read as follows:

39 4. The director of the ~~Iowa housing finance~~
 40 authority shall report to the Iowa general assembly in
 41 February of 1980, an analysis of the nature and status
 42 of the disclosure reports filed pursuant to section
 43 535A.4.

44 Sec. 112. Section 220.26, subsection 1, Code 1985,
 45 is amended to read as follows:

46 1. The authority may issue its negotiable bonds
 47 and notes in principal amounts as, in the opinion of
 48 the authority, are necessary to provide sufficient
 49 funds for achievement of its corporate purposes, the
 50 payment of interest on its bonds and notes, the

Page 5

1 establishment of reserves to secure its bonds and
 2 notes, and all other expenditures of the authority
 3 incident to and necessary or convenient to carry out
 4 its purposes and powers. However, the authority shall
 5 not have a total principal amount of bonds and notes
 6 outstanding at any time in excess of ~~six~~ eight hundred
 7 fifty million dollars plus a total of fifty million
 8 dollars for property improvement loans to finance
 9 solar and other renewable energy systems in housing as
 10 authorized by section 220.37 and to finance loans to
 11 provide solar and other renewable energy systems for
 12 and to increase the energy efficiency of small
 13 businesses under the Iowa small business loan program.
 14 ~~Two hundred fifty million dollars of the~~ The total
 15 principal amount of bonds and notes that may be issued
 16 pursuant to the small business loan program shall be
 17 set by the authority and the principal amount of these
 18 bonds and notes that are outstanding shall not be
 19 counted as a portion of the total principal amount of
 20 bonds and notes of the authority that may be
 21 outstanding at any time as provided in this
 22 subsection. The bonds and notes shall be deemed to be
 23 investment securities and negotiable instruments
 24 within the meaning of and for all purposes of the
 25 uniform commercial code.

26 Sec. 113. NEW SECTION. 220.40 COMMITMENT COSTS
 27 FUND.

28 A commitment costs fund is created within the
 29 treasurer of state's office. The moneys shall be used
 30 by the authority to cover initial commitment costs of

31 authority bond issues and loans in order to facilitate
32 and ensure equal access across the state to funds for
33 programs for first time home buyers. Moneys in the
34 funds shall not revert to the general fund and
35 interest on the moneys in the fund shall be retained
36 as part of the fund and not accrue to the general
37 fund.

38 Sec. 114. NEW SECTION. 220.91 TITLE GUARANTY
39 PROGRAM.

40 1. The authority through the title guaranty
41 division shall initiate and operate a program in which
42 the division shall offer guaranties of real property
43 titles in this state. The terms, conditions and form
44 of the guaranty contract shall be forms approved by
45 the division board. The division shall fix a charge
46 for the guaranty in an amount sufficient to permit the
47 program to operate on a self-sustaining basis,
48 including payment of administrative costs and the
49 maintenance of an adequate reserve against claims
50 under the title guaranty program. A title guaranty

Page 6

1 fund is created in the office of the treasurer of
2 state. Funds collected under this program shall be
3 placed in the title guaranty fund and are available to
4 pay all claims, necessary reserves and all
5 administrative costs of the title guaranty program.
6 Moneys in the fund shall not revert to the general
7 fund and interest on the moneys in the fund shall be
8 retained as a part of the fund and shall not accrue to
9 the general fund. If the authority board in
10 consultation with the division board determines that
11 there are surplus funds in the title guaranty fund
12 after providing for adequate reserves and operating
13 expenses of the division, the surplus funds shall be
14 transferred to the commitment costs fund created
15 pursuant to section 220.40.

16 2. A title guaranty issued under this program is
17 an obligation of the division only and claims are
18 payable solely and only out of the moneys, assets and
19 revenues of the title guaranty fund and are not an
20 indebtedness or liability of the state. The state is
21 not liable on the guaranties.

22 3. With the approval of the authority board the
23 division and its board shall consult with the
24 insurance department in developing a guaranty contract
25 acceptable to the secondary market and developing any
26 other feature of the program with which the department
27 may have special expertise. The department shall
28 establish the amount for a loss reserve fund. Except

29 as provided in this subsection, the title guaranty
30 program is not subject to the jurisdiction of or
31 regulation by the insurance department or the
32 commissioner of insurance.

33 4. Each participating mortgage lender, attorney
34 and abstractor shall pay an annual participation fee
35 to be eligible to participate in the title guaranty
36 program. The fee shall be set by the division,
37 subject to the approval of the authority.

38 5. The participation of abstractors, attorneys
39 and lenders shall be in accordance with rules
40 established by the division and adopted by the
41 authority pursuant to chapter 17A. Each participant
42 shall at all times maintain liability coverage in
43 amounts approved by the division. Upon payment of a
44 claim by the division, the division shall be
45 subrogated to the rights of the claimant against all
46 persons relating to the claim.

47 6. Prior to the issuance of a title guaranty, the
48 division shall require evidence that an abstract of
49 title to the property in question has been brought up-
50 to-date and certified by a participating abstractor in

Page 7

1 a form approved by division rules and a title opinion
2 issued by a participating attorney in the form
3 approved in the rules stating the attorney's opinion
4 as to the title. The division shall require evidence
5 of the abstract being brought up-to-date and the
6 abstractor shall retain evidence of the abstract as
7 determined by the board.

8 7. The attorney rendering a title opinion shall be
9 authorized to issue a title guaranty certificate
10 subject to the rules of the authority. A person or
11 mortgage lender participating in the title guaranty
12 program shall not charge or receive any portion of the
13 charge for the guaranty as a result of their
14 participation in the title guaranty program.

15 8. A participating mortgage lender shall notify
16 the division when the mortgage covered by a title
17 guaranty has been satisfied of record.

18 9. The authority shall adopt rules pursuant to
19 chapter 17A that are necessary for the implementation
20 of the title guaranty program as established by the
21 division and that have been approved by the authority.

22 Sec. 115. Section 403A.3, subsection 10, Code
23 1985, is amended to read as follows:

24 10. To co-operate with the Iowa housing finance
25 authority, to participate in any of its programs, to
26 use any of the funds available to the municipality for

27 the uses of this chapter to contribute to such the
 28 programs in which it participates, and to comply with
 29 the provisions of sections 220.1 to 220.36 and the
 30 rules of the Iowa housing finance authority
 31 promulgated thereunder adopted under this chapter.

32 Sec. 116. Section 428A.1, unnumbered paragraph 1,
 33 Code 1985, is amended to read as follows:

34 There is imposed on each deed, instrument, or
 35 writing by which any lands, tenements, or other realty
 36 in this state shall be are granted, assigned,
 37 transferred, or otherwise conveyed, a tax determined
 38 in the following manner: ~~When~~ If there is no
 39 consideration or ~~when~~ if the deed, instrument or
 40 writing is executed and tendered for recording as an
 41 instrument corrective of title, and so states, there
 42 shall be is no tax. ~~When~~ If there is consideration
 43 and the actual market value of the real property
 44 transferred is in excess of five hundred dollars, the
 45 tax shall be fifty-five cents is one dollar for each
 46 five hundred dollars or fractional part of five
 47 hundred dollars in excess of five hundred dollars.
 48 The term "consideration" as used in this chapter,
 49 means the full amount of the actual sale price of the
 50 real property involved, paid or to be paid, including

Page 8

1 the amount of an ~~incumbrance~~ encumbrance or lien on
 2 the property, whether assumed or not by the grantee.
 3 It shall be presumed that the sale price so stated
 4 shall include includes the value of all personal
 5 property transferred as part of the sale unless the
 6 dollar value of said the personal property is stated
 7 on the instrument of conveyance. ~~When~~ If the dollar
 8 value of the personal property included in the sale is
 9 so stated, it shall be deducted from the consideration
 10 shown on the instrument for the purpose of determining
 11 the tax.

12 Sec. 117. Section 428A.8, Code 1985, is amended to
 13 read as follows:

14 428A.8 REMITTANCE TO STATE TREASURER — PORTION
 15 RETAINED IN COUNTY.

16 On or before the tenth day of each month the county
 17 recorder shall determine and pay to the treasurer of
 18 state ~~seventy-five percent~~ forty-one and one-quarter
 19 cents of each dollar of the receipts from the real
 20 estate transfer tax collected during the preceding
 21 month and the treasurer of state shall deposit the
 22 receipts in the general fund of the state.

23 On or before the tenth day of each month the county
 24 recorder shall determine and pay to the treasurer of

25 state forty-five cents of each dollar of the receipts
 26 from the real estate transfer tax collected during the
 27 previous month and the treasurer of state shall
 28 deposit the receipts to the credit of the title
 29 guaranty fund created in section 220.91.

30 The county recorder shall deposit the remaining
 31 ~~twenty-five percent~~ thirteen and three-quarters cents
 32 of each dollar of the receipts in to the credit of the
 33 county general fund.

34 The county recorder shall keep records and make
 35 reports with respect to the real estate transfer tax
 36 as the director of revenue prescribes.

37 Sec. 118. Section 446.7, unnumbered paragraph 2,
 38 Code 1985, is amended to read as follows:

39 Property of municipal and political subdivisions of
 40 the state of Iowa and property held by a city or
 41 county agency or the Iowa housing finance authority
 42 for use in an Iowa homesteading project, shall not be
 43 offered or sold at tax sale and a tax sale of that
 44 property is void from its inception. When delinquent
 45 taxes are owing against property owned or claimed by a
 46 municipal or political subdivision of the state of
 47 Iowa, or property held by a city or county agency or
 48 the Iowa housing finance authority for use in an Iowa
 49 homesteading project, the treasurer shall give notice
 50 to the governing body of the agency, subdivision or

Page 9

1 authority which shall then pay the amount of the due
 2 and delinquent taxes. If the governing body fails to
 3 pay the taxes, the board of supervisors shall abate
 4 the taxes as provided in chapters 427 and 445 and
 5 section 569.8.

6 Sec. 119. Section 446.39, Code 1985, is amended to
 7 read as follows:

8 **446.39 IOWA HOUSING FINANCE AUTHORITY STATEMENT.**

9 A city or county, a city or county agency as
 10 authorized by the Iowa housing finance authority, or
 11 the Iowa housing finance authority may file with the
 12 treasurer a verified statement that a parcel of
 13 property to be sold at tax sale is abandoned and
 14 deteriorating in condition, or is inhabited but is not
 15 safe for human habitation, or is or is likely to
 16 become a public nuisance, and that the property is
 17 suitable for use and is to be used in an Iowa
 18 homesteading project under section 220.14. Other
 19 information may be included. Upon proper filing of
 20 the statement, and if the property is offered at any a
 21 tax sale and no a bid is not received, or if the bid
 22 received is less than the total amount of the

23 delinquent general taxes, interest, penalties and
24 costs, or if the property is to be transferred to the
25 county under section 446.38, the city, county, city or
26 county agency, or Iowa housing finance authority may
27 bid for the property for use in an Iowa homesteading
28 project, bidding a sum equal to the total amount of
29 all delinquent general taxes, interest, penalties and
30 costs charged against the property. Each of the tax-
31 levying and tax-certifying bodies having an interest
32 in the taxes for which the property is sold shall be
33 charged with the full amount of all delinquent taxes
34 due to it, as its share of the purchase price.

35 Sec. 120. Section 447.9, Code 1985, is amended to
36 read as follows:

37 447.9 NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION.

38 After two years and nine months from the date of
39 sale, or after nine months from the date of a sale
40 made under the provisions of section 446.18, 446.38 or
41 446.39, the holder of the certificate of purchase may
42 cause to be served upon the person in possession of
43 the real estate, and also upon the person in whose
44 name the real estate is taxed, if the person resides
45 in the county where the land is situated, in the
46 manner provided for the service of original notices, a
47 notice signed by the certificate holder or the
48 certificate holder's agent or attorney, stating the
49 date of sale, the description of the property sold,
50 the name of the purchaser, and that the right of

Page 10

1 redemption will expire and a deed for the land be made
2 unless redemption is made within ninety days from the
3 completed service of the notice. When the notice is
4 given by a county as a holder of a certificate of
5 purchase the notice shall be signed by the county
6 treasurer, and when given by a city, it shall be
7 signed by the city officer designated by resolution of
8 the council. When the notice is given by the Iowa
9 housing finance authority or a city or county agency
10 holding the property as part of an Iowa homesteading
11 project, it shall be signed on behalf of the agency or
12 authority by one of its officers, as authorized in
13 rules of the agency or authority. Service of the
14 notice shall also be made by certified mail on any
15 mortgagee or assignee of record, whether resident or
16 nonresident of the county, if the mortgagee's or
17 assignee's address is disclosed by the recorded
18 instrument or by a certificate showing the address of
19 the mortgagee or assignee duly filed with the
20 recorder, or the state of Iowa in case of an old-age

21 assistance lien by service upon the state department
 22 of human services. The notice shall also be served on
 23 any the city where the real estate is situated.

24 Sec. 121. Section 447.12, Code 1985, is amended to
 25 read as follows:

26 447.12 WHEN SERVICE DEEMED COMPLETE —
 27 PRESUMPTION.

28 Service is complete only after an affidavit has
 29 been filed with the treasurer, showing the making of
 30 the service, the manner of service, the time when and
 31 place where made, and under whose direction the
 32 service was made. The affidavit shall be made by the
 33 holder of the certificate or by the holder's agent or
 34 attorney, and in either of the latter cases stating
 35 that the affiant is the agent or attorney, of the
 36 holder of the certificate. The affidavit shall be
 37 filed by the treasurer and entered upon the sale book
 38 opposite the entry of the sale, and the record or
 39 affidavit is presumptive evidence of the completed
 40 service of the notice. The right of redemption shall
 41 does not expire until ninety days after service is
 42 complete. When the property is held by a city or
 43 county, a city or county agency, or the Iowa housing
 44 finance authority, for use in an Iowa homesteading
 45 project, whether or not the property is the subject of
 46 a conditional conveyance granted under the project,
 47 the affidavit shall be made by the treasurer of the
 48 county, a city officer designated by resolution of the
 49 council, or on behalf of the agency or authority, by
 50 one of its officers as authorized in rules of the

Page 11

1 agency or authority.

2 Sec. 122. Section 447.13, Code 1985, is amended to
 3 read as follows:

4 447.13 COST — FEE — REPORT.

5 The cost of serving the notice and affidavit of
 6 publication shall be added to the amount necessary to
 7 redeem. The fee for serving the notice shall be is
 8 the same as for service of an original notice,
 9 including copy fee and mileage. The treasurer shall
 10 file the proof of service and statement of costs and
 11 enter it on the sale book against the proper tract of
 12 real estate. The holder of the certificate of sale or
 13 the holder's agent may report in writing to the county
 14 treasurer the amount of costs incurred in giving the
 15 notice, and the treasurer shall enter it in the sale
 16 book. A redemption is not complete until the costs
 17 are paid. If the property is held by a city or
 18 county, a city or county agency, or the Iowa housing

19 finance authority, for use in an Iowa homesteading
20 project, whether or not the property is the subject of
21 a conditional conveyance granted under the project,
22 the costs incurred for repairs and rehabilitation work
23 required and undertaken in order to make the property
24 meet applicable building or housing code standards
25 shall be added to the amount necessary to redeem, and
26 a redemption is not complete until the costs are paid.

27 Sec. 123. Section 472.53, Code 1985, is amended to
28 read as follows:

29 472.53 PROCEDURE FOR HOMESTEADING PROJECTS.

30 If the purpose of condemnation is to obtain
31 property for use as part of an Iowa homesteading
32 project under section 220.14, the application required
33 under section 472.3 may contain a verified statement
34 that the property sought to be condemned is abandoned
35 and deteriorating in condition, or is inhabited but is
36 not safe for human habitation, or is or is likely to
37 become a public nuisance, and that the property is
38 suitable for use and is to be used in an Iowa
39 homesteading project. Other information may be
40 included. The statement must be verified by the Iowa
41 housing finance authority or by a local agency
42 authorized under rules of the authority. Upon proper
43 filing of the statement and the report of the
44 condemnation commission assessing damages, and deposit
45 of the amount assessed with the sheriff, the applicant
46 for condemnation may take possession as provided in
47 section 472.25 if the property is abandoned, or may
48 take steps to obtain possession after ninety days from
49 the date of the filing of the statement, report, and
50 deposit, if the property is inhabited.

Page 12

1 Sec. 124. Section 524.901, subsection 2,
2 paragraphs a and g, Code 1985, are amended to read as
3 follows:

4 a. The total amount of the bonds or securities of
5 any one issuer or obligor, other than revenue or
6 improvement bonds issued by a municipality, the Iowa
7 housing finance authority, or the Iowa family farm
8 development authority and subjected to separate
9 investment limits under paragraphs "b", "c", "d", "f",
10 or "g" of this subsection, shall not exceed twenty
11 percent of the capital and surplus of the state bank.

12 g. The total amount of bonds or notes issued by
13 the Iowa housing finance authority pursuant to chapter
14 220 which have been issued on behalf of any one small
15 business as defined in section 220.1, subsection 28,
16 or any one group home referred to in section 220.1,

17 subsection 11, paragraph "a," and the proceeds of
18 which have been loaned to that small business or group
19 home shall not exceed twenty percent of the capital
20 and surplus of the bank.

21 Sec. 125. Section 524.1102, Code 1985, is amended
22 by striking the section and inserting in lieu thereof
23 the following:

24 **524.1102 LOANS AND DEALINGS WITH AFFILIATES.**

25 Section 23A of the Federal Reserve Act, 12 U.S.C. §
26 371(c), as amended to and including January 1, 1985,
27 and the regulations adopted by and interpretations
28 issued by the federal reserve board issued pursuant to
29 that section in effect on January 1, 1985 relating to
30 loans and other dealings between member banks and
31 their affiliates, apply to a state bank not a member
32 of the federal reserve system in the same manner and
33 to the same extent as if the nonmember state bank were
34 a member bank, including the definitions of capital
35 and surplus. A company which would be an affiliate of
36 a nonmember state bank for the purposes of section 23A
37 if the bank were a member bank is deemed to be an
38 affiliate of the nonmember state bank.

39 Sec. 126. Section 534.213, subsection 1, Code
40 1985, is amended by adding the following new lettered
41 paragraphs:

42 **NEW LETTERED PARAGRAPH. l.** In addition to other
43 investments authorized in this section, an association
44 may invest and may continue previous investments in
45 capital stock, obligations, or other securities of
46 finance subsidiaries and may exercise powers with
47 respect to finance subsidiaries to the same extent as
48 a federal association is permitted under the Home
49 Owners' Loan Act of 1933, 12 U.S.C. § 1464, and
50 regulations adopted thereunder by the federal home

Page 13

1 loan bank board. Investments authorized by this
2 subsection shall not be counted in applying the
3 limitations on investments in service corporations in
4 paragraph "j".

5 **NEW LETTERED PARAGRAPH. m.** In addition to other
6 investments authorized in this section, an association
7 may invest and may continue previous investments in
8 capital stock, obligations, or other securities of
9 corporations which are wholly owned by the association
10 and which exercise only those powers which may be
11 exercised by an association under this chapter.
12 Investments authorized by this subsection shall not be
13 counted in applying the limitations on investments in
14 service corporations in paragraph "j".

15 Sec. 127. Section 534.213, subsection 3, Code
 16 1985, is amended to read as follows:
 17 3. Investment in EFT organizations. Subject to
 18 the prior approval of the supervisor, in shares in a
 19 corporation engaged solely in providing and operating
 20 facilities through which an association and its
 21 members may engage, by means of either the direct
 22 transmission of electronic impulses to and from the
 23 association or the recording of electronic impulses or
 24 other indicia of a transaction for delayed
 25 transmission to the association, in transactions in
 26 which such the association is otherwise permitted to
 27 engage pursuant to applicable law.

28 Sec. 128. Section 535.8, subsection 2, paragraph
 29 b, Code 1985, is amended by adding the following new
 30 subparagraph:

31 (10) The cost of a title guaranty issued by the
 32 Iowa finance authority pursuant to chapter 220.

33 Sec. 129. Section 535A.4, Code 1985, is amended to
 34 read as follows:

35 535A.4 DISCLOSURE.

36 Each reporting financial institution shall file a
 37 copy of its mortgage loan disclosure statement with
 38 the Iowa housing finance authority by March 31
 39 following the calendar year covered by the mortgage
 40 loan disclosure statement. The filing satisfies all
 41 reporting requirements under this chapter. The
 42 maintenance of records sufficient to prepare this
 43 report satisfies the recordkeeping requirements of
 44 this chapter.

45 Sec. 130. NEW SECTION. 535A.9 TITLE GUARANTY
 46 PROGRAM DISCLOSED.

47 A financial institution shall advise prospective
 48 borrowers of the availability of the title guaranty
 49 program provided for in chapter 220 and also provide
 50 the prospective borrower with information about the

Page 14

1 title guaranty program as provided to the financial
 2 institution by the title guaranty board.

3 Sec. 131. Section 537.1301, subsection 14,
 4 paragraph b, subparagraph (3), Code 1985, is amended
 5 to read as follows:

6 (3) A loan financed by the Iowa housing finance
 7 authority and secured by a lien on land.

8 Sec. 132. Section 554.9402, subsection 4, Code
 9 1985, is amended to read as follows:

10 4. A Except as provided in this subsection, a
 11 financing statement may be amended by filing a writing
 12 signed by both the debtor and the secured party.

13 However, an amendment is sufficient when it is signed
 14 only by the secured party if it is filed to show a
 15 change of the name of the secured party. An amendment
 16 does not extend the period of effectiveness of a
 17 financing statement. If any amendment adds
 18 collateral, it is effective as to the added collateral
 19 only from the filing date of the amendment. In this
 20 Article, unless the context otherwise requires, the
 21 term "financing statement" means the original
 22 financing statement and any amendments.

23 Sec. 133. NEW SECTION. 628.29 REDEMPTION BY
 24 CREDITOR PURSUANT TO ALTERNATIVE FORECLOSURE.

25 A lienholder of record may redeem real property
 26 which has been foreclosed by a mortgagee pursuant to
 27 the alternative voluntary foreclosure procedure
 28 provided in section 654.16. The junior lienholders'
 29 redemption period shall be thirty days commencing the
 30 day the notice required by section 654.16, subsection
 31 1, paragraph "e" is sent. The redemption shall be
 32 made by payment to the mortgagee of the amount of the
 33 debt secured by the mortgage including any protective
 34 advances made pursuant to chapter 629. Upon payment,
 35 the mortgagee shall convey the property by special
 36 warranty deed to the redeeming junior lienholder.

37 Sec. 134. Section 654.1, Code 1985, is amended to
 38 read as follows:

39 654.1 EQUITABLE PROCEEDINGS.

40 No Except as provided in section 654.16, a deed of
 41 trust or mortgage of real estate shall not be
 42 foreclosed in any other manner than by action in court
 43 by equitable proceedings.

44 Sec. 135. NEW SECTION. 654.16 ALTERNATIVE
 45 NONJUDICIAL VOLUNTARY FORECLOSURE PROCEDURE.

46 1. Upon the mutual written agreement of the
 47 mortgagor and mortgagee, a real estate mortgage may be
 48 foreclosed pursuant to this section by doing all of
 49 the following:

50 a. The mortgagor shall convey to the mortgagee all

Page 15

- 1 interest in the real property subject to the mortgage.
- 2 b. The mortgagee shall accept the mortgagor's
- 3 conveyance and waive any rights to a deficiency or
- 4 other claim against the mortgagor arising from the
- 5 mortgage.
- 6 c. The mortgagee shall have immediate access to
- 7 the real property for the purposes of maintaining and
- 8 protecting the property.
- 9 d. The mortgagor and mortgagee shall file a
- 10 jointly executed document with the county recorder in

11 the county where the real property is located stating
 12 that the mortgagor and mortgagee have elected to
 13 follow the alternative voluntary foreclosure
 14 procedures pursuant to this section.

15 e. The mortgagee shall send by certified mail a
 16 notice of the election to all junior lienholders as of
 17 the date of the conveyance under paragraph "a",
 18 stating that the junior lienholders have thirty days
 19 from the date of mailing to exercise any rights of
 20 redemption. The notice may also be given in the
 21 manner prescribed in section 656.3 in which case the
 22 junior lienholder have thirty days from the completion,
 23 of publication to exercise the rights of redemption.

24 f. At the time the mortgagor signs the written
 25 agreement pursuant to subsection 1, the mortgagee
 26 shall furnish the mortgagor a completed form in
 27 duplicate, captioned "Disclosure and Notice of
 28 Cancellation". The form shall be attached to the
 29 written agreement, shall be in ten point face type and
 30 shall be in the following form:

31 "DISCLOSURE AND NOTICE OF CANCELLATION

32
 33 (enter date of transaction)

34 Under a forced foreclosure Iowa law requires that
 35 you have the right to reclaim your property within one
 36 year of the date of the foreclosure and that you may
 37 continue to occupy your property during that time. If
 38 you agree to a voluntary foreclosure under this
 39 procedure you will be giving up your right to reclaim
 40 or occupy your property.

41 Under a forced foreclosure, if your mortgage lender
 42 does not receive enough money to cover what you owe
 43 when the property is sold, you will still be required
 44 to pay the difference. If your mortgage lender
 45 receives more money than you owe, the difference must
 46 be paid to you. If you agree to a voluntary
 47 foreclosure under this procedure you will not have to
 48 pay the amount of your debt not covered by the sale of
 49 your property but you also will not be paid any extra
 50 money, if any, over the amount you owe.

Page 16

1 NOTE: There may be other advantages and disadvantages
 2 including an effect on your income tax liability, to
 3 you depending on whether you agree or do not agree to
 4 a voluntary foreclosure. If you have any questions or
 5 doubts, you are advised to discuss them with your
 6 mortgage lender or an attorney.

7 You may cancel this transaction, without penalty or
 8 obligation, within five business days from the above

9 date.

10 This transaction is entirely voluntary. You cannot
11 be required to sign the attached foreclosure
12 agreement.

13 This voluntary foreclosure agreement will become
14 final unless you sign and deliver or mail this notice
15 of cancellation to

16 _____ before midnight of _____
17 (name of mortgagee) (enter proper date)

18 I HEREBY CANCEL THIS TRANSACTION.

19 _____

20 DATE SIGNATURE"

21 2. A junior lienholder may redeem the real
22 property pursuant to section 628.29. If a junior
23 lienholder fails to redeem its lien as provided in
24 subsection 1, its lien shall be removed from the
25 property.

26 3. Until the completion of foreclosure pursuant to
27 this section, the mortgagee shall hold the real
28 property subject to liens of record at the time of the
29 conveyance by the mortgagor. However, the lien of the
30 mortgagee shall remain prior to liens which were
31 junior to the mortgage at the time of conveyance by
32 the mortgagor to the mortgagee and may be foreclosed
33 as provided otherwise by law.

34 4. A mortgagee who agrees to a foreclosure
35 pursuant to this section shall not report to a credit
36 bureau that the mortgagor is delinquent on the
37 mortgage. However, the mortgagee may report that this
38 foreclosure procedure was used.

39 Sec. 136. It is the intent of the general assembly
40 that sections 116 and 117 of this Act shall be given
41 only temporary effect and that on July 1, 1987 the
42 amendments to sections 428A.1 and 428A.8 contained in
43 those sections are repealed.

44 Sec. 137. It is the intent of the general assembly
45 that the Iowa finance authority shall not make any
46 title guaranties under the title guaranty program
47 prior to January 1, 1986.

48 Sec. 138. Section 524.1103, Code 1985, is
49 repealed.

50 Sec. 139. The Code editor may change any reference

Page 17

1 to the "Iowa housing finance authority" or the "state
2 housing finance authority" remaining in the Code to
3 the "Iowa finance authority" or "state finance
4 authority".

5 Sec. 140. This Act, being deemed of immediate
6 importance, takes effect from and after its

7 publication in the Marshalltown Times-Republican, a
8 newspaper published in Marshalltown, Iowa, and in the
9 Jasper County Tribune, a newspaper published in
10 Coffax, Iowa."

11 3. Title page, by striking lines 1 through 8 and
12 inserting the following: "An Act relating to the
13 economy of the state by amending the definition of
14 small business for purposes of the Iowa housing
15 finance authority's program for which bonds may be
16 issued, by increasing the limits on the amount of
17 bonds and notes of the Iowa housing finance authority
18 that may be outstanding or used for certain programs,
19 by changing the name of the Iowa housing finance
20 authority, by providing for allocation of the state
21 ceiling on private activity bonds for tax exempt
22 purposes, by requiring that real estate brokers' trust
23 accounts be deposited in interest-bearing accounts and
24 the interest transferred quarterly to the treasurer of
25 state and used by the Iowa housing finance authority
26 to pay commitment costs for programs for first time
27 home buyers, by providing that the Iowa housing
28 finance authority initiate a self-sustaining title
29 guarantee program for titles of real property,
30 creating a commitment costs fund, creating a title
31 guaranty fund, increasing the real estate transfer
32 tax, by providing for conditions and restrictions on
33 loans and dealings between state banks and affiliates,
34 by providing for certain investment powers of state-
35 chartered savings and loan associations and savings
36 banks, by revising the requirements of amendments to a
37 uniform commercial code financing statement, by
38 providing for an alternative nonjudicial voluntary
39 foreclosure procedure including providing for
40 redemption periods of lienholders under the procedure,
41 permitting the charging of fees incurred under the
42 title guaranty program, requiring the disclosure of
43 the availability of the title guaranty program and
44 making penalties applicable, providing for an
45 effective date, and providing for the repeal of
46 portions of the Act."

47 4. Renumber as necessary.

Committee on Small Business and Commerce

H-3773

1 Amend Senate File 383, as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 2, by inserting after line 14 the
4 following:

5 "Sec. _____. Section 96.13, subsection 3, paragraphs

6 a and b, Code 1985, are amended to read as follows:

7 a. There is created in the state treasury a
8 special fund to be known as the special employment
9 security contingency fund. All interest, fines, and
10 penalties, regardless of when they become payable,
11 collected from employers under section 96.14 shall be
12 paid into the fund. The moneys shall not be expended
13 or available for expenditure in any manner which would
14 permit their substitution for federal funds which
15 would in the absence of the moneys be available to
16 finance expenditures for the administration of the
17 employment security law. However, the moneys may be
18 used as a revolving fund to cover expenditures for
19 which federal funds have been duly requested but not
20 yet received, subject to the charging of the
21 expenditures against the funds when received. The
22 moneys may be used for the payment of costs of
23 administration which are found not to have been
24 properly and validly chargeable against federal grants
25 or other funds, received for or in the employment
26 security administration fund. The moneys in the fund
27 are specifically made available to replace, within a
28 reasonable time, any moneys received by this state in
29 the form of grants from the federal government for
30 administrative expenses which because of any action or
31 contingency have been expended for purposes other
32 than, or in excess of, those necessary for the proper
33 administration of the employment security law. All
34 moneys in the fund shall be deposited, administered,
35 and disbursed in the same manner and under the same
36 conditions and requirements as are provided by law for
37 other special funds in the state treasury. ~~However,~~
38 ~~interest~~ Interest earned upon moneys in the fund shall
39 be deposited in and credited to the ~~temporary~~
40 ~~emergency surcharge fund created under section 96.7,~~
41 ~~subsection 15 fund.~~

42 b. The treasurer of state shall be the custodian of
43 the fund and shall give a separate and additional bond
44 conditioned upon the faithful performance of the
45 treasurer's duties in connection with the fund in an
46 amount and with sureties as ~~shall be~~ fixed and
47 approved by the governor. The premium for the bond
48 shall be paid from the moneys in the fund. All sums
49 recovered on the bond for losses sustained by the fund
50 shall be deposited in the fund. Refunds of interest

Page 2

1 and penalties shall be paid only from the fund.

2 c. Balances to the credit of the fund shall not

3 lapse at any time but shall continuously be available

4 to the department for expenditures consistent with
5 this subsection. However, the department shall not
6 expend more than fifty thousand dollars from the fund
7 in a state fiscal year beginning July 1 and ending
8 June 30 for the purposes authorized in paragraph "a",
9 except that the department may expend amounts in
10 excess of the fifty thousand dollars only for county
11 economic development surveys, for the employment of
12 older worker specialists, and for expenses of
13 administering the employment security law which are
14 necessary to serve the public and which can no longer
15 be properly and validly charged against federal grants
16 received for administrative expenses. After the end
17 of a state fiscal year the treasurer of state shall
18 promptly transfer the entire amount of the fund in
19 excess of that portion of the fifty thousand dollars,
20 which the department has expended or obligated for the
21 preceding state fiscal year, to the temporary
22 emergency surcharge fund, but if the treasurer of
23 state determines that the department does not have and
24 will not on September 30 have an outstanding balance
25 of interest accrued on advance moneys received from
26 the federal government for the payment of unemployment
27 compensation benefits, the treasurer of state shall
28 instead promptly transfer the entire excess amount to
29 the unemployment trust fund established in section
30 96.9. The department, in consultation with other
31 state agencies, shall conduct the county economic
32 development surveys in coordination with economic
33 development activities conducted by other state
34 agencies. The department shall notify the
35 chairpersons of the general assembly's committees on
36 labor and industrial relations and the chairpersons of
37 the appropriate joint appropriations subcommittee of
38 the general assembly of an anticipated expenditure of
39 any amounts from the fund for expenses of
40 administering the employment security law which are
41 necessary to serve the public and which can no longer
42 be properly and validly charged against federal grants
43 received for administrative expenses.

44 b d. The department of job service shall annually
45 report to the appropriate joint regulatory and finance
46 appropriations subcommittee of the general assembly on
47 its plans for expenditures during the next state
48 fiscal year from the special employment security
49 contingency fund. The report shall describe the
50 specific expenditures and explain why the expenditures

Page 3

1 are to be made from the fund and not from federal
2 administrative funds."

- 3 2. Page 2, line 15, by striking the word "This"
4 and inserting the following: "Section 1 of this".
5 3. Title page, line 3 by inserting after the word
6 "employers" the following: "and the modification of
7 the maximum dollar amount of yearly expenditures from
8 the special employment security contingency fund".
9 4. By renumbering and relettering as necessary.

OLLIE of Clinton

H-3775

- 1 Amend Senate File 290 as passed by the Senate as
2 follows:
3 1. Page 1, by inserting after line 7 the
4 following:
5 "Sec. _____. Section 321.210, Code 1985, is amended
6 by adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. The department shall not
8 consider nor assess points for violations of section
9 321.445 in determining a motor vehicle license
10 suspension, revocation or cancellation.
11 Sec. _____. Section 321.445, Code 1985, is amended
12 by striking the section and inserting in lieu thereof
13 the following:
14 **321.445 SAFETY BELTS AND SAFETY HARNESSSES - USE**
15 **REQUIRED.**
16 1. Except for motorcycles or motorized bicycles,
17 motor vehicles subject to registration in Iowa shall
18 be equipped with seat belts of a type and installed in
19 a manner approved by rules adopted by the department
20 pursuant to chapter 17A. The department shall adopt
21 rules regarding the types of seat belts required to be
22 installed in motor vehicles and the manner in which
23 they are installed. The rules shall conform with
24 federal motor vehicle safety standard numbers 209 and
25 210 as published in 49 C.F.R. §§ 571.209-571.210 and
26 with prior federal motor vehicle safety standards for
27 seat belt assemblies and seat belt assembly anchorages
28 applicable for the motor vehicle's model year. The
29 department may adopt rules which comply with changes
30 in the applicable federal motor vehicle safety
31 standards with regard to the type of seat belts and
32 their manner of installation.
33 2. The driver and front seat occupants of a motor
34 vehicle subject to registration in Iowa, except a
35 motorcycle or a motorized bicycle, shall each wear a
36 properly adjusted and fastened seat belt any time the
37 vehicle is in forward motion on a street or highway in
38 this state except that a child under six years of age
39 shall be secured as required under section 321.446.

40 This subsection does not apply to:

41 a. The driver or front seat occupants of a motor
42 vehicle which is not required to be equipped with seat
43 belts under rules adopted by the department.

44 b. The driver and front seat occupants of a motor
45 vehicle who are actively engaged in work which
46 requires them to alight from and reenter the vehicle
47 at frequent intervals, providing the vehicle does not
48 exceed twenty-five miles per hour between stops.

49 c. The driver of a motor vehicle while performing
50 duties as a rural letter carrier for the United States

Page 2

1 postal service. This exemption applies only between
2 the first delivery point after leaving the post office
3 and the last delivery point before returning to the
4 post office.

5 d. Passengers on a bus.

6 e. A person possessing a written certification
7 from a physician on a form provided by the department
8 that the person is unable to wear a seat belt due to
9 physical or medical reasons. The certification shall
10 specify the time period for which the exemption
11 applies. The time period shall not exceed twelve
12 months, at which time a new certification may be
13 issued.

14 f. The driver or front seat occupants of a motor
15 vehicle equipped with an operable passive air bag
16 restraint system for the driver and front seat
17 occupants.

18 During the six-month period from July 1, 1985
19 through December 31, 1985, peace officers shall issue
20 only warning citations for violations of this
21 subsection, except this does not apply to drivers
22 subject to the federal motor carrier safety regulation
23 49 C.F.R. § 392.16.

24 The department, in cooperation with the department
25 of public safety and the department of public
26 instruction, shall establish educational programs to
27 foster compliance with the seat belt usage
28 requirements of this subsection.

29 The fact of use, or nonuse, of a seat belt by a
30 person is not admissible or material as evidence in a
31 civil action brought for damages.

32 3. The driver and front seat passengers may be
33 each charged separately for improperly used or nonused
34 equipment under subsection 2. The owner of the motor
35 vehicle may be charged for equipment violations under
36 subsection 1.

37 Sec._____. Section 321.555, subsection 2, Code

38 1985, is amended to read as follows:

39 2. Six or more of any separate and distinct
 40 offenses within a two-year period in the operation of
 41 a motor vehicle, which are required to be reported to
 42 the department by section 321.207 or chapter 321C,
 43 except equipment violations, parking violations as
 44 defined in section 321.210, violations of registration
 45 laws, violations of ~~section~~ sections 321.445 and
 46 321.446, operating a vehicle with an expired license
 47 or permit, failure to appear, weights and measures
 48 violations and speeding violations of less than
 49 fifteen miles per hour over the legal speed limit.”
 50 2. Title page by striking line 1 and inserting

Page 3

1 the following: “An Act relating to motor vehicles by
 2 establishing applicable standards for motor vehicle
 3 seat belts, mandating seat belt use with certain
 4 exceptions, requiring the establishment of education
 5 programs, allowing persons to sell antique motor
 6 vehicles, and making penalties applicable.”

McINTEE of Black Hawk
 PARKER of Jasper
 GRONINGA of Cerro Gordo
 TEAFORD of Black Hawk
 STURGEON of Woodbury
 CARPENTER of Polk
 LLOYD-JONES of Johnson
 MULLINS of Kossuth
 O’KANE of Woodbury
 KREMER of Buchanan
 HANDORF of Marshall
 PAULIN of Plymouth
 BEATTY of Warren
 JOHNSON of Winneshiek
 JOCHUM of Dubuque
 ZIMMERMAN of Dallas
 FOGARTY of Palo Alto
 STUELAND of Clinton
 CLARK of Cerro Gordo
 RENSINK of Sioux

SHOULTZ of Black Hawk
 PLATT of Muscatine
 HAVERLAND of Polk
 CHAPMAN of Linn
 HUGHES of Union
 HATCH of Polk
 BRANSTAD of Winnebago
 BAXTER of Des Moines
 McKEAN of Jones
 HALVORSON of Clayton
 HARBOR of Mills
 HAMMOND of Story
 DIEMER of Black Hawk
 SHONING of Woodbury
 COOPER of Lucas
 BRAMMER of Linn
 GRANDIA of Marion
 ROYER of Page
 MILLER of Cherokee
 HALVORSON of Webster
 DODERER of Johnson
 COREY of Louisa

H—3777

1 Amend amendment H—3775 to Senate File 290 as passed
 2 by the Senate as follows:
 3 1. Page 2, by striking lines 29 through 31 and

4 inserting the following:

5 "The failure of a person to wear a seat belt as
6 required by this section is not admissible in a civil
7 action unless it can be shown that such failure
8 directly resulted in injury to the person. The
9 evidence shall be used only for the purpose of
10 reducing the award for damages to the person in
11 proportion to the injuries caused by the failure of
12 the person to wear the seat belt."

PETERSON of Carroll

H-3778

1 Amend Senate File 91 as amended, passed and
2 reprinted by the Senate as follows:

- 3 1. Page 5, by striking lines 5 through 20.
- 4 2. Renumber sections as necessary.

TEAFORD of Black Hawk

H-3786

1 Amend Senate File 521 as passed by the Senate as
2 follows:

3 1. Page 1, by striking lines 3 through 7 and
4 inserting the following:

5 "This chapter is regulatory in nature and does not
6 create a cause of action for damages to a person.
7 Except as provided in section 507B.13, an order of the
8 commissioner pursuant to this chapter or of a court to
9 enforce this chapter does not in any manner relieve or
10 absolve a person affected by the order from any other
11 liability or penalty applicable under state or federal
12 law."

WOODS of Polk

H-3788

1 Amend Senate File 524, as passed by the Senate, as
2 follows:

3 1. Page 1, line 9, by striking the word "may" and
4 inserting the following: "may shall".

5 2. Page 1, line 11, by striking the word
6 "facility" and inserting the following: "facility,
7 intermediate care facility,".

TEAFORD of Black Hawk

H—3793

- 1 Amend amendment H—3771 to Senate File 449 as passed
- 2 by the Senate as follows:
- 3 1. Page 15, line 22, by striking the word "have"
- 4 and inserting the following: "has".
- 5 2. Page 15, line 25, by striking the word and
- 6 figure "subsection 1" and inserting the following:
- 7 "this subsection".

SWARTZ of Marshall

H—3796

- 1 Amend Senate File 503, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 4 through 7 and
- 4 inserting the following: "formed under this section
- 5 is exempt from".

SWARTZ of Marshall

H—3799

- 1 Amend the amendment, H—3741, to Senate File 503, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 25, by striking the words "any
- 5 type of" and inserting the following: "a".
- 6 2. Page 1, line 26, by inserting after the words
- 7 "self-insurance plan" the following: "providing life
- 8 insurance or accident and health insurance".

SWARTZ of Marshall

H—3801

- 1 Amend amendment H—3775 to Senate File 290 as passed
- 2 by the Senate as follows:
- 3 1. Page 1, by inserting after line 4 the
- 4 following:
- 5 " "Sec. _____. Section 321.200, Code 1985, is amended
- 6 to read as follows:
- 7 321.200 CONVICTION AND ACCIDENT FILE.
- 8 The department shall also file all accident reports
- 9 and abstracts of court records of convictions received
- 10 by it under the laws of this state and in connection
- 11 therewith with them shall maintain convenient records
- 12 or make suitable notations in order that an individual
- 13 record of each licensee showing the convictions of
- 14 such the licensee and the traffic accidents in which

15 the licensee has been involved shall be readily
16 ascertainable and available for the consideration of
17 the department upon any application for renewal of
18 license and at other suitable times. However, the
19 abstract of court records shall not include
20 convictions of speeding violations of ten miles per
21 hour or less over the legal speed limit in speed zones
22 having a legal limit of thirty miles per hour or
23 greater for violations occurring on or after July 1,
24 1985.

25 Sec. 2. Section 321.207, Code 1985, is amended to
26 read as follows:

27 321.207 RECORD FORWARDED.

28 Every court having jurisdiction over offenses
29 committed under this chapter, or any other law of this
30 state or any city or county traffic ordinances, other
31 than parking regulations, regulating the operation of
32 motor vehicles on highways, shall forward to the
33 department a record of the conviction of any person in
34 the court for a violation of any of the laws, and may
35 recommend the suspension of the operator's or
36 chauffeur's license of the person convicted, and the
37 department shall consider and act upon the
38 recommendation. However, a record of conviction for a
39 speeding violation of ten miles per hour or less over
40 the legal speed limit in a speed zone having a legal
41 limit of thirty miles per hour or greater shall not be
42 forwarded to the department, except for violations by
43 nonresidents as required under section 321.513 and
44 chapter 321C."

45 2. Page 1, line 8, by inserting after the word
46 "for" the words "speeding violations of ten miles per
47 hour or less over the legal speed limit in speed zones
48 having a legal limit of thirty miles per hour or
49 greater or for".

50 3. Page 2, by inserting after line 36 the

Page 2

1 following:

2 "Sec. _____. Section 321.491, unnumbered paragraph
3 2, Code 1985, is amended to read as follows:

4 Within ten days after the conviction or forfeiture
5 of bail of a person upon a charge of violating any
6 provision of this chapter or other law regulating the
7 operation of vehicles on highways every said
8 magistrate of the court or clerk of the court of
9 record in which such conviction was had or bail was
10 forfeited shall prepare and immediately forward to the
11 department an abstract of the record of said court
12 covering the case in which said person was so

13 convicted or forfeited bail, which abstract must be
 14 certified by the person so required to prepare the
 15 same to be true and correct. However an abstract of
 16 the record shall not be forwarded for convictions of
 17 speeding violations of ten miles per hour or less over
 18 the legal speed limit in speed zones having a legal
 19 limit of thirty miles per hour or greater, except for
 20 violations by nonresidents as required under section
 21 321.513 and chapter 321C."

22 4. Page 2, by inserting after line 49 the
 23 following:

24 " "Sec. _____ Section 321A.3, Code 1985, is amended
 25 by adding the following new subsection immediately
 26 following subsection 2:

27 **NEW SUBSECTION.** The abstract provided under this
 28 section shall not include records of convictions for
 29 speeding violations of ten miles per hour or less over
 30 the legal speed limit in speed zones having a legal
 31 limit of thirty miles per hour or greater for
 32 violations occurring on or after July 1, 1985." "

33 5. Page 3, line 1, by inserting after the word
 34 "by" the words "prohibiting certain speeding
 35 convictions from being considered in motor vehicle
 36 license suspensions, revocations or cancellations,
 37 by".

LAGESCHULTE of Bremer
 WOODS of Polk
 PEICK of Linn

MUHLBAUER of Crawford
 PAVICH of Pottawattamie
 RENAUD of Polk
 VAN CAMP of Scott
 PLATT of Muscatine

H-3803

1 Amend Senate File 521 as passed by the Senate as
 2 follows:

3 1. Page 1, by inserting before line 1, the
 4 following:

5 "Section 1. Section 507B.4, subsection 1, Code
 6 1985, is amended by adding the following new lettered
 7 paragraph:

8 **NEW LETTERED PARAGRAPH.** i. Misrepresents any
 9 insurance policy to consumers by using the terms
 10 "burial insurance", "funeral insurance", "burial
 11 plan", or "funeral plan" in its names or titles,
 12 unless the policy is made with a funeral provider as
 13 beneficiary who specifies and fixes a price under
 14 contract with an insurance company. This paragraph
 15 does not prevent insurers from stating or advertising
 16 that insurance benefits may provide cash for funeral
 17 or burial expenses."

- 18 2. Title page, by striking lines 1 through 5, and
 19 inserting in lieu thereof the following: "An Act
 20 relating to insurance trade practices and providing
 21 penalties."
 22 3. By renumbering to conform to this amendment.

BRAMMER of Linn

H-3804

1 Amend amendment H-3741 to Senate File 503, as
 2 amended, passed, and reprinted by the Senate as
 3 follows:

4 1. Page 1, line 21, by striking the figure
 5 "505.18" and inserting the following: "509A.14".

6 2. Page 1, by striking lines 23 through 30 and
 7 inserting the following:

8 "The commissioner of insurance shall adopt rules
 9 for self-insurance plans for accident and health
 10 insurance for the state, a political subdivision of
 11 the state, a school corporation, or any other public
 12 body in the state. The rules adopted shall include,
 13 but are not limited to, the following:"

14 3. Page 1, by striking line 31 and inserting the
 15 following:

16 "1. A requirement that".

17 4. Page 1, by striking lines 36 through 41 and
 18 inserting the following:

19 "_____. A requirement that at least once each twelve
 20 months, the governing body of the public body shall
 21 obtain from an outside consulting actuary a
 22 certification that the plan is able to cover all
 23 reasonably anticipated expenses."

METCALF of Polk

H-3805

1 Amend Senate File 110 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 3, by striking lines 5 through 12.

TEAFORD of Black Hawk

H-3806

1 Amend House File 759 as follows:

2 1. Page 1, line 11, by inserting after the word
 3 "Each" the following: "major".

SPEAR of Lee

H-3807

1 Amend Senate File 475 as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Sec. _____ NEW SECTION. 476.18A ALLOCATION OF
6 ACQUISITION COSTS.

7 The commission shall not allow an investor-owned
8 public utility to treat as below-the-line expenditures
9 the purchase cost or associated costs involved in the
10 purchase of an existing electric or gas public
11 utility. The commission shall assign the purchase
12 cost and associated costs to the stockholders of the
13 investor-owned public utility."

14 2. Title page, line 1, by inserting after the
15 word "to" the following: "corporations including
16 provisions relating to costs charged by investor-owned
17 public utilities and to".

18 3. By renumbering sections as necessary.

PARKER of Jasper

H-3811

1 Amend amendment H-3786 to Senate File 521 as passed
2 by the Senate as follows:

3 1. Page 1, by striking lines 5 and 6.

4 2. Page 1, line 7, by striking the word "order"
5 and inserting the following: "action".

6 3. Page 1, line 9, by inserting after the word
7 "chapter" the following: "is not the exclusive
8 enforcement mechanism or manner of redress for
9 violations of the provisions of this chapter and".

10 4. Page 1, line 12, by inserting after the word
11 "law." the following: "In any action for violations
12 of the provisions of this chapter, the person bringing
13 the action shall, if successful, be awarded reasonable
14 attorney fees."

JAY of Appanoose

H-3812

1 Amend amendment H-3741 to Senate File 503 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1, line 46, by striking the word "July" and
4 inserting the word "January".

SWARTZ of Marshall

H-3817

1 Amend Senate File 383, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 14 the
4 following:

5 "Sec. _____. NEW SECTION. 96.40 VOLUNTARY TRAINING
6 INITIATIVE PROGRAM.

7 1. An individual eligible for benefits may request
8 the department to certify the individual for job-
9 related training approved by the department. The
10 department shall only approve vocational or technical
11 training, basic education necessary as a prerequisite
12 for vocational or technical training, or short-term
13 vocationally directed academic training, and shall
14 only certify the individual for the training if the
15 training program includes job or career placement
16 services and if the training is designed to prepare
17 the individual for gainful employment in recognized or
18 new occupations or skill areas in which reasonable
19 opportunities for employment exist or are expected to
20 exist in the immediate future in the locality where
21 the individual resides or in a location to which the
22 individual is willing to move. The department may
23 authorize training provided in conjunction with
24 governmental training programs or provided at
25 accredited vocational or technical schools.

26 2. If the department certifies an individual for
27 approved training the individual may voluntarily
28 request the department to recalculate the individual's
29 weekly benefit amount for the second week of the
30 training and for subsequent consecutive weeks in the
31 individual's benefit year to equal an amount which
32 does not exceed one hundred twenty-five percent of the
33 individual's weekly benefit amount and which will
34 allow the individual to periodically pay for the
35 approved training with that portion of the
36 recalculated weekly benefit amount in excess of the
37 individual's weekly benefit amount as calculated under
38 section 96.3, subsection 4. The department shall
39 correspondingly recalculate the individual's maximum
40 duration of benefits in terms of weeks under section
41 96.3, subsection 5. The recalculation of the
42 individual's weekly benefit amount shall not affect
43 the maximum amount of benefits payable to the
44 individual under section 96.3, subsection 5. The
45 department shall monitor the individual's
46 participation in the approved training and if the
47 individual fails to participate as expected, the
48 department shall immediately decrease the individual's
49 weekly benefit amount to the amount calculated for the
50 individual under section 96.3, subsection 4.

Page 2

- 1 3. If the department certifies an individual for
 2 approved training, the individual shall not be denied
 3 benefits, as provided in section 96.4, subsection 6,
 4 paragraph "a", during the time period in which the
 5 individual is actually participating in the approved
 6 training. Before the individual completes the
 7 approved training, the department shall determine the
 8 individual's likely employment status after completing
 9 the training, and if the individual will still be
 10 unemployed, the department shall enroll the individual
 11 in any available job search assistance program
 12 administered by the department.
- 13 4. The department shall report to the general
 14 assembly on the utilization and effectiveness of the
 15 program by January of each year."
- 16 2. Title page, line 1, by inserting after the
 17 word "of" the following: "a voluntary training
 18 initiative program for certain unemployed individuals
 19 and".
- 20 3. By renumbering as necessary.

SWARTZ of Marshall
 JOCHUM of Dubuque
 COREY of Louisa
 TEAFORD of Black Hawk
 HALVORSON of Webster
 BLANSHAN of Greene
 McINTEE of Black Hawk
 SULLIVAN of Van Buren
 PETERSON of Carroll
 HUGHES of Union
 MUHLBAUER of Crawford
 OSTERBERG of Linn
 O'KANE of Woodbury

HATCH of Polk
 CONNORS of Polk
 BRANSTAD of Winnebago
 FEY of Scott
 HALVORSON of Clayton
 STURGEON of Woodbury
 CONNOLLY of Dubuque
 VARN of Johnson
 SIEGRIST of Pottawattamie
 BAXTER of Des Moines
 SHOULTZ of Black Hawk
 HANSON of Delaware
 KOENIGS of Mitchell
 MULLINS of Kossuth

H-3821

- 1 Amend Senate File 364 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, lines 10 and 11, by striking the words
 4 "overtime compensation, including credit for
 5 compensatory time;".

RENKEN of Grundy

H-3824

1 Amend Senate File 364 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, lines 18 and 19, by striking the words
 4 "and remediation".

BENNETT of Ida

H-3827

1 Amend Senate File 364 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, lines 13 and 14, by striking the words
 4 "break or preparation time;".

TORRENCE of Muscatine

H-3830

1 Amend Senate File 110 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 2, by striking lines 9 through 11 and
 4 inserting the following: "C.F.R. § 121, and data
 5 processing equipment, computers, and petroleum
 6 products."

LLOYD-JONES of Johnson

H-3831

1 Amend Senate File 110 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 19, by inserting after the word
 4 "securities" the following: "and affiliate of the
 5 foregoing".
 6 2. Page 1, by striking lines 20 through 23 and
 7 inserting the following:
 8 "_____. "Affiliate" means any entity controlling,
 9 controlled by or under common control with a financial
 10 institution."
 11 3. Page 2, by striking line 2 and inserting the
 12 following: "warehousing or other operations within
 13 the Republic of South Africa, except that it shall not
 14 mean any company which has adopted the Sullivan
 15 principles and has obtained a performance rating in
 16 the top two categories of the Sullivan principles
 17 rating system prepared by Arthur D. Little, Inc., or
 18 is in categories four or five of the rating system."
 19 4. Page 2, by striking lines 4 through 6 and
 20 inserting the following: "means directly or

21 indirectly supplying strategic products or services
 22 for use by the government of South Africa or for use
 23 by the military or police in South Africa. This
 24 includes, but is not limited to, transactions carried
 25 out through intermediary corporations."

26 5. Page 2, by striking lines 14 through 32 and
 27 inserting the following:

28 "1. The treasurer of state shall not invest or
 29 deposit funds belonging to the state of Iowa in a
 30 financial institution which has made a loan, after the
 31 effective date of this Act, to the Republic of South
 32 Africa, or in the stocks, securities, or other
 33 obligations of such a financial institution or of any
 34 company doing business in or with the Republic of
 35 South Africa.

36 2. The state board of regents shall not invest or
 37 deposit funds belonging to the institutions under the
 38 control of the state board of regents in a financial
 39 institution which has made a loan, after the effective
 40 date of this Act, to the Republic of South Africa, or
 41 in the stocks, securities, or other obligations of
 42 such a financial institution or of any company doing
 43 business in or with the Republic of South Africa.

44 3. The Iowa department of job service shall not
 45 invest or deposit funds from the Iowa public
 46 employment retirement fund in a financial institution
 47 which has made a loan, after the effective date of
 48 this Act, to the Republic of South Africa, or in the
 49 stocks, securities or other obligations of such a
 50 financial institution or of any company doing business

Page 2

1 in or with the Republic of South Africa."

2 6. By striking page 2, line 33 through page 3,
 3 line 12.

4 7. Page 3, by striking lines 14 through 23 and
 5 inserting the following:

6 "1. The treasurer of state, the state board of
 7 regents, and the department of job service shall make
 8 no additional investments of the type prohibited under
 9 section 12A.3 subsequent to June 30, 1985. The sale
 10 of investments required to be sold under section 12A.3
 11 shall be completed by July 1, 1990, unless prior
 12 thereto the general assembly determines that
 13 substantial and fundamental progress in establishing
 14 human rights policies in the Republic of South Africa
 15 has occurred. Subject to any such action of the
 16 general assembly not less than one fifth of the value
 17 of the investments held on July 1, 1985 shall be sold
 18 in the year beginning July 1, 1988."

19 8. Page 4, by striking lines 4 through 9.

20 9. Page 4, by striking lines 16 through 18.

H-3838

- 1 Amend Senate File 465 as follows:
- 2 1. Page 1, by striking lines 10 through 21 and
- 3 inserting the following: "into the state general
- 4 fund. The".

HANSON of Delaware

H-3840

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by striking lines 6 through 9 and
- 4 inserting the following: "consent of the parties
- 5 to the agreement."

BENNETT of Ida

H-3841

- 1 Amend Senate File 364 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by striking lines 3 through 6 and
- 4 inserting the following: "this section. Section
- 5 20.7 does".

BENNETT of Ida

H-3844

- 1 Amend Senate File 521 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 3, by striking the word "order"
- 4 and inserting the following: "action".
- 5 2. Page 1, line 5, by inserting after the word
- 6 "chapter" the following: "is not the exclusive
- 7 enforcement mechanism or manner of redress for
- 8 violations of the provisions of this chapter and".
- 9 3. Page 1, line 7, by inserting after the word
- 10 "law." the following: "In any action for violations
- 11 of the provisions of this chapter, the person bringing
- 12 the action shall, if successful, be awarded reasonable
- 13 attorney fees."

JAY of Appanoose

H-3846

- 1 Amend Senate File 540 as amended, passed and
- 2 reprinted by the Senate as follows:

3 1. Page 3, by inserting after line 16 the
4 following:

5 "Sec. 6. Section 56.6, subsection 1, Code 1985, is
6 amended by adding the following new lettered
7 paragraph:

8 NEW LETTERED PARAGRAPH. A candidate's committee of
9 a state officeholder shall file a letter report to be
10 received within fourteen days of the receipt of any
11 contribution from a political committee or from a
12 lobbyist registered under the rules adopted by either
13 house of the general assembly while the general
14 assembly is in session. The letter report shall
15 notify the commission of the following:

- 16 (1) The name of the candidate's committee.
17 (2) The name and complete address of the political
18 committee or registered lobbyist making the
19 contribution.
20 (3) The amount of the contribution.
21 (4) The date the contribution was received.
22 (5) In the event the contribution was caused by a
23 fundraiser, an explanation of the sponsor and type of
24 event held."

25 2. Page 5, by inserting after line 28 the
26 following:

27 "Sec. 13. This Act, except for section 6, takes
28 effect January 1, 1986. Section 6 of this Act takes
29 effect July 1, 1985."

McINTEE of Black Hawk
JOCHUM of Dubuque

H—3847

1 Amend Senate File 455 as amended, passed, and re-
2 printed by the Senate as follows:

3 1. Page 4, by inserting after line 5, the fol-
4 lowing:

5 "5. Seized property which was stolen or otherwise
6 obtained in violation of the law may be returned to
7 the owner, if the owner was not the person from whom
8 the property was seized, without hearing if all of the
9 following are true:

- 10 a. The identity of the owner is not in question.
11 b. The owner's right to possess the property is
12 not in question.
13 c. The possession of the property is not pro-
14 hibited by law.
15 d. One of the following is also true:
16 (1) Criminal charges have not been filed and are
17 not being contemplated regarding the theft of the
18 property.

19 (2) Evidence regarding the property is not to be
20 introduced in any proceeding.

21 (3) If evidence regarding the property is to be
22 introduced, all of the following are true:

23 (a) The property has been photographed in such a
24 manner as to fairly show the nature and condition of
25 the property.

26 (b) The photographs are available for use in any
27 subsequent proceeding.

28 (c) If the value of the property is in excess of
29 one hundred dollars, the county attorney has notified
30 the attorney for any person against whom the evidence
31 regarding the property may be used of the intention to
32 return the property following its being photographed
33 and the person's attorney either exercised or waived
34 an opportunity to examine the property within fourteen
35 days.

36 (4) If the property may be introduced as evidence,
37 it is of such a nature that it is not easily alterable
38 without detection and arrangements satisfactory to
39 both the county attorney and the attorneys for any
40 persons against whom evidence regarding the property
41 may be used have been made for its return for use as
42 evidence."

JAY of Appanoose

H-3848

1 Amend Senate File 383, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the fol-
4 lowing:

5 "Section 1. Section 96.3, subsection 4, unnumbered
6 paragraph 1, Code 1985, is amended to read as follows:

7 DETERMINATION OF BENEFITS. ~~With respect to benefit~~
8 ~~years beginning on or after July 1, 1983, an An~~
9 eligible individual's weekly benefit amount for a week
10 of total unemployment ~~shall be~~ is an amount equal to
11 the following fractions ~~one twenty-second~~ of the
12 individual's total wages in insured work paid during
13 that quarter of the individual's base period in which
14 such total wages were highest. ~~However,~~ the director
15 shall determine annually a maximum weekly benefit
16 amount equal to the following percentages, ~~to vary~~
17 ~~with the number of dependents, fifty-five percent of~~
18 the statewide average weekly wage paid to employees in
19 insured work which shall be effective the first day of
20 the first full week in July.

21	If the number of dependents is:			
22	The weekly benefit amount shall equal the following fraction of high quarter wages:			
23	percentage of the following maximum			
24	statewide average weekly wages:			
25				
26		0	1/23	53%
27		1	1/22	55%
28		2	1/21	57%
29		3	1/20	60%
30	4 or more		1/19	65%

31 The maximum weekly benefit amount, if not a multiple

32 of one dollar shall be rounded to the lower multiple

33 of one dollar. However, until such time as sixty-five

34 percent of the statewide average weekly wage exceeds

35 one hundred ninety dollars, the maximum weekly benefit

36 amounts shall be determined using the statewide

37 average weekly wage computed on the basis of wages

38 reported for calendar year 1981. As used in this

39 section "dependent" means dependent as defined in

40 section 422-12, subsection 1, paragraph "c", as if the

41 individual claimant was a taxpayer, except that an

42 individual claimant's nonworking spouse shall be

43 deemed to be a dependent under this section.

44 "Nonworking spouse" means a spouse who does not earn

45 more than one hundred twenty dollars in gross wages in

46 one week."

47 2. Page 1, line 1, by striking the word and

48 figure "Section 1." and inserting the following:

49 "Sec. 2."

50 3. Page 2, line 15, by striking the words and

Page 2

1 figure "Sec. 2. This" and inserting the following:

2 "Sec. 3. Section 1 of this Act applies to benefit

3 years beginning on or after the first day of the first

4 full week in July after the enactment of this Act.

5 Section 2 of this".

HALVORSON of Clayton

H--3853

1 Amend Senate File 385 as amended, passed, and

2 reprinted by the Senate as follows:

3 1. Page 4, by inserting after line 19 the

4 following:

5 "9. Following the letting of a contract for public

6 improvements under the provisions of this Act, shall

7 cause to be printed in two papers of general

8 circulation, within the geographic area of the

9 contracting entity of government, the increased cost
 10 to the specific project as a result of the imposition
 11 of the prevailing wage standard.”

McINTEE of Black Hawk

H—3854

1 Amend Senate File 385 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 7, by inserting after line 27 the
 4 following:
 5 “10. The labor commissioner shall cause to be
 6 published at least annually, in a paper with statewide
 7 circulation, and in at least three regional
 8 newspapers, an itemization of the additional cost on
 9 each project impacted by the imposition of this Act.
 10 Such a list shall also be maintained in the
 11 commissioner’s office for public inspection and shall
 12 be transmitted to the county auditors’ office in all
 13 counties of this state, and the city clerks’ offices
 14 in all the cities of this state, and in each case
 15 shall be available for public inspection.”

McINTEE of Black Hawk

H—3858

1 Amend Senate File 455 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 2, by inserting after line 1 the
 4 following:
 5 Sec._____. NEW SECTION. 702.24 NONLETHAL
 6 ELECTRONIC DEVICE.
 7 “Nonlethal electronic device” means a device which
 8 by electronic pulse or current is capable of
 9 immobilizing a victim temporarily but is not capable
 10 of inflicting death or serious injury upon a human
 11 being.
 12 Sec._____. Section 708.2, subsection 3, Code 1985,
 13 is amended to read as follows:
 14 3. Any other assault, except as otherwise
 15 provided, is a simple misdemeanor. However, if while
 16 committing an assault that would otherwise be
 17 punishable under this subsection a person uses or
 18 threatens to use a nonlethal electronic device or a
 19 weapon or device which by chemical means temporarily
 20 immobilizes another, the person is guilty of an
 21 aggravated misdemeanor if the victim is a peace
 22 officer in the performance of the peace officer’s duty
 23 and a serious misdemeanor if the victim is any other

24 person.

25 Sec._____. Section 719.1, Code 1985, is amended to
26 read as follows:

27 719.1 INTERFERENCE WITH OFFICIAL ACTS.

28 A person who knowingly resists or obstructs anyone
29 known by the person to be a peace officer or fire
30 fighter, whether paid or volunteer, in the performance
31 of any act which is within the scope of the lawful
32 duty or authority of that officer or fire fighter,
33 whether paid or volunteer, or who knowingly resists or
34 obstructs the service or execution by any authorized
35 person of any civil or criminal process or order of
36 any court, commits a simple misdemeanor. However, if
37 a person commits an interference with official acts,
38 as defined in this section, and in so doing inflicts
39 bodily injury other than serious injury, that person
40 commits a serious misdemeanor. If a person commits an
41 interference with official acts, as defined in this
42 section, and in so doing inflicts or attempts to
43 inflict serious injury, or displays a dangerous
44 weapon, as defined in section 702.7, or a nonlethal
45 electronic device or is armed with a firearm, that
46 person commits an aggravated misdemeanor. The terms
47 "resist" and "obstruct", as used in this section, do
48 not include verbal harassment unless the verbal
49 harassment is accompanied by a present ability and
50 apparent intention to execute a verbal threat

Page 2

1 physically.

2 Sec._____. Section 724.1, subsection 8, paragraph
3 c, Code 1985, is amended to read as follows:

4 c. Any device which is not designed or redesigned
5 for use as a weapon; any device which is designed
6 solely for use as a signaling, pyrotechnic, line-
7 throwing, safety, or similar device; any nonlethal
8 electronic device; or any firearm which is
9 unserviceable by reason of being unable to discharge a
10 shot by means of an explosive and is incapable of
11 being readily restored to a firing condition.

12 Sec._____. Section 724.22, Code 1985, is amended by
13 adding the following new subsections:

14 NEW SUBSECTION. 7. A person who sells, loans,
15 gives, or makes available a nonlethal electronic
16 device to a minor commits a simple misdemeanor.

17 NEW SUBSECTION. 8. A minor who possesses a
18 nonlethal electronic device commits a simple
19 misdemeanor.

20 Sec._____. Section 724.26, Code 1985, is amended by
21 adding the following new unnumbered paragraph:

22 NEW UNNUMBERED PARAGRAPH. A person who is
 23 convicted of a felony in any state or federal court
 24 and who subsequently possesses, receives, or
 25 transports or causes to be transported a nonlethal
 26 electronic device commits a simple misdemeanor.
 27 Sec. _____. NEW SECTION. 724.28 SHOCKING DEVICES
 28 FOR CONTROL OF LIVESTOCK.

29 This chapter does not prohibit the possession or
 30 transportation by a farmer, rancher, livestock
 31 transporter, livestock breeder, livestock salesyard
 32 owner, or any of their employees, of any shocking
 33 device designed exclusively to move or control
 34 livestock, or the use of such a device for the purpose
 35 of moving or controlling livestock."

36 2. Title page, line 1, by striking the words "the
 37 seizure and forfeiture of".

38 3. Title page, line 5, by striking the word
 39 "activity." and inserting the following: "activity,
 40 to the seizure and forfeiture of such property and to
 41 the sale, possession and use of certain classes of
 42 such property, and providing penalties."

43 4. By renumbering as necessary.

McINTEE of Black Hawk

H-3859

1 Amend amendment H-3771 to Senate File 449 as passed
 2 by the Senate as follows:

3 1. Page 2, by striking lines 45 through 47 and
 4 inserting the following: "governor subject to
 5 confirmation by the senate. No".

6 2. Page 3, by striking lines 11 through 16 and
 7 inserting the following: "and exercised by a division
 8 board of six members. Five members shall be appointed
 9 by the governor subject to confirmation by the senate.
 10 The governor's appointees shall include an attorney,
 11 an abstractor, a real estate broker, a representative
 12 of a mortgage-lender and a representative of the
 13 housing development industry. The other member of the
 14 division board shall be the commissioner of insurance
 15 or the designee of the commissioner."

16 3. Page 3, line 35, by striking the word "Three"
 17 and inserting the word "Four".

18 4. Page 3, line 39, by striking the word
 19 "Members" and inserting the following: "Appointed
 20 members".

McINTEE of Black Hawk
 HALVORSON of Clayton

H-3860

- 1 Amend Senate File 538 as amended and passed by the
 2 Senate as follows:
 3 1. Page 3, by striking line 31 and inserting the
 4 following: "statement shall request from the
 5 secretary of state or any other source a".
 6 2. Page 3, line 32, by striking the word
 7 "certificate" and inserting the following:
 8 "certificate statement".

KOENIGS of Mitchell

H-3862

- 1 Amend House File 747 as follows:
 2 1. Page 11, line 16, by striking the figure
 3 "25,917,985" and inserting the following:
 4 "25,989,985".
 5 2. Page 11, by inserting after line 16 the
 6 following:
 7 "Of the funds appropriated in subparagraph (1),
 8 seventy two thousand (72,000) dollars or so much
 9 thereof as is necessary shall be used for a
 10 specialized medical home care program providing care
 11 planning and coordination of community support
 12 services for children who require technical medical
 13 care in the home to be conducted by the mobile and
 14 regional child health speciality clinic program."
 15 3. Page 12, by inserting after line 17, the
 16 following:
 17 "_____. As a condition of the appropriation made in
 18 paragraph "b", subparagraph (1), funds allocated for
 19 the specialized medical home care program shall not be
 20 allocated to the university hospitals and clinics by
 21 the state comptroller until the state board of regents
 22 contracts with the state department of health for the
 23 administration and provision of services for the
 24 program.
 25 It is the intent of the general assembly that for
 26 the fiscal year beginning July 1, 1986, the funding
 27 for the specialized medical home care program be
 28 appropriated by the health and human rights
 29 appropriation subcommittee."

JOCHUM of Dubuque

H-3866

- 1 Amend Senate File 364 as amended, passed, and re-
 2 printed by the Senate as follows:

3 1. Page 3, by striking lines 9 through 24 and in-
4 serting the words "in good faith with respect to
5 wages, hours, vacations, insurance, holidays, leaves
6 of absence, shift differentials, overtime
7 compensation, supplemental pay, seniority, transfer
8 procedures, job classifications, health and safety
9 matters, evaluation procedures, procedures for staff
10 reduction, in-service training and other matters
11 mutually agreed upon."

HUMMEL of Benton

H-3867

1 Amend Senate File 364 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 5, by inserting after line 11 the
4 following:

5 "Sec. _____. Section 20.20, Code 1985, is amended to
6 read as follows:

7 20.20 MEDIATION.

8 In the absence of an impasse agreement between the
9 parties or the failure of either party to utilize its
10 procedures, one hundred twenty days prior to the
11 certified budget submission date, the board shall,
12 upon the request of either party, appoint an impartial
13 and disinterested person to act as mediator. It shall
14 be the function of the mediator to bring the parties
15 together to effectuate a settlement of the dispute,
16 but the mediator may not compel the parties to agree.
17 The cost of mediation shall be shared equally by the
18 parties.

RENSINK of Sioux

H-3868

1 Amend amendment H-3831 to Senate File 110 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, line 15, by adding after the word
5 "and" the words ", during three of the preceding
6 five years,".

STROMER of Hancock

H-3869

1 Amend H-3831 to Senate File 11Q as amended, passed,
2 and reprinted by the Senate as follows:

3 1. Page 2, by striking line 10 and inserting the

4 following: "of securities and investments held by the
5 treasurer of state, the state board of regents, and
6 the department of job service on the effective date of
7 this Act that are prohibited under section 12A.3".

8 2. Page 2, by inserting after line 19 the
9 following:

10 "_____. Page 4, by striking lines 11 through 20 and
11 inserting the following:

12 "1. The treasurer of state shall maintain a list
13 of companies that do business in or with the Republic
14 of South Africa. The list shall be developed with
15 reference to information obtained from the United
16 States department of commerce and Arthur D. Little,
17 Inc. and other authoritative sources. The treasurer
18 shall mail written notification to each company on the
19 divestiture list." "

LLOYD-JONES of Johnson

H—3870

1 Amend amendment H—3825 to Senate File 364 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1 by striking lines 4 and 5 and inserting the
4 following: "procedures for staff reduction;"

CARPENTER of Polk

H—3872

1 Amend House amendment H—3379 to Senate File 364 as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting after line 10 the
5 following:

6 "_____. Page 3, lines 16 and 17, by striking the
7 following: "life and health insurance premiums for
8 present employees when retired;"

9 _____. Page 3, line 19, by inserting after the word
10 "remediation" the following: "procedures".

11 _____. Page 3, line 19, by striking the word
12 "transfers" and inserting the following: "transfer
13 procedures".

14 _____. Page 3, lines 19 and 20, by striking the
15 words "and criteria".

16 _____. Page 3, line 22, by striking the word
17 "including" and inserting the following: "and".

18 _____. Page 3, line 23, by inserting after the word
19 "staffing" the words "related to health and safety".

20 2. Page 1, by inserting after line 14 the
21 following:

22 "_____. Page 4, by striking lines 3 through 8 and
 23 inserting the following: "this section. The
 24 bargaining subjects listed under" "

25 3. Page 1, by striking lines 22 through 26 and
 26 inserting the following:

27 "6. Certificated employees discharged for the
 28 purpose of a reduction in force shall follow the
 29 grievance procedures provided in their collective
 30 bargaining agreement. Discharged certificated
 31 employees who do not have reduction in force
 32 procedures provided in their collective bargaining
 33 agreement shall follow the termination procedures
 34 provided under chapter 279. A certificated employee
 35 organization may unilaterally reject negotiated
 36 reduction in force procedures in the collective
 37 bargaining agreement through March 1, 1986. A
 38 certificated employee organization shall notify the
 39 board of a rejection of reduction in force procedures
 40 prior to March 1, 1986."

41 4. Page 1, by inserting before line 27 the
 42 following:

43 "_____. Page 4, by inserting before line 21 the
 44 following:

45 "Sec._____. Section 20.17, subsection 4, Code 1985,
 46 is amended to read as follows:

47 4. The terms of a proposed collective bargaining
 48 agreement shall be made public and reasonable notice
 49 shall be given to the public employees prior to a
 50 ratification election. The collective bargaining

Page 2

1 agreement shall become effective only if ratified by a
 2 majority of those voting by secret ballot. Balloting
 3 may be conducted by mail in whole or in part.

4 Sec._____. Section 20.17, subsection 10, Code 1985,
 5 is amended to read as follows:

6 10. A collective bargaining agreement between a
 7 public employer and an employee organization shall be
 8 effective for two consecutive years. The negotiation
 9 of a proposed collective bargaining agreement by
 10 representatives of a state public employer and a state
 11 employee organization shall be complete not later than
 12 March 15 of the year when the agreement is to become
 13 effective. The board shall provide, by rule, a date
 14 on which any impasse item must be submitted to binding
 15 arbitration and for such other procedures as deemed
 16 necessary to provide for the completion of
 17 negotiations of proposed state collective bargaining
 18 agreements not later than March 15 the dates
 19 established by this section. The date selected for

20 the mandatory submission of impasse items to binding
 21 arbitration shall be sufficiently in advance of ~~March~~
 22 ~~15~~ the date established for completion of negotiations
 23 to insure that the arbitrators' decision can be
 24 reasonably made before ~~March 15~~ the completion date." "

25 5. Page 1, by striking lines 27 and 28 and
 26 inserting the following:

27 "_____. By striking page 4, line 22 through page 5,
 28 line 11 and inserting the words "following new
 29 subsections:

30 NEW SUBSECTION. The negotiations for a proposed
 31 collective bargaining agreement between the
 32 representatives of a school corporation and an
 33 employee organization shall commence in even numbered
 34 years. The employee organization shall present its
 35 opening bargaining position at the first bargaining
 36 session to be held no sooner than May 1 and no later
 37 than May 10. The school corporation shall present its
 38 opening bargaining position at the second bargaining
 39 session which shall be held no later than ten days
 40 following the first session. The parties shall hold a
 41 third bargaining session no later than ten days from
 42 the second bargaining session and after the third
 43 bargaining session either party may request mediation.
 44 If negotiations have not produced an agreement before
 45 June 5, the board shall arrange for mediation and set
 46 up the first mediated session. The parties may then
 47 meet thereafter at their discretion with or without
 48 the mediator. The board shall arrange for a final
 49 mediated session within fourteen days of the first
 50 mediated session at which final bargaining positions

Page 3

1 shall be submitted. If there is no agreement within
 2 three days from the final mediated session, the board
 3 shall arrange for arbitration on the final bargaining
 4 positions under section 20.22. The determination by
 5 the panel of arbitrators shall be announced not later
 6 than August 15.

7 NEW SUBSECTION. Except as otherwise provided for
 8 school corporations, the negotiations for a proposed
 9 collective bargaining agreement between the
 10 representatives of a public employer other than a city
 11 and an employee organization shall commence in even
 12 numbered years. The negotiations for a proposed
 13 collective bargaining agreement between the
 14 representatives of a city and an employee organization
 15 shall commence in odd numbered years. The employee
 16 organization shall present its opening bargaining
 17 position at the first bargaining session to be held no

18 sooner than November 1 and no later than November 10.
 19 The public employer shall present its opening
 20 bargaining position at the second bargaining session
 21 which shall be held no later than ten days following
 22 the first session. The parties shall hold a third
 23 bargaining session no later than ten days from the
 24 second bargaining session and after the third
 25 bargaining session either party may request mediation.
 26 If negotiations have not produced an agreement before
 27 January 5, the board shall arrange for mediation and
 28 set up the first mediated session. The parties may
 29 then meet thereafter at their discretion with or
 30 without the mediator. The board shall arrange for a
 31 final mediated session within fourteen days of the
 32 first mediated session at which final bargaining
 33 positions shall be submitted. If there is no
 34 agreement within three days from the final mediated
 35 session, the board shall arrange for arbitration on
 36 the final bargaining positions under section 20.22.
 37 The determination by the panel of arbitrators shall be
 38 announced not later than March 1." "

39 6. Page 1, by inserting after line 28 the
 40 following:

41 "_____. Page 5, by inserting before line 12 the
 42 following:

43 "Sec._____. Section 20.21, Code 1985, is repealed.
 44 Sec._____. Section 20.22, subsections 1 and 3, Code
 45 1985, are amended to read as follows:

46 1. If an impasse persists after the findings of
 47 ~~fact and recommendations are made public by the fact-~~
 48 ~~finder mediation~~, the parties may continue to
 49 negotiate or, the board shall have the power, upon
 50 request of either party, to arrange for arbitration,

Page 4

1 which shall be binding. The request for arbitration
 2 shall be in writing and a copy of the request shall be
 3 served upon the other party.

4 3. The submission of the impasse items to the
 5 arbitrators shall be limited to those issues that had
 6 been considered by the ~~fact-finder during mediation~~
 7 and upon which the parties have not reached agreement.
 8 ~~With respect to each such item, the~~ The arbitration
 9 board award shall be restricted to either of the final
 10 offers on each all impasse ~~item~~ items submitted by the
 11 parties to the arbitration board ~~or to the~~
 12 ~~recommendation of the fact-finder on each impasse~~
 13 ~~item."~~ "

H-3873

- 1 Amend Senate File 461 as amended, passed and reprinted
 2 by the Senate as follows:
 3 1. Page 2, by striking lines 2 and 3, and inserting
 4 the following: "154C; or an individual licensed as a "

HANSON of Delaware

H-3874

- 1 Amend Senate File 309 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking lines 10 and 11, and
 4 inserting the following: "this section may be".

ROSENBERG of Story

H-3875

- 1 Amend Senate File 364 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 "1. Page 5, by inserting before line 12 the
 4 following:
 5 "Sec. _____. Section 20.21, Code 1985, is repealed.
 6 Sec. _____. Section 20.22, subsections 1 and 3, Code
 7 1985, are amended to read as follows:
 8 1. If an impasse persists after the findings of
 9 fact and recommendations are made public by the fact-
 10 finder mediation, the parties may continue to
 11 negotiate or, the board shall have the power, upon
 12 request of either party, to arrange for arbitration,
 13 which shall be binding. The request for arbitration
 14 shall be in writing and a copy of the request shall be
 15 served upon the other party.
 16 3. The submission of the impasse items to the
 17 arbitrators shall be limited to those issues that had
 18 been considered by the fact-finder during mediation
 19 and upon which the parties have not reached agreement.
 20 With respect to each such item, the arbitration board
 21 award shall be restricted to the final offers on each
 22 impasse item submitted by the parties to the
 23 arbitration board or to the recommendation of the
 24 fact-finder on each impasse item."

HALVORSON of Clayton

H-3876

- 1 Amend Senate File 364 as amended, passed, and
 2 reprinted by the Senate as follows:

3 1. Page 4, by inserting after line 20 the
 4 following:
 5 "Sec. _____. Section 20.17, subsection 3, Code 1985,
 6 is amended to read as follows:
 7 3. ~~Negotiating sessions, strategy~~ Strategy
 8 meetings of public employers or employee
 9 organizations, mediation and the deliberative process
 10 of arbitrators shall be exempt from the provisions of
 11 chapter 21. However, the employee organization shall
 12 present its initial bargaining position to the public
 13 employer at the first bargaining session. The public
 14 employer shall present its initial bargaining position
 15 to the employee organization at the second bargaining
 16 session, which shall be held no later than two weeks
 17 following the first bargaining session. Both sessions
 18 shall be open to the public and subject to the
 19 provisions of chapter 21. Hearings conducted by
 20 arbitrators shall be open to the public."

HALVORSON of Clayton

H-3878

1 Amend Senate File 91 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 17, by striking lines 5 and 6 and
 4 inserting the following: "and 1986 shall expire at
 5 noon on the day the successor qualifies and such
 6 successor shall be elected at the regular election in
 7 1985 or".

GROTH of Buena Vista

H-3879

1 Amend Senate File 424 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 "Section 1. NEW SECTION. 218.34 EMPLOYEE
 6 CRIMINAL RECORD CHECKS.
 7 A person convicted under a law of any state of a
 8 crime involving mistreatment of a child or violence
 9 against a person shall not be employed as a staff
 10 member with direct responsibility for providing care
 11 to children, of a state hospital-school, a state
 12 mental health institute, the state training school, or
 13 the Iowa juvenile home. The department shall initiate
 14 and pay for the cost of federal criminal record checks
 15 on such potential new employees.
 16 2. Page 1, lines 13 and 14, by striking the words

17 "multiple incidents of any other type of founded child
 18 abuse" and inserting the following: "any other type
 19 of child abuse founded within seven years prior to the
 20 check of the child abuse registry by the department".

21 3. By striking page 1, line 28 through page 2,
 22 line 17.

23 4. Page 2, line 22, by inserting after the word
 24 "a" the following: "registered".

25 5. Page 2, by inserting after line 27 the
 26 following:

27 "Sec. _____. NEW SECTION. 262.71 EMPLOYEE CRIMINAL
 28 RECORD CHECKS.

29 A person convicted under a law of any state of a
 30 crime involving mistreatment of a child or violence
 31 against a person shall not be employed as a staff
 32 member with direct responsibility for providing care
 33 to children, of the Iowa braille and sight-saving
 34 school or the state school for the deaf. The state
 35 board of regents shall initiate and pay for the cost
 36 of federal criminal record checks on such potential
 37 new employees."

38 6. Page 2, by striking line 28.

39 7. By renumbering as necessary.

ARNOULD of Scott
 CARL of Poweshiek
 STURGEON of Woodbury

H-3883

1 Amend Senate File 364 as amended, passed, and
 2 reprinted by the Senate as follows:

3 1. Page 3, by striking lines 9 through 24 and
 4 inserting the words "in good faith on proposals
 5 reasonably related to wages, hours, and other terms
 6 and conditions of employment."

7 2. Page 4, by inserting after line 20 the
 8 following:

9 "Sec. _____. Section 20.12, subsection 1, Code 1985,
 10 is amended to read as follows:

11 1. It shall be unlawful for any public employee or
 12 any employee organization, directly or indirectly, to
 13 induce, instigate, encourage, authorize, ratify or
 14 participate in a strike against any public employer
 15 before the submission of the fact-finder's
 16 recommendations under section 20.21."

HUMMEL of Benton
 SCHNEKLOTH of Scott

H-3885

- 1 Amend amendment H-3831 to Senate File 110 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 13 through 18 and
- 5 inserting in lieu thereof the following: "the
- 6 Republic of South Africa." "

TEAFORD of Black Hawk

H-3886

- 1 Amend the amendment, H-3818, to Senate File 524, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 3 through 21 and
- 4 inserting the following:
- 5 "_____. Page 1, line 28, by inserting after the
- 6 words "the mentally ill," the following: "advocacy
- 7 groups for the brain injured,".
- 8 _____. Page 1, line 35, by inserting after the word
- 9 "ill." the following: "The advisory committee shall
- 10 also consider whether a need exists for a special
- 11 classification within the residential care facility
- 12 category for brain injured individuals." "

TEAFORD of Black Hawk

H-3887

- 1 Amend Senate File 91 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. By striking page 14, line 33 through page 15,
- 4 line 15.

DAGGETT of Taylor

H-3899

- 1 Amend House amendment H-3883 to Senate File 364 as
- 2 amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 16 and
- 5 inserting the following:
- 6 "_____. Page 3, by striking lines 9 through 24 and
- 7 inserting the words "in good faith on proposals
- 8 reasonably related to wages, hours, and other terms
- 9 and conditions of employment." "
- 10 _____. Page 4, by inserting after line 20 the
- 11 following:
- 12 "Sec._____. Section 20.12, subsection 1, Code 1985.

13 is amended to read as follows:

14 1. It shall be unlawful for any public employee or
 15 any employee organization, directly or indirectly, to
 16 induce, instigate, encourage, authorize, ratify or
 17 participate in a strike against any public employer
 18 before the submission of the fact-finder's
 19 recommendations under section 20.21 or after
 20 arbitration is agreed to and arranged under section
 21 20.22.

22 Sec. _____. Section 20.12, Code 1985, is amended by
 23 inserting after subsection 5 the following new
 24 subsection:

25 **NEW SUBSECTION.** In the event of a lawful strike by
 26 a public employee or employee organization the public
 27 employer may petition the district court for the
 28 county where the strike occurs for an injunction to
 29 compel the employee or employee organization to return
 30 to work. If the court finds that the strike is
 31 immediately injurious to the public health, safety, or
 32 welfare, the court may compel the employee or employee
 33 organization to return to work for a period of time
 34 set by the court. Failure of an employee to return to
 35 work upon the issuance of the injunction is grounds
 36 for termination from public employment."

37 _____. Page 5, by inserting after line 11 the
 38 following:

39 "Sec. _____. Section 20.22, subsection 1, Code 1985,
 40 is amended to read as follows:

41 1. If an impasse persists after the findings of
 42 fact and recommendations are made public by the fact-
 43 finder, the parties may continue to negotiate or, the
 44 board shall have the power, upon request of either
 45 party both parties, to arrange for arbitration, which
 46 shall be binding. The request for arbitration shall
 47 be in writing and a copy of the request shall be
 48 served upon the other party once the request for
 49 arbitration is made to the board by both parties, the
 50 right to strike granted under section 20.12,

Page 2

1 subsection 1, is terminated."

HUMMEL of Benton
 SCHNEKLOTH of Scott

H-3901

1 Amend Senate File 366, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 10 by inserting after the word

- 4 "state." the following:
 5 "No more than three of the members appointed under
 6 this subsection shall be of the same sex."

SPEAR of Lee

H-3904

- 1 Amend Senate File 264 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking lines 20 and 21 and
 4 inserting the following: "Preference in granting the
 5 loan shall be given to the applicant with the lower
 6 net worth who demonstrates that the applicant can
 7 repay the loan. The net worth of the applicant shall
 8 be provided by a financial institution of the state of
 9 Iowa. Each loan made".

OSTERBERG of Linn
 JOHNSON of Winneshiek
 MULLINS of Kossuth
 McKEAN of Jones
 BLACK of Jasper

H-3905

- 1 Amend Senate File 309 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 7, by striking the words "one
 4 hundred" and inserting the word "twenty-five".
 5 2. Page 1, line 10, by striking the words "five
 6 hundred" and inserting the word "twenty-five".

PEICK of Linn

H-3907

- 1 Amend Senate File 364 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by inserting after line 35 the
 4 following:
 5 "_____. Notwithstanding section 279.10, subsection
 6 1, negotiations between a school corporation and an
 7 employee organization shall also include the setting
 8 of the school opening date."

CARPENTER of Polk

H—3909

- 1 Amend Senate File 364 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 3, line 6, by inserting before the word
 4 "The" the following:
 5 "A collective bargaining agreement between a public
 6 employer and an employee organization shall be
 7 effective for two consecutive years. However,
 8 proposals reasonably related to wages shall be
 9 renegotiated in the second year of a contract."

VARN of Johnson
 GROTH of Buena Vista

H—3910

- 1 Amend Senate File 364 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, line 10, by inserting after the word
 4 "differentials;" the words "job classifications;"

SHERZAN of Polk

H—3912

- 1 Amend Senate File 110 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, line 7, by adding after the word
 4 "and" the words ", during three of the preceding
 5 five years".

STROMER of Hancock

H—3920

- 1 Amend House File 747 as follows:
 2 1. Page 15, by striking lines 7 through 19 and
 3 inserting the following:
 4 "Sec. _____. The state board of regents shall
 5 discontinue regular commercial television broadcasting
 6 by December 31, 1986 at the Iowa state university of
 7 science and technology. The state board of regents
 8 shall present to the general assembly by January 20,
 9 1986 its plans for discontinuing regular commercial
 10 television broadcasting. The plans shall indicate the
 11 rights, licenses and property to be sold and those to
 12 be retained.
 13 The state board of regents may apply for a
 14 commercial low power television broadcasting license
 15 at the Iowa state university.

16 Sec._____. Iowa state university of science and
17 technology shall retain only the equipment, fixtures,
18 and property necessary to operate a commercial low
19 power television broadcasting station and to continue
20 the extension service and student instruction at the
21 same level which existed during the academic school
22 year beginning July 1, 1983. Funds realized from the
23 sale of WOI-TV shall be deposited in the general fund
24 of the state and used to make state aid payments to
25 school districts under section 442.26."

PAULIN of Plymouth

H-3924

1 Amend amendment H-3774 to House File 747 as
2 follows:
3 1. Page 1, line 3, by striking the figure
4 "24,758,928" and inserting the following:
5 "24,820,928".
6 2. Page 1, by inserting after line 3, the
7 following:
8 "_____. Page 11, by inserting after line 16 the
9 following:
10 "Of the funds appropriated in subparagraph (1),
11 seventy two thousand (72,000) dollars or so much
12 thereof as is necessary shall be used for a
13 specialized medical home care program providing care
14 planning and coordination of community support
15 services for children who require technical medical
16 care in the home to be conducted by the mobile and
17 regional child health speciality clinic program."
18 3. Page 12, by inserting after line 17, the
19 following:
20 "_____. As a condition of the appropriation made in
21 paragraph "b", subparagraph (1), funds allocated for
22 the specialized medical home care program shall not be
23 allocated to the university hospitals and clinics by
24 the state comptroller until the state board of regents
25 contracts with the state department of health for the
26 administration and provision of services for the
27 program.
28 It is the intent of the general assembly that for
29 the fiscal year beginning July 1, 1986, the funding
30 for the specialized medical home care program be
31 appropriated by the health and human rights
32 appropriation subcommittee."

ZIMMERMAN of Dallas

H-3925

- 1 Amend Senate File 364 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by striking line 15, and inserting the
 4 following: "standards having a reasonable relationship
 5 with job requirements for an employee's continued
 6 employment and job".

ZIMMERMAN of Dallas

H-3926

- 1 Amend House File 760 as follows:
 2 1. Page 1, line 8, by inserting after the word
 3 "retarded" the following: "and residential care
 4 facilities for the mentally ill".
 5 2. Page 1, line 12, by striking the figure "237A"
 6 and inserting the following: "237".
 7 3. Page 1, by striking lines 22 through 31 and
 8 inserting the following:
 9 "Sec. 2. Sales, services and use taxes which were
 10 payable on transactions occurring between July 1, 1980
 11 and July 1, 1985 involving the retail sale or rental
 12 of tangible personal property or from services
 13 performed, rendered, or furnished to the nonprofit
 14 corporations described in section 1 of this Act and
 15 which have not been paid by those nonprofit
 16 corporations are no longer due and payable after July
 17 1, 1985, and the department of revenue shall not
 18 collect these taxes, notwithstanding any other
 19 provision of law.
 20 Sec. 3. This Act is effective July 1, 1985."
 21 4. Title page, by striking lines 4 through 6 and
 22 inserting the following: "tax, prohibiting the
 23 collection for certain sales, services and use tax not
 24 paid by those corporations."

FEY of Scott
 GRONINGA of Cerro Gordo
 DE GROOT of Lyon
 HOLVECK of Polk
 CONNOLLY of Dubuque

H-3928

- 1 Amend the amendment, H-3677, to Senate File 383, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:

6 "_____. Page 1, by inserting before line 1 the fol-
7 lowing:

8 "Section 100. Section 96.3, subsection 4,
9 unnumbered paragraph 1, Code 1985, is amended to read
10 as follows:

11 **DETERMINATION OF BENEFITS. With respect to benefit**
12 **years beginning on or after July 1, 1983, an An**
13 **eligible individual's weekly benefit amount for a week**
14 **of total unemployment shall be is an amount equal to**
15 **the following fractions one twenty-first of the**
16 **individual's total wages in insured work paid during**
17 **that quarter of the individual's base period in which**
18 **such total wages were highest. However, the director**
19 **shall determine annually a maximum weekly benefit**
20 **amount equal to the following percentages, to vary**
21 **with the number of dependents, fifty-six percent of**
22 **the statewide average weekly wage paid to employees in**
23 **insured work which shall be effective the first day of**
24 **the first full week in July.**

25 If the number of 26 dependents is:	27 The weekly benefit 28 amount shall equal 29 the following frac- 30 tion of high quar- 31 ter wages:	32 Subject to the 33 following maximum 34 percentage of the 35 statewide average 36 weekly wage:
30 0	1/23	53%
31 1	1/22	55%
32 2	1/21	57%
33 3	1/20	60%
34 4 or more	1/19	65%

35 The maximum weekly benefit amount, if not a multiple
36 of one dollar shall be rounded to the lower multiple
37 of one dollar. However, until such time as sixty-five
38 percent of the statewide average weekly wage exceeds
39 one hundred ninety dollars, the maximum weekly benefit
40 amounts shall be determined using the statewide
41 average weekly wage computed on the basis of wages
42 reported for calendar year 1981. As used in this
43 section "dependent" means dependent as defined in
44 section 422.12, subsection 1, paragraph "c", as if the
45 individual claimant was a taxpayer, except that an
46 individual claimant's nonworking spouse shall be
47 deemed to be a dependent under this section.
48 "Nonworking spouse" means a spouse who does not earn
49 more than one hundred twenty dollars in gross wages in
50 one week. "

Page 2

1 2. Page 1, line 18, by inserting after the word
2 "law." the following: "Section 100 of this Act
3 applies to benefit years beginning on or after the
4 first day of the first full week in July after the
5 enactment of this Act."

H—3937

1 Amend House File 747 as follows:

2 1. Page 11, line 16, by striking the figure

3 "25,917,985" and inserting the following:

4 "25,989,985".

5 2. Page 11, by inserting after line 16 the
6 following:

7 "Of the funds appropriated in subparagraph (1),

8 seventy two thousand (72,000) dollars or so much

9 thereof as is necessary shall be used for a

10 specialized medical home care program providing care

11 planning and coordination of community support

12 services for children who require technical medical

13 care in the home to be conducted by the mobile and

14 regional child health speciality clinic program."

15 3. Page 12, by inserting after line 17, the

16 following:

17 "_____. As a condition of the appropriation made in

18 paragraph "b", subparagraph (1), funds allocated for

19 the specialized medical home care program shall not be

20 allocated to the university hospitals and clinics by

21 the state comptroller until the state board of regents

22 contracts with the state department of health for the

23 administration and provision of services for the

24 program."

JOCHUM of Dubuque

H—3938

1 Amend amendment H—3862 to House File 747 as follows:

2 1. Page 1, line 4, by striking the figure "25,989,985"

3 and inserting the following: "25,180,285".

ZIMMERMAN of Dallas

H—3940

1 Amend the Fey et al amendment H—3926 to House File
2 760 as follows:

3 1. Page 1, by inserting after line 19 the

4 following:

5 "Sec._____. Claims for refunds as a result of this

6 Act for sales, services, and use taxes paid on

7 transactions occurring between January 1, 1984 and

8 July 1, 1985 involving the retail sale or rental of

9 tangible personal property or from services performed,

10 rendered, or furnished to the nonprofit corporations

11 described in section 1 of this Act shall be filed

12 between July 1, 1985 and July 1, 1986, notwithstanding

13 any other provision of law.”

14 2. Page 1, line 20, by striking the words and
15 figures “effective July 1, 1985” and inserting the
16 following: “retroactive to January 1, 1984”.

17 3. Page 1, by striking lines 21 through 24 and
18 inserting the following:

19 “_____. Title page, line 5, by inserting after the
20 word “corporations,” the following: “prohibiting the
21 collection for certain sales, services, and use tax
22 not paid by those corporations.”.

LAGESCHULTE of Bremer

H-3954

1 Amend House File 747 as follows:

2 1. Page 1, line 12, by striking the figure
3 “533,667” and inserting the figure “533,527”.

4 2. Page 1, line 21, by striking the figure
5 “1,421,672” and inserting the figure “1,416,844”.

6 3. Page 1, line 35, by striking the figure
7 “6,315,737” and inserting the figure “6,235,137”.

8 4. Page 2, line 13, by striking the figure
9 “447,789” and inserting the figure “446,229”.

10 5. Page 4, line 6, by striking the figure
11 “4,154,675” and inserting the figure “4,140,916”.

JOCHUM of Dubuque

H-3974

1 Amend House File 747 as follows:

2 1. Page 11, line 8, by striking the figure
3 “\$122,820,648” and inserting the figure “\$122,580,648”.

4 2. Page 14, line 8, by striking the figure
5 “\$100,157,918” and inserting the figure “\$99,227,918”.

6 3. Page 16, by striking lines 8 through 21.

7 4. Page 20, by striking lines 14 through 28 and
8 inserting the following:

9 “Sec._____. Section 442.44, unnumbered paragraph
10 1, Code 1985, is amended to read as follows:

11 The state comptroller shall pay to each school
12 district in this state an amount equal to fifty dollars
13 times the sum of the number of pupils enrolled for the
14 entire school year on a full-time equivalent basis in
15 foreign language courses at the first-year level and
16 twenty-five dollars times the sum of the number of
17 pupils enrolled for the entire school year on a full-
18 time equivalent basis in sequential mathematics
19 courses at the advanced algebra level and above the
20 advanced algebra level and in chemistry, advanced

21 chemistry, physics and advanced physics courses."

22 5. By striking page 20, line 29 through page

23 21, line 9, and inserting the following:

24 "Sec. _____. Section 442.44, unnumbered paragraph

25 4, Code 1985, is amended to read as follows:

26 For the school year beginning July 1, 1984 1985

27 and each succeeding school year, there is appropriated

28 from the general fund of the state to the state

29 comptroller the sum of ~~two~~ one million one

30 hundred seventy thousand dollars, or so much thereof as

31 is necessary, to make the payments to school districts

32 required by this section. If the funds appropriated

33 are insufficient to make the payments required under

34 this section, the state comptroller shall prorate the

35 payments to school districts. Moneys received by a

36 school district under this section are miscellaneous

37 income. Moneys received by a school district for

38 pupils enrolled in science and mathematics courses

39 shall be used only for purchase of equipment and

40 supplies."

41 6. By renumbering as necessary.

CARPENTER of Polk

H-3994

1 Amend the Senate amendment H-3932 to House File 571

2 as amended, passed, and reprinted by the House as

3 follows:

4 1. Page 1, by inserting after line 2 the

5 following:

6 "_____. Page 1, line 13, by striking the figure

7 "267,520" and inserting the figure "260,117".

8 _____. Page 2, line 5, by striking the figure

9 "1,091,931" and inserting the figure "1,080,534".

10 _____. Page 2, line 18, by striking the figure

11 "793,054" and inserting the figure "776,260".

12 _____. Page 2, line 32, by striking the figure

13 "131,719" and inserting the figure "128,051".

14 _____. Page 3, line 4, by striking the figure

15 "100,847" and inserting the figure "98,685".

16 _____. Page 3, line 13, by striking the figure

17 "2,736,741" and inserting the figure "2,723,317".

18 _____. Page 3, line 28, by striking the figure

19 "962,678" and inserting the figure "940,503".

20 _____. Page 3, line 35, by striking the figure

21 "750,153" and inserting the figure "728,895"."

22 2. Page 1, by inserting after line 3 the

23 following:

24 "_____. Page 4, line 17, by striking the figure

25 "264,110" and inserting the figure "255,951".

- 26 _____ Page 4, line 24, by striking the figure
 27 "1,226,434" and inserting the figure "1,197,589".
 28 _____ Page 4, line 30, by striking the figure
 29 "640,109" and inserting the figure "604,108".
 30 3. Page 1, line 12, by striking the figure
 31 "1,314,427" and inserting the following: "1,311,431".
 32 4. Page 1, by striking lines 24 through 27 and
 33 inserting the following:
 34 "_____ Page 6, line 19, by striking the figure
 35 "1,834,852" and inserting the following:
 36 "1,816,897"."
 37 5. Page 1, by inserting after line 31 the
 38 following:
 39 "_____ Page 13, line 17, by striking the figure
 40 "115,963" and inserting the following: "114,866"."
 41 6. Page 1, by striking lines 32 through 35.
 42 7. Page 1, by inserting before line 36 the
 43 following:
 44 "_____ Page 13, line 32, by striking the figure
 45 "396,863" and inserting the figure "385,129"."
 46 8. Page 1, by striking lines 39 and 40 and
 47 inserting the following: "under section 1, except
 48 section 1, subsection 3, and sections 2, 3, and 4 of
 49 this Act for the fiscal".
 50 9. By striking page 1, line 46 through page 2,

Page 2

1 line 3.

JOCHUM of Dubuque

H-4016

- 1 Amend Senate File 552 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, by inserting after line 5 the
 4 following new section:
 5 "Sec. _____. Any salary adjustments for employees of
 6 an agency for the fiscal year beginning July 1, 1986
 7 shall be paid pursuant to the collective bargaining
 8 agreement from the funds appropriated to that agency."
 9 2. Renumber sections and correct internal
 10 references as necessary in accordance with this
 11 amendment.

MAULSBY of Calhoun
 VAN MAANEN of Mahaska

H-4034

- 1 Amend House File 767 as follows:
- 2 1. Page 1, by striking lines 32 through 34.

COREY of Louisa

H-4036

- 1 Amend Senate amendment S-3772 to House File 231 as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 13 and
- 5 inserting the following:
- 6 "_____. Page 1, by striking lines 1 through 19 and
- 7 inserting the following:
- 8 "Section 1. Section 461.2, Code 1985, is amended
- 9 by adding the following new unnumbered paragraph:
- 10 NEW UNNUMBERED PARAGRAPH. However, the board of
- 11 supervisors may install a temporary portable pumping
- 12 station to remove flood waters in an emergency. The
- 13 board of supervisors shall levy and collect the cost
- 14 of the purchase, operation and maintenance of the
- 15 pumping station from the lands in the district
- 16 benefited by the pumping station in the same manner as
- 17 provided for in the construction and maintenance of a
- 18 drainage or levee district. For the purpose of this
- 19 paragraph an emergency occurs when ponded or standing
- 20 water does not freely flow to the outlet ditch and the
- 21 capacity of the outlet ditch is not fully used."

ROYER of Page
HARBOR of Mills

H-4045

- 1 Amend Senate File 502 as passed by the Senate as
- 2 follows:
- 3 1. Page 4, by inserting before line 11 the
- 4 following:
- 5 "Sec.____. NEW SECTION. 523D.1 DEFINITIONS.
- 6 As used in this chapter, unless the context
- 7 otherwise requires:
- 8 1. "Person" means an individual, partnership,
- 9 firm, corporation or association.
- 10 2. "Contract" or "preneed contract" means a
- 11 preneed funeral service agreement, other than a
- 12 contract for insurance, under which for a specified
- 13 consideration paid in advance of need, either in a
- 14 lump sum or by installments, a person promises to
- 15 furnish, upon the death of a beneficiary named or

16 implied in the contract, services or property for use
17 in funeral services, or to furnish cemetery
18 merchandise. Preneed service contracts do not include
19 agreements to deliver property or cemetery merchandise
20 to be used in funeral services within one hundred
21 twenty days of sale. Delivery occurs when properly
22 identifiable property or merchandise is permanently
23 installed in a grave, crypt or niche, or when it is
24 housed in a bonded warehouse with a receipt of
25 ownership issued by the seller in the name of the
26 purchaser and transmitted to the purchaser.

27 3. "Professional service, cemetery merchandise or
28 property to be used in funeral services" means all
29 property, services, supplies and equipment provided by
30 a licensed funeral director, a funeral establishment
31 or cemetery association in connection with a funeral,
32 interment, entombment or cremation, including, but not
33 limited to mortuary science services, conducting of
34 funeral and memorial services, rental fees, final
35 disposition services, burial, entombment, cremation
36 fees, caskets, crypt beds, burial vaults, catafalques,
37 grave lots, grave spaces, grave markers, monuments,
38 tombstones, crypts, niches and mausoleums.
39 Professional services do not include perpetual care
40 or maintenance as provided in chapter 566A.

41 Cemetery merchandise or property does not include
42 grave lots, grave spaces, mausoleums or niches for
43 which a deed has been delivered to the purchaser.

44 4. "Funeral establishment" or "establishment"
45 means a business situated at a specific street address
46 or location which conducts funeral services, prepares
47 dead human bodies for their final disposition and
48 transports them to the place of final disposition.
49 The term does not include establishments used only for
50 visitations or funeral services.

Page 2

1 5. "Cemetery association" or "association" means a
2 person who owns, manages, or maintains land for the
3 purpose of burying dead human bodies.

4 6. "Financial institution" means a bank, savings
5 and loan association or credit union carrying federal
6 deposit insurance and located in this state.

7 7. "Commissioner" means the commissioner of
8 insurance.

9 Sec. _____ NEW SECTION. 523D.2 CONTRACT SALES.

10 A person shall not engage in the sale or execution
11 of a contract unless the person is the owner or
12 manager of a funeral establishment or a cemetery
13 association, or an agent or employee of a funeral

14 establishment or cemetery association.

15 Sec._____. NEW SECTION. 523D.3 ANNUAL REPORT.

16 Each funeral establishment or cemetery association
17 that has entered into any contracts in the preceding
18 calendar year shall file with the commissioner, on or
19 before March 1, a report including the following
20 information:

21 1. The name and address of the establishment or
22 association and the name and address of the owner or
23 manager of the establishment or association.

24 2. The name of the purchaser and beneficiary of
25 each contract made in the preceding year and the date
26 on which it was made.

27 3. The total value of contracts made in the
28 preceding year, the total amount of moneys to be
29 trusted in accordance with section 523D.12, the total
30 amount of principal paid on contracts in the preceding
31 year, and the amount trusted for each purchaser in the
32 preceding year.

33 4. The name and address of the financial
34 institution in which trust funds were deposited.

35 5. The total amount of all payments received on
36 contracts executed by the establishment or
37 association, or in its behalf, since July 1, 1954,
38 which are still on deposit in a financial institution
39 or in the direct possession of the establishment or
40 association.

41 6. Other information reasonably required by the
42 commissioner for purposes of administration of this
43 chapter. The report shall be accompanied by a filing
44 fee determined by the commissioner which shall be
45 sufficient to defray the costs of administering this
46 chapter.

47 Sec._____. NEW SECTION. 523D.4 VERIFICATION BY
48 COMMISSIONER.

49 The commissioner shall verify annual reports
50 submitted by establishments and associations by

Page 3

1 mailing, within ninety days of the receipt of a
2 report, to five percent of the contract purchasers
3 named in the report and to all financial institutions
4 named in the report, a questionnaire on which the
5 respondents will verify or refute the information
6 contained in the report. The commissioner may seek
7 any additional verification deemed necessary, but
8 shall always verify at least one contract cited in a
9 given report.

10 Sec._____. NEW SECTION. 523D.5 BOND.

11 Each establishment and association shall, at the

12 time of filing its annual report, also file with the
 13 commissioner a corporate surety bond in the amount of
 14 fifty thousand dollars. The bond shall be payable to
 15 the state, and shall be in such form and style as the
 16 commissioner may require for the use and benefit of
 17 the purchasers, or the estates of purchasers of
 18 contracts, or for the use and benefit of the
 19 beneficiaries, or the estates of beneficiaries of
 20 contracts if those persons suffer damages as a result
 21 of the establishment's or association's failure to
 22 comply with all provisions of a contract.

23 Sec._____. NEW SECTION. 523D.6 FRAUDULENT
 24 PRACTICES.

25 A person who commits any of the following acts is
 26 guilty of a fraudulent practice and is punishable as
 27 provided in chapter 714:

28 1. Knowingly makes, causes to be made, or
 29 subscribes to a false statement or representation in a
 30 report or other document required under this chapter,
 31 or renders such a report or document misleading
 32 through the deliberate omission of information
 33 properly belonging in the report or document.

34 2. Conspires to defraud in connection with the
 35 sale of a contract.

36 3. Deliberately misrepresents or omits a material
 37 fact relative to the sale of a contract to a
 38 prospective purchaser of the contract.

39 Sec._____. NEW SECTION. 523D.7 ORDERS AND
 40 INJUNCTIONS.

41 1. The commissioner may issue any order which the
 42 commissioner deems necessary or appropriate to protect
 43 the public interest. A person who is aggrieved by an
 44 order of the commissioner may request a hearing before
 45 the commissioner if the request is received within ten
 46 days of the issuance of the order. Hearings shall be
 47 held in accordance with chapter 17A.

48 2. The attorney general or the commissioner may
 49 apply to the district court in any county of the state
 50 for an injunction to restrain a person and any agents,

Page 4

1 employees, or associates of the person from engaging
 2 any further in conduct or practices deemed contrary to
 3 the public interest. In any proceeding for an
 4 injunction, the attorney general or commissioner may
 5 apply to the court for the issuance of a subpoena to
 6 require the appearance of a defendant and the
 7 defendant's agents and any documents, books and
 8 records germane to the hearing upon the petition for
 9 an injunction. Upon proof of any of the offenses

10 described in the petition for injunction the court may
11 grant the injunction as the facts warrant.

12 Sec._____. NEW SECTION. 523D.8 INVESTIGATIONS AND
13 SUBPOENAS.

14 1. The attorney general or the commissioner may:

15 a. Initiate investigations deemed necessary to
16 determine whether or not a person has violated a
17 provision of this chapter or a rule or order issued
18 pursuant to this chapter.

19 b. Require or permit a person to file a written
20 statement, whether under oath or not, germane to a
21 matter under investigation.

22 c. Publish information concerning a violation of
23 this chapter or a violation of a rule or order issued
24 pursuant to this chapter.

25 d. Administer oaths and affirmations, subpoena
26 witnesses, receive evidence and require the production
27 of documents and records in connection with an
28 investigation or proceeding being conducted pursuant
29 to this chapter.

30 e. Apply to the district court for issuance of an
31 order requiring a person's appearance before the
32 commissioner or attorney general, or a designee of
33 either or both, in cases where the person has refused
34 to obey a subpoena issued by the commissioner or
35 attorney general. The person may also be required to
36 produce documentary evidence germane to the subject of
37 the investigation, and failure to obey a court order
38 of this nature shall be regarded and punished by the
39 court as a contempt of court.

40 Sec._____. NEW SECTION. 523D.9 PROSECUTION FOR
41 VIOLATIONS OF LAW.

42 If, as a result of verification procedures or
43 investigations provided for in sections 523D.4 or
44 523D.8, the commissioner and attorney general believe
45 that grounds exist for criminal prosecution of
46 officials of an establishment or association for
47 alleged violation of this chapter or any other law of
48 this state, the commissioner may forward to the
49 appropriate county attorney the grounds for the
50 belief, including all evidence in the commissioner's

Page 5

1 possession, in order that the county attorney may
2 proceed with the matter as the county attorney deems
3 appropriate.

4 Sec._____. NEW SECTION. 523D.10 ADMINISTRATION.

5 The commissioner shall adopt rules necessary to
6 administer this chapter, in accordance with chapter
7 17A.

8 Sec. _____ NEW SECTION. 523D.11 PENALTY.

9 A person found to be in violation of this chapter
10 is guilty of a serious misdemeanor unless otherwise
11 specifically stated.

12 Sec. _____ NEW SECTION. 523D.12 DEPOSIT OF TRUST
13 FUND PAYMENTS.

14 1. When an establishment or association receives
15 payment in full on a contract, an amount equal to one
16 hundred ten percent of the wholesale costs of property
17 and cemetery merchandise to be used in funeral
18 services and sixty percent of the fees charged for
19 professional services under terms of the contract
20 shall be deposited within thirty days of receipt and
21 held in trust by a financial institution carrying
22 federal deposit insurance and located in this state.
23 In the case of a contract paid in installment payments
24 the seller shall deposit a percentage of each payment
25 in trust until the full amount to be trusted has been
26 deposited. The percentage of each payment to be
27 deposited shall be the same percentage that the total
28 amount to be trusted represents of the total price of
29 the contract. However, in no case shall the amount
30 deposited represent less than forty percent of the
31 payment received by the seller.

32 If the contract is financed with or sold to a
33 financial institution, then the contract shall be
34 considered paid in full and the deposit requirements
35 of this section shall be satisfied within thirty days
36 after the close of the month in which payment is
37 received from the financial institution.

38 Wholesale costs shall be determined by using a
39 current invoice price for the property or cemetery
40 merchandise delivered on an F.O.B. basis from a third
41 party manufacturer or the price printed on a current
42 price list furnished by a third party manufacturer.

43 Subject to the approval of the commissioner,
44 wholesale costs may be determined by a reasonable
45 alternative method in the event wholesale costs cannot
46 be determined by a current invoice price or a current
47 price list. At least once a year, the seller shall
48 review and revise trust fund accounts to reflect
49 current wholesale costs.

50 2. An establishment or association that is a party

Page 6

1 to a contract shall maintain records of all receipts,
2 interest and disbursements relative to contract
3 payments held in trust, and shall make the records
4 available to the commissioner or the attorney general
5 at any reasonable time upon request. The commissioner

6 or attorney general may require an audit by a
7 certified public accountant of the records of an
8 establishment or association required to deposit funds
9 in trust under this chapter if there is reasonable
10 evidence of noncompliance. The audit shall be
11 performed at the expense of the establishment or
12 association audited and a copy of the audit report
13 shall be provided for the commissioner and the
14 attorney general.

15 3. Financial institutions shall maintain records
16 of all contract accounts, including the name of the
17 depositor, the name of the person making the payments
18 to the depositor and the name of the contract
19 beneficiary.

20 Sec._____. NEW SECTION. 523D.13 RELEASE OF TRUST
21 FUNDS.

22 If, after a purchaser has paid a preneed contract
23 in full, the seller does not deliver the appropriate
24 goods and services in the manner provided for in the
25 contract, or if the seller fails to deliver within
26 twenty days after receipt of a written notice to
27 deliver from the purchaser, then the purchaser,
28 assignees, heirs or duly authorized representatives
29 are entitled to a refund of the purchase price.

30 Upon failure to deliver, funds held in trust,
31 including accrued interest or income, may be released
32 at the written request of the purchaser upon a five-
33 day written notice, by registered or certified mail,
34 delivered from the financial institution to the
35 seller.

36 If a seller of a preneed contract fails to provide
37 a written guarantee of delivery to a purchaser who
38 moves more than one hundred and fifty miles from the
39 seller's place of business, the purchaser is entitled
40 to a refund. Upon failure to guarantee delivery,
41 funds held in trust, including accrued interest or
42 income, may be released at the written request of the
43 purchaser upon five days written notice, by registered
44 or certified mail, delivered from the financial
45 institution to the seller.

46 In the event that a purchaser is in default of a
47 contract, the financial institution shall release to
48 the depositor the funds, including accrued interest or
49 income, deposited on behalf of the defaulted contract,
50 upon receiving from the seller a sworn affidavit

Page 7

1 stating that the purchaser is in default, the date of
2 the default, an explanation of the default and that
3 the seller has mailed a copy of the affidavit to the

4 purchaser's last known address at least fifteen days
5 prior to the request for release. This provision does
6 not limit the contract rights of either party.

7 In the event that no request to deliver has been
8 made under the terms of the contract for a period of
9 fifty years from the date of the contract, and the
10 seller has been unable to contact the purchaser, the
11 funds held in trust, including accrued interest or
12 income, shall be released to the seller.

13 A financial institution shall not be responsible
14 for any refunds made upon written notices submitted in
15 accordance with this section.

16 Partial delivery does not relieve a seller from the
17 provisions of this section that may apply to the
18 remainder and does not relieve a seller from any
19 liability for nonperformance of the contract terms.

20 Sec. _____. NEW SECTION. 523D.14 ADMINISTRATION OF
21 TRUST FUND.

22 The trust fund established pursuant to section
23 523D.12 shall be held by a financial institution which
24 shall serve as trustee of the fund. The trustee may
25 commingle the deposits in the trust fund for purposes
26 of the management and investment of the fund. The
27 trustee may invest, reinvest, exchange, retain, sell
28 and otherwise manage the trust fund. The depositor
29 may appoint an independent investment advisor to act
30 in an advisory capacity with the trustee relative to
31 the investment of the trust funds. The depositor
32 shall pay the costs of the operation of the trust and
33 the annual audit fees.

34 Funds, both principal and accrued interest or
35 income, shall be held in trust and remain intact until
36 delivery or release under the provisions of section
37 523D.13. Income or interest earned on the trust fund
38 shall be retained and accumulated in a separate income
39 account within the trust fund. The principal and any
40 accrued earnings or losses relative to each individual
41 account shall be held in suspense until the final
42 determination is made as to which party the account
43 will be paid.

44 Sec. _____. NEW SECTION. 523D.15 REGISTRATION.

45 No person shall engage in the sale of contracts
46 subject to this chapter without registering with the
47 commissioner at least thirty days in advance. The fee
48 for the registration shall be fifty dollars and the
49 registration form prescribed by the commissioner's
50 office shall contain the following information:

Page 8

- 1 1. The name and location of the registrant's
- 2 business.

3 2. The names and addresses of each owner, officer
4 or other officials of the registrant's business.

5 3. The financial institution to be used for the
6 deposit of trust funds.

7 4. The types of professional services or property
8 to be sold.

9 A registrant shall inform the commissioner of
10 changes in the information contained in the
11 registration form within thirty days of the change.

12 Sec. _____. NEW SECTION. 523D.16 COMPLIANCE WITH
13 OTHER LAWS.

14 A seller of contracts subject to this chapter shall
15 comply with chapter 82. Failure to comply subjects
16 the seller to remedies and penalties provided by that
17 chapter.

18 Sec. _____. NEW SECTION. 523D.17 CONFIDENTIAL
19 RECORDS.

20 Notwithstanding chapter 22, all records maintained
21 by the commissioner or the attorney general pursuant
22 to this chapter are confidential except that they are
23 subject to discovery, subpoena or other means of legal
24 compulsion.

25 Sec. _____. NEW SECTION. 523D.18 EXCEPTIONS.

26 Section 156.9, subsection 3, or 156.12 do not
27 prohibit the sale of contracts in accordance with this
28 chapter."

29 2. By renumbering as necessary.

BRAMMER of Linn

H-4047

1 Amend House amendment H-3748 to Senate File 35 as
2 amended and passed by the Senate as follows:

3 1. Page 1, by striking lines 8 through 10 and
4 inserting the following:

5 "_____. Page 1, by striking line 28 and inserting
6 the following: "may make payments to landowners under
7 this section only in a soil conservation district
8 which:""

OSTERBERG of Linn

H-4058

1 Amend the Senate amendment, H-3996, to House File
2 554, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 2, by striking line 12 and inserting the
5 following: "products.

6 Sec. _____. Section 570A.4, Code 1985, is amended by

7 adding the following new unnumbered paragraph:
 8 NEW UNNUMBERED PARAGRAPH. Notwithstanding
 9 subsection 5, any agricultural supply dealer filing a
 10 verified lien under subsection 5, shall request from
 11 the secretary of state a certificate or from any other
 12 source a statement showing any effective financing
 13 statement or verified lien statements naming the
 14 debtor and the crops or livestock to which the lien
 15 attaches."

KOENIGS of Mitchell

H-4060

1 Amend Senate File 502 as passed by the Senate as
 2 follows:

3 1. Page 4, by inserting after line 10, the
 4 following:

5 "Sec. _____, Section 714.16, subsection 2, paragraph
 6 a, Code 1985, is amended to read as follows:

7 a. The act, use or employment by ~~any~~ a person of
 8 ~~any an~~ unfair practice, deception, fraud, false
 9 pretense, false promise, misrepresentation, or the
 10 concealment, suppression, or omission of ~~any~~ a
 11 material fact with intent that others rely upon ~~such~~
 12 the concealment, suppression or omission, in
 13 connection with the lease, sale or advertisement of
 14 any merchandise, whether or not any person has in fact
 15 been misled, deceived or damaged ~~thereby~~, is declared
 16 to be an unlawful practice.

17 It is deceptive advertising within the meaning of
 18 this section for a person to represent in connection
 19 with the lease, sale or advertisement of any
 20 merchandise that certain merchandise has performance
 21 characteristics, accessories, uses or benefits or that
 22 certain services are performed on behalf of clients or
 23 customers of that person when, at the time of the
 24 representation, there existed no reasonable
 25 substantiation for the claim. The burden is on the
 26 person making the representation to demonstrate that
 27 there is reasonable substantiation for the claim.

28 "Material fact" as used in this subsection does not
 29 include repairs of damage to or adjustments on or
 30 replacements of parts with new parts of otherwise new
 31 merchandise if the repairs, adjustments or
 32 replacements are made to achieve compliance with
 33 factory specifications and are made before sale of the
 34 merchandise at retail and the actual cost of ~~any~~ labor
 35 and parts charged to or performed by a retailer for
 36 ~~any such~~ the repairs, adjustments and parts does not
 37 exceed three hundred dollars or ten percent of the

38 actual cost to a retailer including freight of the
39 merchandise, whichever is less, providing that the
40 seller posts in a conspicuous place notice that
41 repairs, adjustments or replacements will be disclosed
42 upon request. The exemption provided in this
43 paragraph does not apply to the concealment,
44 suppression or omission of a material fact if the
45 purchaser requests disclosure of any repair,
46 adjustment or replacement.

47 Sec. _____. Section 714.16, subsection 2, Code 1985,
48 is amended by adding the following new lettered
49 paragraph:

50 NEW LETTERED PARAGRAPH. h. A professional fund

Page 2

1 raiser shall not solicit for a charitable purpose
2 unless the solicitation contains a conspicuous and
3 correct statement, prominently displayed if the
4 solicitation is in writing, of the minimum percentage
5 of the gross income to be donated to any charitable
6 organization, fund or person. However, this provision
7 does not apply when the minimum percentage of the
8 gross income to be used for the charitable purpose of
9 the organization, fund or person on whose behalf the
10 donations are being solicited exceeds sixty percent.
11 A violation of this subsection is an unlawful
12 practice.

13 As used in this paragraph:

14 (1) "Charitable" means with or pertaining to a
15 benevolent, educational, philanthropic, humane,
16 eleemosynary, health, environmental, social welfare,
17 civic, or public service objective.

18 (2) "Professional fund raiser" means a person who
19 for compensation or other consideration solicits in
20 this state for a charitable organization, fund, or
21 person whether the solicitation is performed
22 individually or by persons employed or otherwise
23 engaged on any basis for that purpose or a person who
24 engages or represents to be engaged in the business of
25 solicitation for the benefit of charitable purposes.

26 A bona fide salaried officer or regular nontemporary
27 employee of a charitable organization, fund, or person
28 is not deemed to be a professional fund raiser.

29 (3) "Solicit" and "solicitation" mean the direct
30 or indirect request for a contribution on the plea of
31 representation, express or implied, that the
32 contribution or a portion of the contribution is for a
33 charitable purpose or will benefit a charitable
34 organization, fund or person. "Solicit" and
35 "solicitation" include the sale of, or offer or

36 attempt to sell, any advertising space, book, card,
 37 tag, coupon, magazine, merchandise, subscription,
 38 flower, ticket, candy, cookies, service, or any other
 39 thing tangible or intangible. A solicitation is
 40 deemed to have taken place when the request is
 41 received, whether or not the person making the request
 42 receives a contribution.

43 Sec. _____. Section 714.16, subsection 7, Code 1985,
 44 is amended to read as follows:

45 7. Whenever A civil action pursuant to this
 46 section shall be by equitable proceedings whenever it
 47 appears to the attorney general that a person has
 48 engaged in, is engaging in or is about to engage in
 49 any a practice declared to be unlawful by this section
 50 the. The attorney general may seek and obtain in an

Page 3

1 action in a district court an a temporary or permanent
 2 injunction prohibiting such the person from continuing
 3 such practices the practice or engaging therein in the
 4 practice or doing any acts an act in furtherance
 5 thereof of the practice. The court may make such
 6 orders or judgments as may be necessary to prevent the
 7 use or employment by a person of any prohibited
 8 practices, or which may be are necessary to restore to
 9 any person in interest any moneys or property, real or
 10 personal which may have been acquired by means of any
 11 a practice in this section declared to be unlawful by
 12 this section including the appointment of a receiver
 13 in cases of substantial and willful violation of the
 14 provisions of this section. Except as expressly
 15 provided in subsection 2, paragraph "a", for the
 16 concealment, suppression, or omission of a material
 17 fact, in an action for restitution or an injunction,
 18 it is not necessary to allege or to prove reliance,
 19 damages, intent to deceive, or that the person who
 20 engaged in an unlawful act had knowledge of the
 21 falsity of the claim or ignorance of the truth. A
 22 claim for restitution may be proved by any competent
 23 evidence, including evidence that would be appropriate
 24 in a class action.

25 In addition to the remedies otherwise provided for
 26 in this subsection, the attorney general may request
 27 and the court may impose a civil penalty in a sum not
 28 to exceed fifty thousand dollars per violation against
 29 a person found by the court to have engaged in a
 30 method, act or practice declared unlawful under this
 31 section. In addition, on the motion of the attorney
 32 general or its own motion, the court may impose a
 33 civil penalty of not more than five thousand dollars

34 for each day of violation of a temporary restraining
 35 order, preliminary injunction, or permanent injunction
 36 issued under authority of this section. A penalty
 37 imposed pursuant to this subsection is in addition to
 38 any penalty imposed pursuant to section 537.6113.
 39 Civil penalties ordered pursuant to this subsection
 40 shall be paid to the treasurer of state to be
 41 deposited in the general fund.

42 Sec. _____. Section 714.16, Code 1985, is amended by
 43 adding the following new subsection 10 and renumbering
 44 the subsequent subsections:

45 NEW SUBSECTION. 10. A civil action pursuant to
 46 this section may be commenced in the county in which
 47 the person against whom it is brought resides, has a
 48 principal place of business, or is doing business,
 49 where the transaction or any substantial portion of
 50 the transaction occurred, or where one or more of the

Page 4

1 victims reside.

2 Sec. _____. Section 714.16, subsection 10, Code
 3 1985, is amended to read as follows:

4 10 11. In any an action brought under the
 5 provisions of this section, the attorney general is
 6 entitled to recover costs of the court action and any
 7 investigation which may have been conducted, including
 8 reasonable attorneys' fees, for the use of this state.

9 Sec. _____. Section 714.16, Code 1985, is amended by
 10 adding the following new subsection 13 and renumbering
 11 the subsequent subsections:

12 NEW SUBSECTION. 13. The attorney general or the
 13 designee of the attorney general is deemed to be a
 14 regulatory agency under chapter 692 for the purpose of
 15 receiving criminal intelligence data relating to
 16 violations of this section.

17 Sec. _____. Section 714.16, subsection 12, Code
 18 1985, is amended to read as follows:

19 12 14. Nothing contained in this This section
 20 shall does not apply to the owner or publisher of
 21 newspapers, magazines, publications or printed matter
 22 wherein such in which the advertisement appears, or to
 23 the owner or operator of a radio or television station
 24 which disseminates such the advertisement when if the
 25 owner, publisher or operator has no knowledge of the
 26 intent, design or purpose of the advertiser; and
 27 provided, further, that nothing herein contained shall
 28 apply to any advertisement which complies with the
 29 rules and regulations of, and the statutes
 30 administered by the federal trade commission."

H-4070

1 Amend House File 618 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 8 through 11, and
4 inserting the following: "prove all of the following:

5 1. Twenty-four hour supervision of the inmate had
6 been provided.

7 2. If personnel were not within the confinement
8 area, the personnel were in a position to hear inmates
9 in a life threatening or emergency situation.

10 3. At least hourly visual inspection of the inmate
11 was made and documented by written record. If
12 television monitoring were used for the purpose of
13 visual inspection, personal inspection of the inmate
14 at least every four hours was also made, excepting at
15 times of emergency.

16 4. If the inmate should have been considered to be
17 in jeopardy because of a physical or mental condition,
18 the inmate was personally inspected more often than
19 once every hour, which inspections must be confirmed
20 by written record.

21 5. Compliance with all other relevant rules
22 adopted by the department pursuant to section 356.36.

23 However, nothing in this section shall be construed
24 to relieve any person of liability where the person
25 acted in bad faith, with malicious purpose, or in a
26 manner exhibiting willful and wanton disregard for the
27 health or safety of the inmate or to relieve the
28 county, city, or employee of the obligation to provide
29 necessary medical assistance if an injury is
30 discovered."

Senate Amendment

H-4075

1 Amend amendment H-3908 to Senate File 110 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 2, line 28, by inserting after the figure
5 "1988." the following: "The proceeds of the sales
6 shall be allocated to the farm operating assistance
7 program of the Iowa family farm development authority.
8 The treasurer of state, the state board of regents,
9 and the department of job service shall receive the
10 interest and principal repaid on farm operating loans
11 made by the authority under the farm operating
12 assistance program. For the purposes of this section,
13 proceeds of the sales includes the employer's
14 contribution plus accumulated interest on the

15 employer's contribution."

16 2. Page 2, by inserting after line 39 the
17 following:

18 "Sec._____. NEW SECTION. 175.35 DEFINITION.

19 As used in sections 175.35 through 175.40, unless
20 the context otherwise requires, "farm operating loan"
21 means a loan made after the effective date of this Act
22 by the authority to a borrower in an amount sufficient
23 to enable the borrower to pay the costs of
24 insecticide, herbicide, seed, fertilizer, crop
25 insurance, livestock feed, and fuel needed for
26 agricultural production in one crop year.

27 Sec._____. NEW SECTION. 175.36 ESTABLISHMENT OF
28 PLAN.

29 The authority shall establish, develop, and
30 administer an agricultural assistance plan which
31 includes programs which provide assistance for
32 agricultural production and other programs the
33 authority deems necessary and consistent with
34 assisting the agricultural economy of the state.

35 Sec._____. NEW SECTION. 175.37 ADVISORY PANEL.

36 The state comptroller or the comptroller's
37 designee, the treasurer of state or the treasurer's
38 designee, the secretary of agriculture or the
39 secretary's designee, and the superintendent of
40 banking or the superintendent's designee are
41 constituted as an advisory panel to the authority.
42 The panel shall provide advice and assistance to the
43 authority, but shall not vote in board decisions.
44 Members of the panel shall be reimbursed for all
45 actual and necessary expenses incurred in the
46 performance of their duties as panel members.

47 Sec._____. NEW SECTION. 175.38 ANNUAL REPORT —
48 ADDITIONAL CONTENTS.

49 1. Prior to submitting its report pursuant to
50 section 175.8 to the general assembly, the authority

Page 2

1 shall meet in January in joint session with the senate
2 and house standing committees on ways and means and
3 the senate and house standing committees on
4 agriculture so that they can determine if the
5 authority has accomplished its mission of aiding
6 farmers to stay in business who otherwise would not
7 have done so.

8 2. The annual report shall identify performance
9 goals of the programs of the agricultural assistance
10 plan, set forth an analysis of farm operating loan
11 needs in the state, and clearly indicate the extent of
12 progress made in attaining the goals during the

13 reporting period. Where possible, results shall be
14 expressed in terms of number of farm units assisted.
15 The report shall state the median, mean, range, and
16 total of the size of farm units assisted in number of
17 acres, the dollar amount of the individual grants, the
18 debt-to-asset ratio of borrowers assisted, and the
19 interest rates on farm operating loans made by the
20 authority.

21 Sec. _____. **NEW SECTION. 175.39 FARM OPERATING**
22 **ASSISTANCE PROGRAM.**

23 1. The authority shall establish and develop a
24 farm operating assistance program to provide
25 affordable operating capital to as many farmers as
26 possible by providing farm operating loans to
27 qualified borrowers.

28 2. In the farm operating assistance program, the
29 authority shall provide that the farm operating loan
30 will be made to a borrower only if the following
31 criteria are satisfied as evidenced on a borrower
32 eligibility application provided by the authority:

33 a. The borrower is a resident of the state.

34 b. The farm operation for which the borrower seeks
35 the farm operating assistance is located in the state.

36 c. The borrower has made full disclosure of the
37 borrower's farm finances.

38 d. If the borrower obtains a farm operating loan
39 for grain or row crop production, the grain or row
40 crop production shall be conducted only on
41 agricultural land which has been used for grain or row
42 crop production for at least one of the past four
43 years. A borrower violating this paragraph shall be
44 ineligible for assistance under this chapter for the
45 following fiscal year.

46 e. The debts of the borrower divided by the assets
47 of the borrower yield a debt-to-asset ratio which is
48 fifty percent or greater.

49 f. Requirements prescribed by the authority by
50 rule, which may include but are not limited to

Page 3

1 participation in federal crop insurance programs,
2 where available, a consideration of the borrower's
3 agreement to maintain farm management techniques and
4 standards established by the authority, participation
5 in federal farm programs, where applicable, and the
6 maximized use of available loan guarantees including
7 small business administration programs, where
8 applicable.

9 3. The authority may make secured loans, including
10 but not limited to secured loans insured, guaranteed,

11 or otherwise secured by the federal government on a
12 federal governmental agency or instrumentality, a
13 state agency or private insurers, to qualified
14 borrowers to provide financing for farm operations.
15 Secured loans shall contain terms and provisions and
16 be in a form established by rules of the authority,
17 including a rate of interest set by the authority at a
18 rate one percentage point above the dividend yield on
19 investments sold pursuant to section 12A.4, but not to
20 exceed the maximum lawful rate of interest as
21 determined by the superintendent of banking pursuant
22 to section 535.2, subsection 3, for the calendar month
23 in which the application was approved by the
24 authority. The rate set by the authority may also
25 include a percentage charge not to exceed one half
26 percent for administrative and reserve expenses. The
27 maximum lawful rate of interest shall include any and
28 all costs associated with the transaction. The
29 authority may adjust the rate if necessary to
30 accommodate regional financial conditions.

31 4. The authority shall have a secured interest in
32 the crops and other personal property of a borrower
33 who receives a farm operating loan financed by the
34 authority which is superior to a landlord's lien
35 created pursuant to chapter 570.

36 Sec. _____. **NEW SECTION. 175.40 CONFLICTS OF**
37 **INTEREST — ASSISTANCE PROGRAM.**

38 1. If a member or employee other than the
39 executive director of the authority has an interest,
40 either direct or indirect, in a contract to which the
41 authority is or is to be a party the interest shall be
42 disclosed to the authority in writing and shall be set
43 forth in the minutes of the authority. The member or
44 employee having the interest shall not participate in
45 action by the authority with respect to that contract.

46 2. This section does not limit the right of a
47 member, officer or employee of the authority other
48 than the executive director to have an interest in a
49 bank or other financial institution in which the funds
50 of the authority are deposited.

Page 4

1 3. The executive director shall not have an
2 interest in a bank or other financial institution in
3 which the funds of the authority are deposited. The
4 executive director shall not receive, in addition to
5 fixed salary or compensation, money or anything
6 valuable, either directly or indirectly, or through a
7 substantial interest in another corporation or
8 business unit, for negotiating, procuring,

9 recommending or aiding in a loan made by the authority
10 under section 175.39. The executive director shall
11 not be pecuniarily interested, either as principal,
12 coprincipal, agent or beneficiary, either directly or
13 indirectly or through any substantial interest in
14 another corporation or business unit, in a loan made
15 by the authority under section 175.39.

16 Sec._____. Section 175.23, Code 1985, is amended by
17 adding the following new unnumbered paragraph:
18 NEW UNNUMBERED PARAGRAPH. The obligations of the
19 authority are not obligations of this state or any
20 political subdivision of this state other than the
21 authority within the meaning of any constitutional or
22 statutory debt limitations, but are obligations of the
23 authority payable solely and only from the authority's
24 funds, and the authority shall not pledge the credit
25 or taxing power of this state or any political
26 subdivision of this state other than the authority or
27 make its debts payable out of any moneys except for
28 those of the authority.

29 Sec._____. The Iowa family farm development
30 authority shall adopt rules pursuant to chapter 17A
31 for the implementation of sections 175.35 through
32 175.40 as enacted in this Act on or by January 1,
33 1986."

34 3. Title page, line 9, by inserting after the
35 word "investments," the following: "establishing a
36 program funded by investment of the divested funds,".

STROMER of Hancock

H-4082

1 Amend amendment H-3908 to Senate File 110 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 2, line 28, by inserting after the figure
5 "1988." the following: "The proceeds of the sales
6 shall be allocated to the public employee assistance
7 program of the Iowa housing finance authority. The
8 treasurer of state, the state board of regents, and
9 the department of job service shall receive the
10 interest and principal repaid on residential mortgage
11 loans made by the authority under the public employee
12 assistance program. For the purposes of this section,
13 proceeds of the sales includes the employer's
14 contribution plus accumulated interest on the
15 employer's contribution."

16 2. Page 2, by inserting after line 39 the
17 following:

18 "Sec._____. Section 220.32, Code 1985, is amended

19 by adding the following new unnumbered paragraph:
 20 NEW UNNUMBERED PARAGRAPH. The obligations of the
 21 authority are not obligations of this state or any
 22 political subdivision of this state other than the
 23 authority within the meaning of any constitutional or
 24 statutory debt limitations, but are obligations of the
 25 authority payable solely and only from the authority's
 26 funds, and the authority shall not pledge the credit
 27 or taxing power of this state or any political
 28 subdivision of this state other than the authority or
 29 make its debts payable out of any moneys except for
 30 those of the authority.

31 Sec._____. NEW SECTION. 220.85 DEFINITIONS.

32 As used in sections 220.85 through 220.89, unless
 33 the context otherwise requires, "public employee
 34 residential mortgage loan" means a loan made after the
 35 effective date of this Act by the authority to a
 36 borrower eligible pursuant to section 220.88.

37 "Public employee" means public employee as defined
 38 in section 20.3, subsection 3.

39 Sec._____. NEW SECTION. 220.86 ADVISORY PANEL.

40 The state comptroller or the comptroller's
 41 designee, the treasurer of state or the treasurer's
 42 designee, and the superintendent of banking or the
 43 superintendent's designee are constituted as an
 44 advisory panel to the authority. The panel shall
 45 provide advice and assistance to the authority, but
 46 shall not vote in board decisions. Members of the
 47 panel shall be reimbursed for all actual and necessary
 48 expenses incurred in the performance of their duties
 49 as panel members.

50 Sec._____. NEW SECTION. 220.87 ANNUAL REPORT —

Page 2

1 ADDITIONAL CONTENTS.

2 Prior to submitting its report pursuant to section
 3 220.7 to the general assembly, the authority shall
 4 meet in January in joint session with the senate and
 5 house standing committees on ways and means so that
 6 they can determine if the authority has accomplished
 7 its mission of aiding farmers to stay in business who
 8 otherwise would not have done so.

9 Sec._____. NEW SECTION. 220.88 PUBLIC EMPLOYEE
 10 ASSISTANCE PROGRAM.

11 1. The authority shall establish and develop a
 12 public employee assistance program to provide
 13 affordable residential mortgage loans to as many
 14 public employees as possible.

15 2. In the public employee assistance program, the
 16 authority shall provide that the residential mortgage

17 loan will be made to a borrower only if the following
 18 criteria are satisfied as evidenced on a borrower
 19 eligibility application provided by the authority:

20 a. The borrower is a resident of the state and a
 21 public employee.

22 b. The property for which the borrower seeks the
 23 residential mortgage loan is located in the state.

24 c. The borrower has made full disclosure of the
 25 borrower's finances.

26 d. Requirements prescribed by the authority by
 27 rule, which may include but are not limited to
 28 participation in a home insurance program.

29 3. The authority may make secured loans, including
 30 but not limited to secured loans insured, guaranteed,
 31 or otherwise secured by the federal government on a
 32 federal governmental agency or instrumentality, a
 33 state agency or private insurers, to qualified
 34 borrowers to provide financing for residential
 35 mortgage loans. Secured loans shall contain terms and
 36 provisions and be in a form established by rules of
 37 the authority, including a rate of interest set by the
 38 authority at a rate two percentage points below the
 39 maximum lawful rate of interest as determined by the
 40 superintendent of banking pursuant to section 535.2,
 41 subsection 3, for the calendar month in which the
 42 application was approved by the authority. The rate
 43 set by the authority may also include a percentage
 44 charge not to exceed one half percent for
 45 administrative and reserve expenses. The maximum
 46 lawful rate of interest shall include any and all
 47 costs associated with the transaction. The authority
 48 may adjust the rate if necessary to accommodate
 49 regional financial conditions.

50 4. The authority shall have a secured interest in

Page 3

1 the home and other personal property of a borrower who
 2 receives a residential mortgage loan financed by the
 3 authority which is superior to a landlord's lien
 4 created pursuant to chapter 570.

5 Sec. _____. **NEW SECTION. 220.89 CONFLICTS OF**
 6 **INTEREST - ASSISTANCE PROGRAM.**

7 1. If a member or employee other than the
 8 executive director of the authority has an interest,
 9 either direct or indirect, in a contract to which the
 10 authority is or is to be a party the interest shall be
 11 disclosed to the authority in writing and shall be set
 12 forth in the minutes of the authority. The member or
 13 employee having the interest shall not participate in
 14 action by the authority with respect to that contract.

15 2. This section does not limit the right of a
 16 member, officer or employee of the authority other
 17 than the executive director to have an interest in a
 18 bank or other financial institution in which the funds
 19 of the authority are deposited.

20 3. The executive director shall not have an
 21 interest in a bank or other financial institution in
 22 which the funds of the authority are deposited. The
 23 executive director shall not receive, in addition to
 24 fixed salary or compensation, money or anything
 25 valuable, either directly or indirectly, or through a
 26 substantial interest in another corporation or
 27 business unit, for negotiating, procuring,
 28 recommending or aiding in a loan made by the authority
 29 under section 220.88. The executive director shall
 30 not be pecuniarily interested, either as principal,
 31 coprincipal, agent or beneficiary, either directly or
 32 indirectly or through any substantial interest in
 33 another corporation or business unit, in a loan made
 34 by the authority under section 220.88.

35 Sec._____. The Iowa housing finance authority shall
 36 adopt rules pursuant to chapter 17A for the
 37 implementation of sections 220.85 through 220.89 as
 38 enacted in this Act on or by January 1, 1986."

39 3. Title page, line 9, by inserting after the
 40 word "investments," the following: "establishing a
 41 program funded by investment of the divested funds,".

McINTEE of Black Hawk

H—4083

1 Amend Senate File 35, as amended and passed by the
 2 Senate as follows:

3 1. Page 2, line 27, by inserting after the letter
 4 "a" the following: "The water, air and waste
 5 management commission may require, by rule, the
 6 installation of not more than two inspection wells to
 7 monitor the quality of water in the saturated zone
 8 beneath the ground surface adjacent to an earthen
 9 manure storage facility site constructed as provided
 10 in this chapter."

VAN CAMP of Scott

H—4095

1 Amend Senate File 449 as passed by the Senate as
 2 follows:

3 1. By striking page 1, line 7 through page 2,
 4 line 2 and inserting the following:

- 5 "Sec._____. Section 220.26, subsection 1, Code
6 1985, is amended to read as follows:
- 7 1. The authority may issue its negotiable bonds
8 and notes in principal amounts as, in the opinion of
9 the authority, are necessary to provide sufficient
10 funds for achievement of its corporate purposes, the
11 payment of interest on its bonds and notes, the
12 establishment of reserves to secure its bonds and
13 notes, and all other expenditures of the authority
14 incident to and necessary or convenient to carry out
15 its purposes and powers. However, the authority shall
16 not have a total principal amount of bonds and notes
17 outstanding at any time in excess of ~~six~~ eight hundred
18 fifty million dollars plus a total of fifty million
19 dollars for property improvement loans to finance
20 solar and other renewable energy systems in housing as
21 authorized by section 220.37 and to finance loans to
22 provide solar and other renewable energy systems for
23 and to increase the energy efficiency of small
24 businesses under the Iowa small business loan program.
25 ~~Two hundred fifty million dollars of the~~ The total
26 principal amount of bonds and notes ~~that may be issued~~
27 pursuant to the small business loan program shall be
28 set by the authority and the principal amount of these
29 bonds and notes that are outstanding shall not be
30 counted as a portion of the total principal amount of
31 bonds and notes of the authority that may be
32 outstanding at any time as provided in this
33 subsection. The bonds and notes shall be deemed to be
34 investment securities and negotiable instruments
35 within the meaning of and for all purposes of the
36 uniform commercial code."
- 37 2. Title page, line 3, by striking the word
38 "removing" and inserting the following: "modifying".
- 39 3. Renumber as necessary.

SWARTZ of Marshall

H-4096

- 1 Amend House File 772 as follows:
- 2 1. Page 9, by inserting after line 16 the
3 following:
- 4 "Sec._____. Section 602.9104, subsection 4, Code
5 1985, is amended to read as follows:
- 6 4. The state shall contribute a ~~sum not exceeding~~
7 three percent of the basic salary of all ~~judges of the~~
8 district judges, district associate judges, judges of
9 the court of appeals, and justices of the supreme
10 court for the years 1949 and 1950 and thereafter such
11 sums as may be necessary over the amount contributed

12 by the district and supreme court judges to finance
 13 the system, but only to the extent that the system
 14 applies to them. After June 30, 1973, the state shall
 15 contribute such sums as may be necessary over the
 16 amount contributed by district associate judges to
 17 finance the system as to them for the portion of their
 18 tenure after July 1, 1973, and thereafter such sums as
 19 may be necessary over the amount contributed by the
 20 district associate judges to finance the system, but
 21 only to the extent the system applies to them. After
 22 July 1, 1976, the state shall contribute such sums as
 23 may be necessary over the amount contributed by judges
 24 of the court of appeals to finance the system, but
 25 only to the extent the system applies to them."
 26 2. By renumbering as necessary.

SWARTZ of Marshall

H-4097

1 Amend Senate File 473 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by inserting after line 22, the
 4 following:
 5 "Sec. _____. NEW SECTION. 225C.28A ADDITIONAL
 6 COSTS.
 7 Additional costs incurred under this Act which a
 8 county is obligated to pay under state law shall be
 9 paid by the state from funds not otherwise
 10 appropriated. The counties shall apply for
 11 reimbursement to the division, which shall prescribe
 12 rules and forms to implement this section. The
 13 division shall notify the state comptroller of the
 14 reimbursement and the state comptroller shall
 15 reimburse the county in the amount designated."
 16 2. By renumbering as necessary.

Committee on Appropriations

H-4098

1 Amend Senate File 565 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. By striking page 1, line 1 through page 3,
 4 line 3.
 5 2. By striking page 10, line 15 through page 11,
 6 line 4.
 7 3. Title page, lines 3 through 6, by striking the
 8 words "by crediting moneys from the road use tax fund
 9 to the economic development emergency fund for use in
 10 road or street projects which promote economic
 11 development in the state,".

HARBOR of Mills

H-4099

1 Amend House File 772 as follows:

2 1. Page 1, by inserting after line 28 the
3 following:

4 "Sec._____. NEW SECTION. 321.210A SUSPENSION FOR
5 FAILURE TO PAY FINE.

6 1. The department shall suspend the motor vehicle
7 license of a person who has, upon conviction of
8 violating a law regulating the operation of a motor
9 vehicle, failed to pay the assessed fine, court costs,
10 or surcharge, as follows:

11 a. Upon the failure of a person to timely pay the
12 assessed fine, court costs, or surcharge, the clerk of
13 the district court shall notify the person that if the
14 assessed fine, court costs, or surcharge remains
15 unpaid after sixty days, the clerk will notify the
16 department of the failure for purposes of instituting
17 procedures to suspend the person's driving privileges.

18 b. Upon the failure of a person to pay the
19 assessed fine, court costs, or surcharge within sixty
20 days of receiving notice from the clerk of the
21 district court as provided in paragraph "a", the clerk
22 shall report the failure to the department.

23 c. Upon receipt of a report of a failure to pay
24 the assessed fine, court costs, or surcharge from the
25 clerk of the district court, the department shall in
26 accordance with its rules, suspend the person's motor
27 vehicle license until the fine, court costs and
28 surcharge are paid.

29 2. This section does not apply to parking or
30 standing violations and highway weight limit
31 violations.

32 Sec._____. Section 321.212, subsection 1, paragraph
33 a, Code 1985, is amended to read as follows:

34 a. Except as provided in section 321.210A or
35 321.513 the department shall not suspend a license for
36 a period of more than one year, except that a license
37 suspended because of incompetency to drive a motor
38 vehicle shall be suspended until the department
39 receives satisfactory evidence that the former holder
40 is competent to operate a motor vehicle and a refusal
41 to reinstate ~~shall constitute~~ constitutes a denial of
42 license within the ~~provisions~~ of section 321.215; upon
43 revoking a license the department shall not grant an
44 application for a new license until the expiration of
45 one year after the revocation, unless another period
46 is specified by law.

47 Sec._____. Section 321A.17, subsection 5, Code
48 1985, is amended to read as follows:

49 5. An individual applying for a motor vehicle
50 license following a period of suspension or revocation

Page 2

- 1 under the provisions of section 321.210A, 321.216 or
- 2 321.513 shall is not be required to maintain proof of
- 3 financial responsibility under the provisions of this
- 4 section."
- 5 2. Title page, line 2, by inserting after the
- 6 word "fees," the following: "court-imposed fines and
- 7 costs and suspension of motor vehicle licenses,".
- 8 3. By renumbering as necessary.

KOENIGS of Mitchell

H-4100

- 1 Amend House File 772 as follows:
- 2 1. By striking page 8, line 21 through page 9
- 3 line 16.
- 4 2. By renumbering as necessary.

BLANSHAN of Greene
 LLOYD-JONES of Johnson
 SWEARINGEN of Keokuk

H-4101

- 1 Amend House File 772 as follows:
- 2 1. Page 2, by striking lines 19 through 21 and
- 3 inserting the following: "quirements of the
- 4 department."

SPEAR of Lee

H-4102

- 1 Amend Senate File 309 as follows:
- 2 1. Page 1, line 14, by striking the word "thirty"
- 3 and inserting the word "ninety".
- 4 2. Page 1, by striking lines 22 through 26, and
- 5 inserting the following: "damages."

OSTERBERG of Linn

H-4103

- 1 Amend House File 772 as follows:
- 2 1. Page 9, by inserting after line 16 the
- 3 following:
- 4 "Sec. _____. Section 602.9109, Code 1985, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 **NEW UNNUMBERED PARAGRAPH.** Annuities granted under
- 7 this article are exempt from taxation either as income
- 8 or as personal property."
- 9 2. By renumbering as necessary.

SWARTZ of Marshall

H-4104

- 1 Amend House File 772 as follows:
- 2 1. Page 5, by striking lines 22 through 29.
- 3 2. By renumbering as necessary.

SWARTZ of Marshall

H-4116

- 1 Amend Senate File 361 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, lines 9 and 10, by striking the words "or
- 4 departmental rule".

SHOULTZ of Black Hawk

H-4117

- 1 Amend Senate File 565 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 5, by inserting after line 31 the
- 4 following:
- 5 "Sec. _____. NEW SECTION. 324.3B REDUCED RATE OF
- 6 TAX FOR CERTAIN DEALERS DUE TO GRAIN RAIL
- 7 TRANSPORTATION COSTS.

8 Notwithstanding the rate of tax imposed under
9 section 324.3, the excise tax on motor fuel delivered
10 to a qualified dealer is reduced as provided in this
11 section.

12 As used in this section the "base rail
13 transportation rate" is the lowest rail transportation
14 rate for transporting a bushel of grain from a
15 railroad terminal in Iowa to Chicago railroad
16 terminals.

17 The state department of transportation shall
18 delineate zones throughout the state representing
19 areas which experience rail transportation rates for
20 transporting a bushel of grain from Iowa railroad
21 terminals to Chicago railroad terminals in excess of
22 the base rail transportation rate. The zones shall
23 represent two cents per bushel increments of cost over
24 the base rail transportation rate. A map representing
25 the zones so delineated shall be published in the Iowa
26 administrative bulletin by July 1, 1985, and a copy
27 shall be sent to the department of revenue. The map
28 shall be updated annually.

29 The excise tax on motor fuel delivered to a
30 qualified dealer shall be reduced by one cent per
31 gallon for each two cents per bushel increment of cost
32 for transporting grain from Iowa railroad terminals to

33 Chicago railroad terminals in excess of the base rail
34 transportation rate as reflected by the zones
35 delineated by the state department of transportation.

36 As used in this section, a "qualified dealer" means
37 a dealer who has been registered by the department of
38 revenue as being located in one of the transportation
39 zones which entitles a dealer to a reduction in the
40 amount of excise tax imposed as provided under this
41 section. The department of revenue shall adopt rules
42 pursuant to chapter 17A for registering dealers and
43 accounting for credits by distributors.

44 The excise tax rate for a dealer who qualifies for
45 a reduction under application of both this section and
46 section 324.3A shall be the lower of the two tax
47 rates. The excise tax rate under application of this
48 section shall not be less than zero."

49 2. Page 9, by inserting after line 4 the
50 following:

Page 2

1 "Sec. _____. NEW SECTION. 324.34B REDUCED RATE OF
2 TAX FOR CERTAIN DEALERS DUE TO GRAIN RAIL
3 TRANSPORTATION COSTS.

4 Notwithstanding the rate of tax imposed under
5 section 324.34, the excise tax on special fuel for
6 diesel engines delivered to a qualified dealer is
7 reduced as provided in this section.

8 As used in this section the "base rail
9 transportation rate" is the lowest rail transportation
10 rate for transporting a bushel of grain from a
11 railroad terminal in Iowa to Chicago railroad
12 terminals.

13 The state department of transportation shall
14 delineate zones throughout the state representing
15 areas which experience rail transportation rates for
16 transporting a bushel of grain from Iowa railroad
17 terminals to Chicago railroad terminals in excess of
18 the base rail transportation rate. The zones shall
19 represent two cents per bushel increments of cost over
20 the base rail transportation rate. A map representing
21 the zones so delineated shall be published in the Iowa
22 administrative bulletin by July 1, 1985, and a copy
23 shall be sent to the department of revenue. The map
24 shall be updated annually.

25 The excise tax on special fuel for diesel engines
26 delivered to a qualified dealer shall be reduced by
27 one cent per gallon for each two cents per bushel
28 increment of cost for transporting grain from Iowa
29 railroad terminals to Chicago railroad terminals in
30 excess of the base rail transportation rate as

31 reflected by the zones delineated by the state
 32 department of transportation.

33 As used in this section, a "qualified dealer" means
 34 a dealer who has been registered by the department of
 35 revenue as being located in one of the transportation
 36 zones which entitles a dealer to a reduction in the
 37 amount of excise tax imposed as provided under this
 38 section. The department of revenue shall adopt rules
 39 pursuant to chapter 17A for registering dealers and
 40 accounting for credits by distributors.

41 The excise tax rate for a dealer who qualifies for
 42 a reduction under application of both this section and
 43 section 324.34A shall be the lower of the two tax
 44 rates. The excise tax rate under application of this
 45 section shall not be less than zero."

46 3. Renumber sections as necessary.

HARBOR of Mills

H-4118

1 Amend Senate File 364 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 3, by inserting after line 20 the
 4 following:

5 "Sec. _____. Section 20.17, subsection 3, Code 1985,
 6 is amended to read as follows:

7 3. Negotiating sessions, strategy meetings of
 8 public employers or employee organizations, mediation
 9 and the deliberative process of arbitrators shall be
 10 exempt from the provisions of chapter 21. However,
 11 the employee organization shall present its initial
 12 bargaining position to the public employer at the
 13 first bargaining session. The public employer shall
 14 present its initial bargaining position to the
 15 employee organization at the second bargaining
 16 session, which shall be held no later than two weeks
 17 ten days following the first bargaining session. Both
 18 sessions shall be open to the public and subject to
 19 the provisions of chapter 21. Hearings conducted by
 20 arbitrators shall be open to the public.

21 Sec. _____. Section 20.17, subsection 10, Code 1985,
 22 is amended by striking the subsection and inserting
 23 the following:

24 10. A collective bargaining agreement between a
 25 public employer and an employee organization shall be
 26 effective for two consecutive years. The negotiations
 27 for a proposed collective bargaining agreement between
 28 the representatives of a public employer other than a
 29 city and an employee organization shall commence in
 30 even numbered years. The negotiations for a proposed

31 collective bargaining agreement between the
 32 representatives of a city and an employee organization
 33 shall commence in odd numbered years. The employee
 34 organization shall present its opening bargaining
 35 position at the first bargaining session to be held no
 36 sooner than November 1 and no later than November 10.
 37 The public employer shall present its opening
 38 bargaining position at the second bargaining session
 39 which shall be held no later than ten days following
 40 the first session. The parties shall hold a third
 41 bargaining session no later than ten days from the
 42 second bargaining session and after the third
 43 bargaining session either party may request mediation.
 44 If negotiations have not produced an agreement before
 45 January 5, the board shall arrange for mediation and
 46 set up the first mediated session. The parties may
 47 then meet thereafter at their discretion with or
 48 without the mediator. If an impasse persists ten days
 49 after the mediator is appointed, the board shall
 50 arrange for fact-finding under section 20.21. The

Page 2

1 board shall arrange for a final mediated session
 2 within fifteen days of service of the fact finder's
 3 report at which final bargaining positions shall be
 4 submitted. If there is no agreement within three days
 5 from the final mediated session, the board shall
 6 arrange for arbitration on the final bargaining
 7 positions under section 20.22. The determination by
 8 the panel of arbitrators shall be announced not later
 9 than March 15."

10 2. Page 5, by inserting after line 11 the
 11 following:

12 "Sec._____. Section 20.19, Code 1985, is repealed.

13 Sec._____. Section 20.20, Code 1985, is amended to
 14 read as follows:

15 20.20 MEDIATION.

16 In the absence of an impasse agreement between the
 17 parties or the failure of either party to utilize its
 18 procedures, one hundred twenty days prior to the
 19 certified budget submission date Upon the request of
 20 either party or if there is not an agreement by
 21 January 5, the board shall, upon the request of either
 22 party, appoint an impartial and disinterested person
 23 to act as mediator. It shall be the function of the
 24 mediator to bring the parties together to effectuate a
 25 settlement of the dispute, but the mediator may not
 26 compel the parties to agree.

27 Sec._____. Section 20.22, subsections 1 and 2, Code
 28 1985, are amended to read as follows:

29 1. If an impasse persists after the findings of
 30 fact and recommendations are made public by the fact-
 31 finder, the parties may continue to negotiate or, the
 32 board shall have the power, upon request of either
 33 party, to arrange for arbitration, which shall be
 34 binding. The request for arbitration shall be in
 35 writing and a copy of the request shall be served upon
 36 the other party.

37 2. Each party shall submit to the board within
 38 four days of request a final offer on the impasse
 39 items with proof of service of a copy upon the other
 40 party a copy of the party's final offer on the impasse
 41 items submitted to the mediator at the final mediated
 42 session. Each party shall also submit a copy of a
 43 draft of the proposed collective bargaining agreement
 44 to the extent to which agreement has been reached and
 45 the name of its selected arbitrator. The parties may
 46 continue to negotiate all offers until an agreement is
 47 reached or a decision rendered by the panel of
 48 arbitrators."

GROTH of Buena Vista
 VARN of Johnson

H-4119

1 Amend Senate File 364 as amended, passed, and
 2 reprinted by the Senate as follows:

3 1. Page 3, line 6, by inserting before the word
 4 "The" the following:

5 "A collective bargaining agreement between a public
 6 employer and an employee organization shall be
 7 effective for two consecutive years. Proposals
 8 reasonably related to wages shall be renegotiated
 9 in the second year of a contract."

MILLER of Cherokee

H-4120

1 Amend Senate File 364 as amended, passed, and re-
 2 printed by the Senate as follows:

3 1. Page 3, line 23, by inserting after the word
 4 "procedures;" the word "and".

5 2. Page 3, line 24, by striking the words "; and
 6 separate grievance files".

HALVORSON of Clayton

H—4121

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 21, by striking the word "seniority;".

HARBOR of Mills

H—4122

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 19 and 20, by striking the words
- 4 "and criteria".

DAGGETT of Taylor

H—4123

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by inserting after line 20 the following:
- 4 "_____. Certificated employees discharged for purposes
- 5 other than a reduction in force shall follow the pro-
- 6 cedures provided under chapter 279."

BENNETT of Ida

H—4124

- 1 Amend House Concurrent Resolution 41 as follows:
- 2 Page 4, by adding after line 3 the following:
- 3 "*Be It Further Resolved*, That if any self liquid-
- 4 ating bonds are issued under chapter 262.44, the amount
- 5 of the savings which are used to retire the bonds shall
- 6 be subtracted from the operating base of the institution
- 7 involved each year until the amount equals the amount of
- 8 the principal and interest of the bonds issued. A cumu-
- 9 lative accounting of the savings for each project shall
- 10 be submitted to the comptroller and the legislative
- 11 fiscal director each year with their budget request."

WELDEN of Hardin
JOCHUM of Dubuque

H—4125

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 19 by striking the word
- 4 "transfers" and inserting the words "transfer
- 5 procedures".

HERMANN of Scott

H-4126

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 19, by inserting after the word
- 4 "remediation" the following: "procedures".

HERMANN of Scott

H-4127

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 21, by inserting after the word
- 4 "discharge" the word "procedures".

HERMANN of Scott

H-4128

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, by inserting after line 24 the
- 4 following:
- 5 "For the purposes of this section, the term
- 6 "procedures" shall not include matters of substance."

HERMANN of Scott

H-4129

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 22, by striking the word "including"
- 4 and inserting the word "and".
- 5 2. Page 3, line 23, by inserting after the word
- 6 "staffing" the words "related to health and safety".

MAULSBY of Calhoun

H-4130

- 1 Amend Senate File 364 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "relations" the words ", or persons who have access
- 5 to information relating to labor relations".

SCHNEKLOTH of Scott

H-4132

- 1 Amend Senate File 473, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, line 1, by inserting after the word
 4 "damages" the following: "or for injunctive relief
 5 requiring the provision of a service or program".
 6 2. Page 4, line 2, by inserting after the figure
 7 "613A" the following: "or a state agency".
 8 3. Page 4, line 2, by inserting after the word
 9 "municipality" the following: "or state agency".

WELDEN of Hardin

H-4135

- 1 Amend Senate File 565 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 4, line 3, by striking the word
 4 "fourteen" and inserting the word "thirteen".
 5 2. Page 4, line 4, by inserting after the figure
 6 "1985," the words "fourteen cents per gallon for the
 7 period beginning January 1, 1986 and ending June 30,
 8 1989".
 9 3. Page 4, line 5, by striking the words "January
 10 1, 1986" and inserting the words "July 1, 1989".

FOGARTY of Palo Alto

H-4136

- 1 Amend House File 772 as follows:
 2 1. Page 1, by inserting after line 28 the
 3 following:
 4 "Sec. _____. NEW SECTION. 321.210A SUSPENSION FOR
 5 FAILURE TO PAY FINE, PENALTY, SURCHARGE, OR COURT
 6 COSTS.
 7 The department shall suspend the motor vehicle
 8 license of a person who has failed to pay a criminal
 9 fine, civil penalty, surcharge, or court costs, as
 10 follows:
 11 1. Upon the failure of a person to timely pay the
 12 fine, penalty, surcharge, or court costs the clerk of
 13 the district court shall notify the person that if the
 14 fine, penalty, surcharge, or court costs remain unpaid
 15 after sixty days, the clerk will notify the department
 16 of the failure for purposes of instituting suspension
 17 procedures.
 18 2. Upon the failure of a person to pay the fine,
 19 penalty, surcharge, or court costs within sixty days
 20 of receiving notice from the clerk of the district
 21 court as provided in subsection 1, the clerk shall

22 report the failure to the department.

23 3. Upon receipt of a report of a failure to pay
24 the fine, penalty, surcharge, or court costs from the
25 clerk of the district court, the department shall in
26 accordance with its rules, suspend the person's motor
27 vehicle license until the fine, penalty, surcharge or
28 court costs are paid, unless the person proves to the
29 satisfaction of the clerk and the department that the
30 person cannot pay the fine, penalty, surcharge, or
31 court costs.

32 Sec._____. Section 321.212, subsection 1, paragraph
33 a, Code 1985, is amended to read as follows:

34 a. Except as provided in section 321.210A or
35 321.513 the department shall not suspend a license for
36 a period of more than one year, except that a license
37 suspended because of incompetency to drive a motor
38 vehicle shall be suspended until the department
39 receives satisfactory evidence that the former holder
40 is competent to operate a motor vehicle and a refusal
41 to reinstate ~~shall constitute~~ constitutes a denial of
42 license within the provisions of section 321.215; upon
43 revoking a license the department shall not grant an
44 application for a new license until the expiration of
45 one year after the revocation, unless another period
46 is specified by law.

47 Sec._____. Section 321A.17, subsection 5, Code
48 1985, is amended to read as follows:

49 5. An individual applying for a motor vehicle
50 license following a period of suspension or revocation

Page 2

1 under the provisions of section 321.210A, 321.216 or
2 321.513 ~~shall~~ is not be required to maintain proof of
3 financial responsibility under the provisions of this
4 section."

5 2. Page 1, by inserting after line 35 the
6 following:

7 "Sec._____. Section 421.17, Code 1985, is amended
8 by adding the following new subsection after
9 subsection 24 and renumbering the subsequent
10 subsection:

11 NEW SUBSECTION. 25. To establish and maintain a
12 procedure to set off against a debtor's income tax
13 refund or rebate any debt which is in the form of a
14 liquidated sum due, owing, and payable to the clerk of
15 the district court as a criminal fine, civil penalty,
16 surcharge, or court costs. The procedure shall meet
17 the following conditions:

18 a. Before setoff all outstanding tax liabilities
19 collectible by the department shall be satisfied

20 except that no portion of a refund or rebate shall be
21 credited against tax liabilities which are not yet
22 due.

23 b. Before setoff the clerk of the district court
24 shall obtain and forward to the department the full
25 name and social security number of the debtor. The
26 department shall cooperate in the exchange of relevant
27 information with the clerk. However, only relevant
28 information required by the clerk shall be provided by
29 the department. The information shall be held in
30 confidence and shall be used for purposes of setoff
31 only.

32 c. The clerk shall, at least quarterly and monthly
33 if practicable, submit to the department for setoff
34 the debts described in this subsection, which are at
35 least fifty dollars.

36 d. Upon submission of a claim the department shall
37 notify the clerk if the debtor is entitled to a refund
38 or rebate and of the amount of the refund or rebate
39 and the debtor's address on the income tax return.

40 e. Upon notice of entitlement to a refund or
41 rebate the clerk shall send written notification to
42 the debtor of the clerk's assertion of its rights to
43 all or a portion of the debtor's refund or rebate and
44 the entitlement to recover the debt through the setoff
45 procedure, the basis of the assertion, the opportunity
46 to request that a joint income tax refund or rebate be
47 divided between spouses, and the debtor's opportunity
48 to give written notice of intent to contest the amount
49 of the claim. The clerk shall send a copy of the
50 notice to the department.

Page 3

1 f. Upon the request of a debtor or a debtor's
2 spouse to the clerk, filed within fifteen days from
3 the mailing of the notice of entitlement to a refund
4 or rebate, and upon receipt of the full name and
5 social security number of the debtor's spouse, the
6 clerk shall notify the department of the request to
7 divide a joint income tax refund or rebate. The
8 department shall upon receipt of the notice divide a
9 joint income tax refund or rebate between the debtor
10 and the debtor's spouse in proportion to each spouse's
11 net income as determined under section 422.7.

12 g. The department shall, after notice has been
13 sent to the debtor by the clerk, set off the debt
14 against the debtor's income tax refund or rebate. The
15 department shall transfer at least quarterly and
16 monthly if practicable, the amount set off to the
17 clerk. If the debtor gives timely written notice of

18 intent to contest the amount of the claim, the
 19 department shall hold the refund or rebate until final
 20 determination of the correct amount of the claim. The
 21 clerk shall notify the debtor in writing upon
 22 completion of setoff.

23 Sec._____. Section 421.17, subsection 25, Code
 24 1985, is amended to read as follows:

25 25 26. To provide that in the case of multiple
 26 claims to refunds or rebates filed under subsections
 27 21, and 23, and 25 that priority shall be given to
 28 claims filed by the child support recovery unit or the
 29 foster care recovery unit under subsection 21, next
 30 priority shall be given to claims filed by the college
 31 aid commission under subsection 23, and last next
 32 priority shall be given to claims filed by the office
 33 of investigations under subsection 21, and last
 34 priority shall be given to claims filed by a clerk of
 35 the district court under subsection 25."

36 3. Page 5, by inserting after line 21 the
 37 following:

38 "Sec._____. Section 602.8102, Code 1985, is amended
 39 by adding the following new subsection after
 40 subsection 50:

41 NEW SUBSECTION. 50A. Assist the department of
 42 transportation in suspending, pursuant to section
 43 321.210A, the motor vehicle licenses of persons who
 44 fail to timely pay criminal fines, civil penalties,
 45 surcharges, or court costs.

46 Sec._____. Section 602.8102, Code 1985, is amended
 47 by adding the following new subsection after
 48 subsection 58:

49 NEW SUBSECTION. 58A. Assist the department of
 50 revenue in setting off against debtors' income tax

Page 4

1 refunds or rebates under section 421.17, subsection
 2 25, debts which are due, owing, and payable to the
 3 clerk of the district court as criminal fines, civil
 4 penalties, surcharges, or court costs."

5 4. Title page, line 2, by inserting after the
 6 word "fees," the following: "court-imposed fines and
 7 costs and the suspension of motor vehicle licenses and
 8 the setoff of income tax refunds and rebates,".

9 5. By renumbering as necessary.

H-4137

- 1 Amend Senate File 565 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 6, by striking the figure
- 4 "315A.2" and inserting the figure "315.2".
- 5 2. Page 1, line 16, by striking the figure
- 6 "315A.2" and inserting the figure "315.2".

FEY of Scott

H-4155

- 1 Amend Senate File 309 as follows:
- 2 1. Page 1, by inserting after line 17 the
- 3 following:
- 4 "2. A plaintiff pursuing the remedies offered by
- 5 subsection 1 must, as a prerequisite to recovery,
- 6 prove that the person exercised responsible business
- 7 judgment in accepting the check, draft or order."
- 8 2. By renumbering as necessary.

MUHLBAUER of Crawford
CLARK of Cerro Gordo

H-4156

- 1 Amend the Committee amendment, H-4131, to Senate
- 2 File 565 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 2, line 32, by striking the words "or
- 5 revenue bonds".
- 6 2. Page 3, line 26, by striking the words "or
- 7 revenue bonds".
- 8 3. Page 3, line 34, by striking the words "or
- 9 revenue bonds".
- 10 4. Page 3, line 41, by striking the words "or
- 11 revenue bonds".
- 12 5. Page 4, line 18, by striking the words "and
- 13 revenue bonds".
- 14 6. Page 6, by striking lines 27 through 32.

STROMER of Hancock

H-4158

- 1 Amend the amendment, H-3817 to Senate File 383 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 13, by inserting after the word
- 5 "training," the following: "not to exceed eight weeks

6 in duration.”
7 2. Page 2, line 18, by striking the word
8 “unemployed” and inserting the following:
9 “unemployed”.

HATCH of Polk

H-4161

1 Amend Senate File 565 as amended, passed and
2 reprinted as follows:
3 1. Page 10, by inserting after line 14 the
4 following:
5 “Sec. _____. Section 423.7, Code 1985, is amended to
6 read as follows:
7 423.7 VEHICLES SUBJECT TO REGISTRATION OR ONLY TO
8 THE ISSUANCE OF TITLE.

9 The tax imposed upon the use of vehicles subject to
10 registration or subject only to the issuance of a
11 certificate of title shall be paid by the owner of the
12 vehicle to the county treasurer or the state
13 department of transportation from whom the
14 registration receipt or certificate of title is
15 obtained. In the case of a new car as defined in
16 section 321.1, subsection 2, paragraph “c” which uses
17 special fuel for a diesel engine, the owner of the
18 vehicle is entitled to a one-time discount on the tax
19 equal to ten percent of the tax imposed. A
20 registration receipt for a vehicle subject to
21 registration or certificate of title shall not be
22 issued until the tax, less any discount, has been
23 paid. The county treasurer or the state department of
24 transportation shall require every applicant for a
25 registration receipt for a vehicle subject to
26 registration or certificate of title to supply
27 information as the county treasurer or the director
28 deems necessary as to the time of purchase, the
29 purchase price, and other information relative to the
30 purchase of the vehicle. On or before the tenth day
31 of each month the county treasurer or the state
32 department of transportation shall remit to the
33 department the amount of the taxes collected during
34 the preceding month, accompanied by a copy of each
35 registration receipt issued in conjunction with the
36 certificate of title issued for each vehicle.”
37 2. Title page, line 7, by inserting after the
38 figure “326,” the following: “by allowing a one-time
39 discount on the state use tax imposed on certain new
40 cars.”

ARNOULD of Scott

H-4163

1 Amend the Committee amendment, H-4131 to Senate
2 File 565 as amended, passed, and reprinted by the
3 Senate as follows:

4 1. Page 6, by striking line 6, and inserting the
5 following:

6 "_____. Page 9, by striking lines 8 through 15 and
7 inserting the following:

8 "NEW SUBSECTION. 5. CREDIT. A special fuel
9 dealer shall receive a credit on the monthly or
10 quarterly tax return for the excise tax imposed under
11 this division for gallons of special fuel for diesel
12 engines sold by the special fuel dealer for which the
13 special fuel dealer was unable to collect the excise
14 tax from the purchaser due to the purchaser's checks
15 for payment for the special fuel for diesel engines
16 having been returned due to insufficient funds." "

BLANSHAN of Greene

H-4168

1 Amend Senate File 364 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 4, by inserting after line 20 the
4 following:

5 "Sec._____. Section 20.17, subsection 3, Code 1985,
6 is amended to read as follows:

7 3. Negotiating sessions, strategy meetings of
8 public employers or employee organizations, mediation
9 and the deliberative process of arbitrators shall be
10 exempt from the provisions of chapter 21. However;
11 the employee organization shall present its initial
12 bargaining position to the public employer at the
13 first bargaining session. The public employer shall
14 present its initial bargaining position to the
15 employee organization at the second bargaining
16 session, which shall be held no later than ~~two weeks~~
17 ten days following the first bargaining session. Both
18 sessions shall be open to the public and subject to
19 the provisions of chapter 21. Hearings conducted by
20 arbitrators shall be open to the public.

21 Sec._____. Section 20.17, subsection 10, Code 1985,
22 is amended by striking the subsection and inserting
23 the following:

24 10. A collective bargaining agreement between a
25 public employer and an employee organization shall be
26 effective for two consecutive years. The negotiations
27 for a proposed collective bargaining agreement between
28 the representatives of a public employer other than a

29 city and an employee organization shall commence in
30 even numbered years. The negotiations for a proposed
31 collective bargaining agreement between the
32 representatives of a city and an employee organization
33 shall commence in odd numbered years. The employee
34 organization shall present its opening bargaining
35 position at the first bargaining session to be held no
36 sooner than November 1 and no later than November 10.
37 The public employer shall present its opening
38 bargaining position at the second bargaining session
39 which shall be held no later than ten days following
40 the first session. The parties shall hold a third
41 bargaining session no later than ten days from the
42 second bargaining session and after the third
43 bargaining session either party may request mediation.
44 If negotiations have not produced an agreement before
45 January 5, the board shall arrange for mediation and
46 set up the first mediated session. The parties may
47 then meet thereafter at their discretion with or
48 without the mediator. If an impasse persists ten days
49 after the mediator is appointed, the board shall
50 arrange for fact-finding under section 20.21. The

Page 2

1 board shall arrange for a final mediated session
2 within fifteen days of service of the fact finder's
3 report at which final bargaining positions shall be
4 submitted. If there is no agreement within three days
5 from the final mediated session, the board shall
6 arrange for arbitration on the final bargaining
7 positions under section 20.22. The determination by
8 the panel of arbitrators shall be announced not later
9 than March 15."

10 2. Page 5, by inserting after line 11 the
11 following:

12 "Sec. _____. Section 20.19, Code 1985, is repealed.
13 Sec. _____. Section 20.20, Code 1985, is amended to
14 read as follows:

15 20.20 MEDIATION.

16 In the absence of an impasse agreement between the
17 parties or the failure of either party to utilize its
18 procedures, one hundred twenty days prior to the
19 certified budget submission date Upon the request of
20 either party or if there is not an agreement by
21 January 5, the board shall, upon the request of either
22 party, appoint an impartial and disinterested person
23 to act as mediator. It shall be the function of the
24 mediator to bring the parties together to effectuate a
25 settlement of the dispute, but the mediator may not
26 compel the parties to agree.

27 Sec._____. Section 20.22, subsections 1, 2, and 3,
28 Code 1985, are amended to read as follows:

29 1. If an impasse persists after the findings of
30 fact and recommendations are made public by the fact-
31 finder, the parties may continue to negotiate or, the
32 board shall have the power, upon request of either
33 party, to arrange for arbitration, which shall be
34 binding. The request for arbitration shall be in
35 writing and a copy of the request shall be served upon
36 the other party.

37 2. Each party shall submit to the board within
38 four days of request a final offer on the impasse
39 items with proof of service of a copy upon the other
40 party a copy of the party's final offer on the impasse
41 items submitted to the mediator at the final mediated
42 session. Each party shall also submit a copy of a
43 draft of the proposed collective bargaining agreement
44 to the extent to which agreement has been reached and
45 the name of its selected arbitrator. The parties may
46 continue to negotiate all offers until an agreement is
47 reached or a decision rendered by the panel of
48 arbitrators.

49 As an alternative procedure, the two parties, may
50 agree to submit the dispute to a single arbitrator.

Page 3

1 If the parties cannot agree on the arbitrator within
2 four days, the selection shall be made pursuant to
3 subsection 5. The full costs of arbitration under
4 this provision shall be shared equally by the parties
5 to the dispute.

6 3. The submission of the impasse items to the
7 arbitrators shall be limited to those issues that had
8 been considered by the fact-finder and upon which the
9 parties have not reached agreement. With respect to
10 each such item, the arbitration board award shall be
11 restricted to the final offers on each impasse item
12 submitted by the parties to the arbitration board or
13 to the recommendation of the fact-finder on each
14 impasse item."

GROTH of Buena Vista
VARN of Johnson

H-4172

1 Amend House File 772 as follows:
2 1. Page 2, by striking lines 5 through 21.

SPEAR of Lee

H-4176

- 1 Amend the Senate amendment H-4113 to House File
- 2 686, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 12.
- 5 2. Page 1, line 17, by striking the word
- 6 "COMMISSIONER" and inserting the following:
- 7 "SUPERINTENDENT".
- 8 3. Page 1, line 18, by striking the word
- 9 "commissioner" and inserting the following:
- 10 "superintendent of public instruction".
- 11 4. Page 1, line 20, by striking the word
- 12 "commissioner" and inserting the following:
- 13 "superintendent".
- 14 5. Page 1, by striking lines 22 through 32.
- 15 6. Page 1, by striking lines 49 and 50.
- 16 7. Page 2, by striking lines 21 through 26.
- 17 8. Page 2, by striking lines 38 through 40 and
- 18 inserting the following: "requirements of section
- 19 275.1 relating to the maintenance of kindergarten and
- 20 twelve grades by a school district."
- 21 9. By striking page 3, line 42, through page 5,
- 22 line 24.

VARN of Johnson

H-4179

- 1 Amend House File 776 as follows:
- 2 1. Page 11, by striking lines 5 and 6 and
- 3 inserting the following: "the sum of one hundred
- 4 fifty-five thousand nine hundred sixty-three (155,963)
- 5 dollars, or so much thereof as is actually".
- 6 2. Page 17, by striking lines 21 and 22 and
- 7 inserting the following: "human services, one hundred
- 8 fifty-five thousand nine hundred sixty-three (155,963)
- 9 dollars, or so much thereof as is".

MULLINS of Kossuth

H-4181

- 1 Amend Senate File 579 as passed by the Senate as
- 2 follows:
- 3 1. Page 2, by inserting after line 20 the
- 4 following:
- 5 "Sec. 3. Section 321B.16, Code 1985, is amended by
- 6 adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. If a chemical test
- 8 results in the institution of a criminal proceeding

- 9 and the administrative revocation of driving
 10 privileges and the criminal action is subsequently
 11 dismissed for lack of probable cause, insufficient
 12 evidence, violation of criminal law or procedure, or
 13 for any other reason, the administrative revocation
 14 which resulted from the test shall be rescinded.”
 15 2. Title page, line 1, by inserting after the
 16 word “evaluations” the following: “, test result
 17 revocations”.
 18 3. By renumbering as necessary.

MUHLBAUER of Crawford

H—4182

- 1 Amend Senate File 579 as passed by the Senate as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 “Section 1. Section 321.281, subsection 1,
 6 paragraph b, Code 1985, is amended to read as follows:
 7 b. While having an alcohol concentration of
 8 ~~thirteen~~ ten hundredths or more.”
 9 2. Title page, by striking lines 1 through 3 and
 10 inserting the following:
 11 “An Act relating to violations of chapter 321.281
 12 by changing the alcohol concentration at which a per
 13 se violation occurs, requiring substance evaluations,
 14 making certain second and subsequent violators
 15 eligible for temporary restricted licenses, and
 16 providing for retroactive application of certain
 17 provisions.”
 18 3. By renumbering as necessary.

VAN CAMP of Scott
 BRANSTAD of Winnebago
 GRANDIA of Marion
 COREY of Louisa
 HERMANN of Scott
 McKEAN of Jones

H—4183

- 1 Amend House File 770 as follows:
 2 1. Page 1, by inserting after line 25 the
 3 following:
 4 “Sec._____. Section 262.9, Code 1985, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION.
 7 a. Direct that the establishment or conduct of any
 8 service shall be limited to services that satisfy the

9 following conditions:

10 (1) The service is one peculiar to the nature of
11 the institution and is necessary to the conduct of its
12 educational, research, or service programs.

13 (2) The inclusion of the service in the total
14 activity of the institution will improve the
15 efficiency and economy of the operations.

16 (3) The provision of the service by the
17 institution will contribute primarily to the
18 convenience, comfort, health, academic, social, or
19 recreational life of its students and staff, or others
20 who participate in educational, research, or service
21 programs on campus.

22 (4) The service is not otherwise available in the
23 quantity or quality required nor conveniently
24 available geographically.

25 b. A service shall not be established or conducted
26 solely for the purpose of profiting from the public
27 sale of services or products. In those instances in
28 which sales of services or products are made to the
29 general public, that service shall be secondary and
30 incidental to the primary functions of the
31 institution; and the institution shall not seek to
32 advertise or promote for the purpose of increasing the
33 volume of general public business. The organizations
34 and corporations affiliated with the institutions
35 shall, in general, conform to these policies."

36 2. Title page, line 1, by inserting after the
37 words "relating to" the following: "the powers and
38 duties of the board of regents by establishing
39 policies relating to the establishment or conduct of
40 services at board of regents' institutions and to".

METCALF of Polk

H-4187

1 Amend H-4183 to House File 770 as follows:

2 1. Page 1, line 8, by inserting after the word
3 "satisfy" the words "all of".

METCALF of Polk

H-4188

1 Amend Senate File 473, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 4, by striking lines 1 and 2 and insert-
4 ing in lieu thereof the following: "cause of action
5 for damages or injunctive relief against a municipal-
6 ity as defined in chapter 613A or a state agency

7 requiring a new or additional service or program
 8 not provided by such municipality or state agency
 9 for which such municipality or state agency would
 10 be”.

WELDEN of Hardin

H-4189

1 Amend House File 775 as follows:
 2 1. Page 1, line 20, by striking the figure “42.2”
 3 and inserting the figure “39.5”.
 4 2. Page 2, by inserting after line 35 the
 5 following:
 6 “c. To the energy policy council
 7 for administrative costs incurred as
 8 a result of this Act and the consent
 9 decrees 2.7 percent
 10 It is a condition of the funds
 11 distributed by this paragraph that the
 12 energy policy council not increase its
 13 full-time equivalent positions in order
 14 to administer this Act and the consent
 15 decrees.”

MULLINS of Kossuth
 KNAPP of Dubuque
 JOCHUM of Dubuque
 SWARTZ of Marshall

H-4198

1 Amend amendment H-4070 to House File 618 as
 2 amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 1, by striking lines 3 through 30, and
 5 inserting the following:
 6 “_____. Page 1, by striking lines 3 through 11, and
 7 inserting the following:
 8 “A county, city, or officer or employee of a county
 9 or city is not liable for injuries or death to an
 10 adult prisoner held in a county or city jail, or
 11 detention facility established pursuant to chapter
 12 356A, if the injuries or the death are self-inflicted,
 13 and there shall be no cause of action unless the
 14 county, city, or officer, or employee of the county or
 15 city acted in willful and wanton disregard for the
 16 life or safety of the prisoner. This section does not
 17 relieve a county, city, or officer or employee of the
 18 county or city of the obligation to provide necessary
 19 medical assistance if an injury is discovered.””

BUHR of Polk
 COOPER of Lucas
 ROYER of Page

H—4200

- 1 Amend House File 778 as follows:
 2 1. Page 1, by striking line 2 and inserting the
 3 following:
 4 "1. The salary rates".
 5 2. Page 2, by striking lines 7 through 11 and
 6 inserting the following: "fiscal year beginning July
 7 1, 1984. The salary rates specified in subsection 1
 8 shall become effective January 1, 1987."
 9 3. Page 2, by striking line 13 and inserting the
 10 following:
 11 "1. The salary rates".
 12 4. Page 3, by striking lines 11 through 15 and
 13 inserting the following: "same as for the fiscal year
 14 beginning July 1, 1984. The salary rates specified in
 15 subsection 1 shall become effective January 1, 1987."

HARBOR of Mills
 HALVORSON of Clayton

H—4203

- 1 Amend House File 778 as follows:
 2 1. Page 6, line 14, by inserting after the word
 3 "insurance," the following: "executive secretary of
 4 the state board of regents,".
 5 2. Page 6, lines 17 and 18, by striking the words
 6 "executive secretary of the state board of regents,".

VARN of Johnson

H—4205

- 1 Amend House File 774 as follows:
 2 1. Page 1, line 28, by striking the words "shall
 3 not" and inserting the following: "may".
 4 2. Page 1, line 32, by striking the word "unless"
 5 and inserting the following: "even though".
 6 3. Page 1, line 33, by inserting after the word
 7 "are" the following: "not".
 8 4. Page 2, line 6, by striking the words "shall
 9 not" and inserting the following: "may".
 10 5. Page 2, line 10, by striking the word "unless"
 11 and inserting the following: "even though".
 12 6. Page 2, line 11, by inserting after the word
 13 "are" the following: "not".

TEAFORD of Black Hawk

H—4206

1 Amend House File 774 as follows:

2 1. Page 2, line 1, by inserting after the word
3 "system." the following: "For purposes of this
4 subsection, "mobile home" means the same as defined in
5 section 135D.1."

6 2. Page 2, line 14, by inserting after the word
7 "system." the following: "For purposes of this
8 subsection, "mobile home" means the same as defined in
9 section 135D.1."

TEAFORD of Black Hawk

H—4210

1 Amend Senate File 575 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 30 the
4 following:

5 "Sec. 2. There is appropriated from the general
6 fund of the state to the state conservation commission
7 on the effective date of this Act the sum of forty-
8 three thousand five hundred fifty-four dollars and
9 twenty-seven cents (\$43,554.27) or so much as is
10 necessary to pay the drainage assessment and interest
11 for the closed tile drain work at Lake Cornelia of
12 drainage district 14, subdistrict 3, in Wright county.

13 An amount equal to the amount expended pursuant to
14 this section shall be subtracted from the funds
15 appropriated to the state conservation commission
16 under 1985 Iowa Acts, House File 225, section 301,
17 subsection 3, paragraph "a", and deposited in the
18 general fund of the state by the state comptroller.

19 Sec. 3. Section 455.50, unnumbered paragraphs 3
20 and 4, Code 1985, are amended to read as follows:

21 When any state-owned lands under the jurisdiction
22 of the state conservation commission are situated
23 within a levee or drainage district, the commissioners
24 to assess benefits shall ascertain and return in their
25 report the amount of benefits and the apportionment of
26 costs and expenses to such lands and the board of
27 supervisors shall assess the same against such lands.
28 However, the commissioners shall not assess benefits
29 to property below the ordinary high water mark in a
30 sovereign state-owned lake, marsh or stream under the
31 jurisdiction of the state conservation commission.

32 Such The assessments against lands used by the fish
33 and game division under the jurisdiction of the state
34 conservation commission shall be paid by the state
35 conservation commission from the state fish and game

36 protection fund executive council on due certification
 37 of the amount by the county treasurer to said
 38 commission, and against lands used by the division of
 39 lands and waters from the state conservation funds.
 40 There is appropriated from any funds in the general
 41 fund not otherwise appropriated amounts sufficient to
 42 pay the certified assessments."

43 Sec. 4. This Act, being deemed of immediate
 44 importance, except section 3 which takes effect July 1
 45 following enactment, takes effect from and after its
 46 publication in The Cascade Pioneer-Advertiser, a
 47 newspaper published in Cascade, Iowa, and in The
 48 Guttenberg Press, a newspaper published in Guttenberg,
 49 Iowa."

50 2. Title page, line 2, by inserting after the

Page 2

1 word "projects" the words "and providing that the Act
 2 takes effect upon publication".

JOCHUM of Dubuque

H-4215

1 Amend the Committee amendment H-4140 to Senate File
 2 24 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 1, lines 34 and 35, by striking the words
 5 "one hundred" and inserting the following: "fifty".
 6 2. Page 3, line 43, by striking the words "one
 7 hundred" and inserting the following: "fifty".

HOLVECK of Polk

H-4220

1 Amend Senate File 309 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 26, by inserting after the word
 4 "action" the following: ", and any additional award
 5 pursuant to section 625.22 shall not be made".

OSTERBERG of Linn

H-4224

1 Amend the Committee on Ways and Means amendment, H-
 2 4140, to Senate File 24, as amended, passed, and
 3 reprinted by the Senate as follows:
 4 1. Page 1, line 35, by inserting after the word

5 "dollars." the following: "In determining a
6 taxpayer's net worth at the end of the tax year a
7 taxpayer shall include any asset transferred within
8 one hundred twenty days prior to the end of the tax
9 year without adequate and full consideration in money
10 or money's worth."

11 2. Page 2, line 22, by inserting after the word
12 "excess" the following: ", including any asset
13 transferred without adequate and full consideration in
14 money or money's worth within one hundred twenty days
15 prior to such forfeiture, transfer or sale or
16 exchange".

DODERER of Johnson

H-4225

1 Amend the Committee on Ways and Means amendment, H-
2 4140, to Senate File 24, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 2, by inserting after line 50 the
5 following:

6 "For tax years beginning on or after January 1,
7 1986, leverage loan proceeds shall be taxed as
8 ordinary income as soon as the loan exceeds the
9 original cost basis."

BRAMMER of Linn

H-4226

1 Amend the Committee on Ways and Means amendment, H-
2 4140, to Senate File 24, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 1, line 43, by striking the words "five
5 hundred".

6 2. Page 1, line 46, by striking the words
7 "twenty-six thousand" and inserting the words "twenty-
8 five thousand five hundred".

9 3. Page 1, line 48, by striking the word "thirty-
10 five" and inserting the word "thirty-four".

DODERER of Johnson

H-4229

1 Amend amendment H-4218 to Senate File 578 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 9, by striking lines 8 and 9 and inserting
4 the following: "members from Polk county shall
5 receive twenty-five dollars per day. Travel expenses
6 shall be".

METCALF of Polk
CARPENTER of Polk

H—4242

1 Amend Senate File 579 as passed by the Senate as
2 follows:

3 1. Page 2, line 21, by inserting after the word
4 "Section" the following: "1 of this Act takes effect
5 and applies to all persons convicted or receiving a
6 deferred sentence on or after July 1, 1986, and
7 section".

JAY of Appanoose

H—4248

1 Amend Senate File 540 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 5, by inserting after line 27 the
4 following:

5 "Sec. 10. NEW SECTION. 56.33 POLITICAL
6 CANDIDATES FUND.

7 1. As used in this section unless the context
8 requires otherwise:

9 a. "Eligible office" means the offices of state
10 senator, state representative, secretary of
11 agriculture, secretary of state, treasurer of state,
12 auditor of state, attorney general, lieutenant
13 governor, and governor.

14 b. "Political action committee" means any
15 political committee except a county statutory
16 political committee, a state statutory political
17 committee or a national political party.

18 2. A candidate for an eligible office who has been
19 nominated by a political party as defined by section
20 43.2 may register with the commission for a restricted
21 campaign and become eligible for a grant from the
22 political candidates fund. A restricted campaign
23 exists if all candidates for that eligible office
24 nominated by a political party have registered for a
25 restricted campaign.

26 3. Except as provided in subsection 6, if a
27 restricted campaign exists, the candidate's committee
28 of those candidates nominated to that eligible office
29 by a political party shall be eligible for the
30 following maximum grant from the political candidates
31 fund and shall be subject to the following limits on
32 total contributions and expenditures, total
33 contributions which may be received from a political
34 action committee, and the largest contribution which
35 may be accepted from any political action committee
36 for the following respective eligible offices:

37 a. Governor.

- 38 (1) Total expenditure and contribution limit, one
 39 million dollars.
- 40 (2) Total political action committee contribution
 41 limit, two hundred fifty thousand dollars.
- 42 (3) Largest political action committee
 43 contribution limit, two thousand dollars.
- 44 (4) Grant, two hundred fifty thousand dollars.
- 45 b. Lieutenant governor, attorney general,
 46 secretary of agriculture, secretary of state,
 47 treasurer of state, and auditor of state.
- 48 (1) Total expenditure and contribution limit, one
 49 hundred thousand dollars.
- 50 (2) Total political action committee contribution

Page 2

- 1 limit, twenty-five thousand dollars.
- 2 (3) Largest political action committee
 3 contribution limit, one thousand dollars.
- 4 (4) Grant, twenty five thousand dollars.
- 5 c. State senator.
- 6 (1) Total expenditure and contribution limit,
 7 eighteen thousand dollars.
- 8 (2) Total political action committee contribution
 9 limit, six thousand dollars.
- 10 (3) Largest political action committee
 11 contribution limit, five hundred dollars.
- 12 (4) Grant, six thousand dollars.
- 13 d. State representative.
- 14 (1) Total expenditure and contribution limit, nine
 15 thousand dollars.
- 16 (2) Total political action committee contribution
 17 limit, three thousand dollars.
- 18 (3) Largest political action committee
 19 contribution limit, five hundred dollars.
- 20 (4) Grant, three thousand dollars.
- 21 4. If a restricted campaign exists, the
 22 limitations of subsection 3 shall apply to
 23 contributions received and expenses incurred during
 24 the following periods:
- 25 a. For a candidate nominated by a convention or
 26 party state central committee, from the date of the
 27 convention until December 31 following the general
 28 election.
- 29 b. For a candidate nominated by a primary
 30 election, except as provided in paragraph "c", from
 31 the date of filing nomination papers until December 31
 32 following the general election.
- 33 c. For a candidate nominated at a primary election
 34 who had an opponent on the primary election ballot or
 35 an opponent who received write-in votes of five

36 percent or more of the votes cast, from the date after
37 the primary election until December 31 following the
38 general election; however, the financial balance of
39 the candidate's committee shall be credited against
40 the contribution limit and the cost of campaign
41 supplies still available to the candidate's committee
42 shall be credited against the expenditure limit.
43 5. A candidate nominated to an eligible office by
44 a political party by the primary election shall file a
45 statement with the commission within fourteen days of
46 the primary election stating whether the candidate is
47 registering for a restricted campaign. A candidate
48 nominated at a convention or by a state central
49 committee shall file the statement within seven days.
50 A candidate cannot register for a restricted campaign

Page 3

1 if that candidate's political party previously
2 nominated a person for that eligible office at that
3 general election and that person declined to register
4 for a restricted campaign.
5 6. If a candidate for an eligible office nominated
6 by a political party declines to register for a
7 restricted campaign, the commission shall transmit the
8 grant amount to which the declining candidate would
9 have been eligible to the other candidate nominated
10 for that eligible office who has registered for a
11 restricted campaign in addition to the grant amount
12 for the registered candidate. The grant amount of the
13 declining candidate transmitted to the other
14 candidates is not subject to the matching funds
15 requirement of subsection 7. If there is more than
16 one other registered candidate nominated by a
17 political party for that eligible office the grant
18 amount of the declining candidate shall be divided
19 equally among them. If there is no such opposing
20 candidate at the time, the commission shall hold the
21 funds until a candidate can no longer be placed on the
22 ballot and if there is no opposing candidate who has
23 registered for a restricted campaign at that time, the
24 funds shall be deposited in the political candidates
25 fund.
26 A candidate may register for a restricted campaign
27 and decline to accept the grant amount provided under
28 this section.
29 7. A registered candidate who is eligible for a
30 grant is entitled to twice as much grant as the
31 candidate receives in contributions from individuals
32 up to the maximum grant amount. However, only the
33 first two hundred fifty dollars of a contribution to a

34 candidate for a statewide office and the first one
35 hundred dollars of a contribution to a candidate for a
36 legislative office qualify for the matching of grant
37 funds. If a candidate's committee has a balance under
38 subsection 4, paragraph c, that balance qualifies for
39 matching of grant funds to the same extent as the
40 percentage of total contributions are qualifying
41 contributions by individuals.

42 8. The commission shall establish by rule the
43 requirements and forms for applications for and its
44 determination of a candidate's eligibility and
45 entitlement to a grant amount from the political
46 candidates fund. The commission shall cause the
47 payment of grant amounts to be made to those
48 candidates who are entitled to it under this section.
49 The first payment shall be made by August fifteenth in
50 the year of election. The commission shall provide

Page 4

1 procedures for supplemental filings and payments of
2 grant amounts.

3 9. The political candidates fund is created in the
4 office of the treasurer of state. The money in the
5 fund is appropriated to candidate's committees
6 qualifying under this section and are payable by the
7 state comptroller upon the direction of the
8 commission.

9 10. For the purposes of this section an expense
10 occurs during a period of restricted campaign if
11 either the payment is made or the performance is made
12 during the period.

13 Sec. 11. NEW SECTION. 56.34 PENALTY.

14 1. If a candidate's committee exceeds either of
15 the contribution limits provided in section 56.33 when
16 a restricted campaign exists, the candidate's
17 committee shall deposit into the political candidates
18 fund a civil penalty of an amount equal to twice the
19 amount by which the limit was exceeded.

20 2. The criminal penalty of section 56.16 shall
21 apply to violations of section 56.33 and may be
22 imposed in addition to the civil penalty provided in
23 subsection 1.

24 Sec. 12. There is appropriated from the surplus
25 account of the Iowa plan fund for economic development
26 created by 1985 Iowa Acts, House File 225, section
27 301, to the political candidates fund created in
28 section 56.33 for the fiscal year beginning July 1,
29 1986 and ending June 30, 1987 the sum of one million
30 seven hundred thousand (1,700,000) dollars, or so much
31 as is necessary, to make grants authorized under

- 32 section 56.33. The treasurer of state shall notify
- 33 the general assembly by March 1, 1986 of the projected
- 34 balance in the surplus account that will be available
- 35 for this appropriation."

LLOYD-JONES of Johnson
 RUNNING of Linn
 TEAFORD of Black Hawk
 MULLINS of Kossuth
 PETERSON of Carroll
 MILLER of Cherokee
 HOLVECK of Polk
 CARL of Poweshiek
 GRUHN of Dickinson
 HAMMOND of Story
 ARNOULD of Scott
 FEY of Scott
 SULLIVAN of Van Buren
 PONCY of Wapello
 VAN CAMP of Scott
 GRONINGA of Cerro Gordo
 KNAPP of Dubuque
 STURGEON of Woodbury
 CLARK of Cerro Gordo
 CHAPMAN of Linn
 CONNOLLY of Dubuque
 BRAMMER of Linn

HALVORSON of Webster
 SWARTZ of Marshall
 CARTER of Henry
 HUGHES of Union
 HANSON of Delaware
 JOHNSON of Winneshiek
 ROSENBERG of Story
 PLATT of Muscatine
 LONERGAN of Boone
 BEATTY of Warren
 HAVERLAND of Polk
 GROTH of Buena Vista
 COCHRAN of Webster
 MUHLBAUER of Crawford
 JAY of Appanoose
 DODERER of Johnson
 ZIMMERMAN of Dallas
 OSTERBERG of Linn
 BLANSHAN of Greene
 BUHR of Polk
 O'KANE of Woodbury
 SHOULTZ of Black Hawk
 JOCHUM of Dubuque

H-4261

- 1 Amend Senate File 579 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking lines 3 and 4, and
- 4 inserting in lieu thereof the following:
- 5 "On a conviction or deferred judgment for a second
- 6 or subsequent an offense in violation of this section,
- 7 the court".
- 8 2. Page 1, line 5, by striking the words
- 9 "defendant person" and inserting the word "defendant".
- 10 3. Page 1, line 7, by striking the words
- 11 "defendant person" and inserting the word "defendant".
- 12 4. Page 1, line 10, by striking the word "person"
- 13 and inserting the word "defendant".
- 14 5. Page 1, line 14, by striking the word
- 15 "defendant" and inserting the word "defendant".
- 16 6. Page 1, line 15, by striking the word
- 17 "person".
- 18 7. Page 1, line 17, by striking the word
- 19 "defendant" and inserting the word "defendant".
- 20 8. Page 1, line 18, by striking the word

21 "person".
 22 9. Page 1, line 19, by striking the words
 23 "defendant person" and inserting the word "defendant".
 24 10. Page 1, line 20, by striking the words
 25 "defendant person" and inserting the word "defendant".
 26 11. Page 1, line 22, by striking the words
 27 "defendant's person's" and inserting the word
 28 "defendant's".
 29 12. Page 1, line 33, by striking the words
 30 "defendant person" and inserting the word "defendant".
 31 13. Page 2, by striking lines 6 through 20, and
 32 inserting the following:
 33 "Sec. 2. Section 321B.16, unnumbered paragraph 4,
 34 Code 1985, is amended to read as follows:
 35 The Notwithstanding the provisions of section
 36 321B.13, the department may, on application, issue a
 37 temporary restricted license to the person whose
 38 license has been revoked when the person's regular
 39 employment includes the operation of a motor vehicle
 40 or the person cannot perform the person's regular
 41 occupation without the use of a motor vehicle, or when
 42 the person's use of a motor vehicle is necessary to
 43 attend evaluation, treatment or educational services
 44 for alcohol or drug dependency, but the person shall
 45 not operate a vehicle for pleasure while holding a
 46 restricted license. However, this paragraph does not
 47 apply to a person whose license is suspended or
 48 revoked for another reason."

JAY of Appanoose

H-4267

1 Amend House File 244 as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 10, by inserting after line 11 the
 4 following:
 5 "Sec._____. Sections 1 and 2 of this Act are
 6 repealed effective July 1, 1986."

Senate Amendment

RESOLUTIONS ADOPTED

Resolutions adopted during the Seventy-first General Assembly, 1985 Session, not otherwise printed in the House Journal.

HOUSE CONCURRENT RESOLUTION 5

By Committee On Agriculture

A Concurrent Resolution requesting federal legislation for an adequate farm program.

Whereas, agriculture remains the fundamental basis of the economy of the State of Iowa; and

Whereas, the current crisis in agriculture threatens the continued existence of a significant number of Iowa family farms; and

Whereas, a prosperous and stable farm population is important to the businesses, schools, churches, and other community institutions of rural Iowa; and

Whereas, the prosperity of many of the industries and workers of Iowa depends on the prosperity of Iowa's farmers; and

Whereas, a sound farm economy is essential for a healthy state economy which can generate sufficient tax revenues for services and educational opportunities needed by Iowa's citizens; *Now*

Therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Congress of the United States is urged to reestablish the historic commitment to a family farm system of agriculture and economic justice in the agricultural market place by recognizing farm prices and commodity supply management to be the central issues of the 1985 federal farm bill; and

Be It Further Resolved, That Congress is further requested to include provisions which significantly

Page 2

increase the target price on storable commodities, provide for effective supply management, address the problem of soil erosion, and establish an adequate reserve in the 1985 federal farm bill to make the legislation a long term, comprehensive, and adequate farm program; and

Be It Further Resolved, That the Secretary of State is directed to send copies of this resolution to the Speaker and Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, the Chairperson of the United States Senate and House of Representatives Agriculture Committees, and each member of the Iowa

14 Congressional Delegation.

HCR 5 filed on January 17, 1985; House adopted January 22, 1985.

1 HOUSE CONCURRENT RESOLUTION 6
 2 By Committee On Agriculture
 3 A House Concurrent Resolution relating to Iowa's
 4 economic crisis.
 5 *Whereas*, we in Iowa are acutely aware of the
 6 economic condition of many of our American farmers and
 7 Main Street business establishments; and
 8 *Whereas*, most of this crisis is due to conditions
 9 beyond the control of those affected, namely, extreme
 10 weather conditions resulting in below normal crop
 11 yields, the high value of the dollar, low prices
 12 received for agricultural commodities, high interest
 13 rates, and the continuing decline of land values; and
 14 *Whereas*, these problems know no boundaries defined
 15 by political ideologies and will thus require the
 16 utmost in bipartisan efforts in the search for
 17 solutions; and
 18 *Whereas*, the urgency of these concerns demand both
 19 immediate and long-term action; and
 20 *Whereas*, it is our desire to work with all people,
 21 businesses, and agricultural interests, within Iowa
 22 and beyond, to inform all Americans about the plight
 23 we face and the potential impacts on the economy of
 24 the nation as a whole; and
 25 *Whereas*, this resolution is a statement of our
 26 commitment, as members of the Seventy-first General
 27 Assembly, to work for the adoption of those things
 28 that can be done through our state government; and
 29 *Whereas*, by this resolution, we invite other states
 30 to join with us in these endeavors; *Now Therefore*,

Page 2

1 *Be It Resolved by the House of Representatives, the*
 2 *Senate Concurring*, That a committee be named from both
 3 the House and Senate to contact and invite other
 4 states to join our Iowa delegation in Washington, D.C.
 5 to speak as one voice to the appropriate officers and
 6 agencies of the federal government in an effort to
 7 achieve quick and positive action that addresses our
 8 concerns; and
 9 *Be It Further Resolved*, That a copy of this
 10 resolution be forwarded to the President of the United
 11 States, the Governor of the State of Iowa, and to all
 12 the members of the Iowa Congressional Delegation.

HCR 6 filed on January 17, 1985; House adopted January 22, 1985.

HOUSE CONCURRENT RESOLUTION 12

By Cochran and Pellett

A Concurrent Resolution recognizing the National Crisis Action Rally.

Whereas, Iowa is facing its most serious farm crisis since the Great Depression of the 1930's; and *Whereas*, immediate and dramatic action is necessary to help farmers obtain credit for production costs; and

Whereas, all Americans must be made aware of the disastrous consequences for our nation if the agricultural economy collapses; and

Whereas, it is important that all farm groups come together to work toward common goals; and

Whereas, ten organizations — the American Agriculture Movement, the Farm Crisis Committee, Women Involved in Farm Economics, the Iowa Farm Unity Coalition, Prairie Fire, the National Catholic Rural Life Conference, the National Rural Electric Cooperative Association, the National Grange, the National Farmers Organization and the National Farmers Union — have joined forces to organize a fifteen-state farm rally to bring national attention to the problems of midwest farmers; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the General Assembly of the State of Iowa supports the efforts of the organizers of the National Crisis Action Rally in Ames, Iowa on February 27, 1985, and urges all Iowans, farmers and nonfarmers alike, to demonstrate their support for

Page 2

Iowa farmers on that day; and

Be It Further Resolved, That the General Assembly of the State of Iowa, in recognition and support of the importance of the National Crisis Action Rally, will recess on February 27, 1985 to provide members of the General Assembly the opportunity to attend the Rally.

HCR 12 filed from the floor; House adopted February 21, 1985; Senate adopted February 26, 1985.

HOUSE CONCURRENT RESOLUTION 19

By Zimmerman, Baxter, Beatty, Buhr,
Carl, Carpenter, Chapman, Clark,
Doderer, Gruhn, Hammond, Hester,
Lonergan, Lloyd-Jones, Metcalf,
Peick and Teaford

A House Concurrent Resolution recognizing Women's History Week.

9 *Whereas*, Iowa women of every race, class, and
10 ethnic background helped to establish the state in
11 countless recorded and unrecorded ways; and

12 *Whereas*, Iowa women have played and continue to
13 play a critical economic, cultural, and social role in
14 every sphere of our state's life through their labors
15 inside and outside of the home; and

16 *Whereas*, Iowa women have played and continue to
17 play a unique role by their thoughtful contributions
18 to progressive social change, and by the establishment
19 of various philanthropic, cultural, educational, and
20 political institutions; and

21 *Whereas*, these significant contributions have not
22 received appropriate acknowledgement and publicity in
23 the past, causing present-day Iowa women, their
24 daughters and their granddaughters to be
25 insufficiently aware of the role played by their
26 forebearers in the history of the great state of Iowa;
27 and

28 *Whereas*, the awareness of Iowa women's role in the
29 history of the state is crucial to the development of
30 present-day Iowa women, their daughters and their

Page 2

1 granddaughters, each to her fullest potential; *Now*

2 *Therefore*,

3 *Be It Resolved by the House of Representatives, the*
4 *Senate Concurring*, That the week beginning March 3,
5 1985, is designated as "Women's History Week," and

6 *Be It Further Resolved*, That the Governor of Iowa
7 is requested to issue a proclamation calling upon the
8 people of Iowa to observe Women's History Week with
9 appropriate ceremonies and activities.

HCR 19 filed on March 5, 1985; House adopted March 7, 1985.

HOUSE CONCURRENT RESOLUTION 21

By Hatch

3 A House Concurrent Resolution relating to the
4 proposal to abolish the United States Small Business
5 Administration.

6 *Whereas*, some individuals have recommended the
7 elimination of the United States Small Business
8 Administration; and

9 *Whereas*, the United States Small Business
10 Administration was formed in 1953 to address the
11 unique needs and concerns of small businesses; and

12 *Whereas*, past experience has shown that without a
13 special, independent federal agency like the United
14 States Small Business Administration to address the

15 unique needs and concerns of small businesses, that
16 such unique needs and concerns have not been addressed
17 by other federal agencies; and

18 *Whereas*, the United States Small Business
19 Administration currently provides vital services to
20 small businesses not otherwise available to small
21 businesses; and

22 *Whereas*, the small business community is creating
23 most of the new jobs in the nation's private sector
24 economy; and

25 *Whereas*, small businesses have historically created
26 a substantial number of new innovations at a lower
27 cost than larger businesses, and such innovations are
28 critical to ensuring a strong national economy; and

29 *Whereas*, small businesses are experiencing numerous
30 economic disadvantages including, but not limited to,

Page 2

1 higher relative federal tax burdens, higher relative
2 economic burdens from federal regulations, and lower
3 relative portions of federal contracts for goods and
4 services, all of which are seriously threatening the
5 future of small businesses; and

6 *Whereas*, data on the impacts of federal policies,
7 proposed federal legislation, and proposed federal
8 rules on small businesses is only available from the
9 United States Small Business Administration, and is
10 essential to making well-informed decisions for the
11 good of the entire nation; and

12 *Whereas*, the United States Small Business
13 Administration has already undergone a reduction of
14 over seventy percent in its budget between fiscal
15 years 1980 through 1984; *Now Therefore*,

16 *Be It Resolved by the House of Representatives, the*
17 *Senate Concurring*, That the United States Senate and
18 House of Representatives are urged to do both of the
19 following:

20 1. Maintain the United States Small Business
21 Administration at the same funding level as in fiscal
22 year 1984.

23 2. Maintain the United States Small Business
24 Administration as an independent agency of the federal
25 government; and

26 *Be It Further Resolved*, That it is urged that one
27 of the priorities of the 1986 White House Conference
28 on Small Business should be to review and recommend
29 what activities and functions should be performed by
30 the United States Small Business Administration; and

Page 3

1 *Be It Further Resolved*, That copies of this
 2 resolution shall be immediately sent to the Honorable
 3 Ronald Reagan, President of the United States, the
 4 President of the United States Senate, the Speaker of
 5 the United States House of Representatives, and all
 6 members of the Iowa Delegation in Congress.

HCR 21 filed on March 7, 1985; House adopted April 26, 1985.

1 HOUSE CONCURRENT RESOLUTION 26
 2 By Committee On State Government
 3 A Concurrent Resolution to encourage the
 4 establishment of the United States Institute of Peace
 5 in Iowa.
 6 *Whereas*, on October 19, 1984 the President of the
 7 United States signed into law legislation creating the
 8 United States Institute of Peace, an independent,
 9 nonprofit, national institution for promoting
 10 international peace and the resolution of conflicts
 11 among the nations and the peoples of the world without
 12 recourse to violence; and
 13 *Whereas*, Iowans have a strong tradition of
 14 participation in international programs and support
 15 the concept of peaceful resolution of conflicts; and
 16 *Whereas*, the legislation contemplates that a United
 17 States Institute of Peace be created and one or more
 18 centers formed as independent research and teaching
 19 institutions somewhere in the United States; and
 20 *Whereas*, Iowa has educational institutions at all
 21 levels that have strong international programs; and
 22 *Whereas*, the promotion of peace in the world will
 23 enhance international trade and can improve the
 24 economic well-being of nations and this state; and
 25 *Whereas*, a steering committee has been formed to
 26 encourage the establishment of one of the centers for
 27 the United States Institute of Peace in Iowa; *Now*
 28 *Therefore*,
 29 *Be It Resolved by the House of Representatives, the*
 30 *Senate Concurring*, That the General Assembly supports

Page 2

1 the concept of establishing the United States
 2 Institute of Peace; and
 3 *Be It Further Resolved*, That the General Assembly
 4 supports the establishment of the United States
 5 Institute of Peace in Iowa; and
 6 *Be It Further Resolved*, That the General Assembly

7 supports the efforts of the steering committee in
 8 developing strategies to ensure that the United States
 9 Institute of Peace will be located in Iowa.

HCR 26 filed on March 27, 1985; House adopted April 26, 1985;
 Senate adopted May 3, 1985.

1 HOUSE CONCURRENT RESOLUTION 29

2 By Committee On Agriculture

3 A Concurrent Resolution to request and urge the
 4 Congress of the United States to take certain actions
 5 to assist farmers.

6 *Whereas*, the 1985 and 1986 use of agricultural
 7 products is eight to ten percent less than the
 8 capacity of the United States' agricultural
 9 production; and

10 *Whereas*, 1985 and 1986 exports of grains and
 11 soybeans produced in the United States are twenty
 12 percent below 1981 and 1982 tonnage; and

13 *Whereas*, corn and soybean prices are twenty-five
 14 percent below the prices in summer, 1984, and stocks
 15 of these commodities are expected to increase by
 16 thirty percent this fall; and

17 *Whereas*, the United States' macro-economic policy
 18 of tight money, high real interest rates, reduced
 19 inflation, and the high exchange value of the dollar
 20 are primary causes of the weak export demand and of
 21 financial stress among farmers; and

22 *Whereas*, the capacity and efficiency of the United
 23 States' agricultural production is a national asset
 24 and can help pay for the country's imports when fully
 25 employable; and

26 *Whereas*, farmers are economically unable
 27 individually and without public help to cease excess
 28 production and unwise use of fuel, fertilizer, and top
 29 soil; and

30 *Whereas*, lowering price support loan rates and

Page 2

1 removing deficiency payments will lower rates of
 2 earnings on farm assets, exacerbate farm financial
 3 stress, and thwart the transfer of assets to

4 financially stable hands; *Now Therefore*,

5 *Be It Resolved by the House of Representatives, the*
 6 *Senate Concurring*, That the Seventy-first General
 7 Assembly of the State of Iowa requests and urges the
 8 Congress of the United States to undertake the
 9 following actions:

- 10 1. Extend the current loan rates and deficiency

11 payment levels for 1986.

12 2. Provide adequate supply control for 1986 crops
13 to avoid unwise production and stock accumulation.

14 3. Rapidly set long range price policy and thus
15 remove uncertainty.

16 4. Provide public assistance to inventory farm
17 assets given up by financially stressed and insolvent
18 farmers.

19 5. Insure that an adequate volume of agricultural
20 credit is available to low debt-to-asset borrowers so
21 they can purchase assets from insecure hands and thus
22 restore financial stability to agriculture; and

23 *Be It Further Resolved*, That the Secretary of State
24 is directed to send copies of this Resolution to the
25 Speaker and Clerk of the United States House of
26 Representatives, the President and Secretary of the
27 United States Senate, the Chairpersons of the Senate
28 and House of Representatives Agriculture Committees,
29 and each member of the Iowa Congressional Delegation.

HCR 29 filed on April 10, 1985; House adopted April 26, 1985;
Senate adopted May 3, 1985.

HOUSE CONCURRENT RESOLUTION 31

By Hummel

1 A House Concurrent Resolution concerning school bus
2 safety law.

3 *Whereas*, there has been an increasing number of
4 traffic violations by motorists involving school buses;
5 and

6 *Whereas*, school administrators, school bus drivers
7 and parents have become increasingly concerned for
8 the safety of students due to the failure of many
9 persons to obey school bus safety laws; and

10 *Whereas*, the safety of the children of this state
11 is of paramount importance to the citizens of Iowa and
12 the Iowa General Assembly; *Now Therefore*,

13 *Be It Resolved by the House of Representatives, the*
14 *Senate Concurring*, That the members of the Iowa
15 General Assembly hereby request the Iowa Department
16 of Public Safety to increase enforcement of school
17 bus safety laws and use all means within its power
18 to increase public awareness of, and compliance with,
19 school bus safety laws, and

20 *Be It Further Resolved*, That the Iowa Department
21 of Public Safety report to the Governor and the Iowa
22 General Assembly by January 1, 1986 concerning its
23 enforcement of school bus safety laws.

HCR 31 filed on April 15, 1985; House adopted, as amended,
April 26, 1985; Senate adopted April 30, 1985.

HOUSE CONCURRENT RESOLUTION 34

By Harbor

A House Concurrent Resolution concerning the sale of Consolidated Rail Corporation (Conrail).

Whereas, the continued operation of Conrail as an independent railroad is of vital importance to the economy of Iowa, especially the agricultural segment; and

Whereas, there are federal negotiations presently underway for the merger of Conrail and the Norfolk Southern Railroad which would eliminate competition within a large segment of the United States; and

Whereas, Conrail and Norfolk Southern are parallel carriers serving the same area, making the proposed company the largest railroad monopoly in the United States with 75 percent of the eastern grain transportation business and capable of singly setting transportation rates; and

Whereas, this proposed merger will cripple midwest rail systems by attracting business away from their eastern terminals and the choice of a less expensive merged line resulting in increased freight rates to Iowa shippers; and

Whereas, short-term savings could result in substantial long-term increased costs; *Now Therefore*,

Be It Resolved by the House of Representatives, the Senate Concurring, That the Iowa General Assembly join with other states in requesting the federal government to disapprove merger negotiations of Conrail and Norfolk Southern, and

Page 2

Be It Further Resolved, That each member of the Iowa Congressional delegation be provided with a copy of this resolution with the request they actively oppose the proposed merger of Conrail and Norfolk Southern.

HCR 34 filed on April 19, 1985; House adopted April 29, 1985; Senate adopted May 1, 1985.

HOUSE CONCURRENT RESOLUTION 37

By Peick

A House Concurrent Resolution relating to telephone service for legislators.

Whereas, it is essential for legislators to utilize their time efficiently; and

Whereas, legislative research and inquiry requires discussion with state departments, agencies and other

9 specialists; and
 10 *Whereas*, the present telephone facilities are
 11 inadequate and inconvenient for meeting the needs of
 12 individual legislators; and
 13 *Whereas*, desk phones would greatly expedite
 14 carrying out our legislative responsibilities; *Now*
 15 *Therefore*,
 16 *Be It Resolved by the House of Representatives, the*
 17 *Senate Concurring*, That the Legislative Council
 18 authorize the installation of telephones with the
 19 capability of outgoing calls only for the desks of
 20 legislators who are not members of the leadership,
 21 establish a connection charge after consultation with
 22 the Department of General Services, and establish a
 23 deadline for legislators to apply for telephones by
 24 depositing the connection charge.

HCR 37 filed on April 26, 1985; House adopted May 3, 1985.

1 HOUSE CONCURRENT RESOLUTION 42

2 By Jay

3 A House Concurrent Resolution relating to the
 4 operation of motor vehicles and other modes of
 5 transportation and recreation while under the
 6 influence of intoxicants or intoxicated, and other
 7 collateral issues regarding the use of alcoholic
 8 beverages and drugs.
 9 *Whereas*, it has come to the attention of this
 10 General Assembly that there exists a need to make a
 11 comprehensive review of the entire statutory system
 12 presently in place to control and reduce the
 13 occurrence of drunken driving; and
 14 *Whereas*, there has also recently come to the
 15 attention of the General Assembly an advance in
 16 technology which may make the development of
 17 mechanical devices which can reduce the incidence of
 18 drunk driving a reality; and
 19 *Whereas*, much of the basic data, many of the
 20 information sources, and a number of alternative
 21 solutions have been identified by a special interim
 22 committee operating in the preceding interim; and
 23 *Whereas*, it has also become apparent that a
 24 significant amount of work remains to be done
 25 concerning this review and the philosophical and
 26 technical updating of the present Iowa system, and the
 27 need to pull the various experts and other sources of
 28 information and the proposed solutions together; *Now*
 29 *Therefore*,
 30 *Be It Resolved by the House of Representatives, the*

Page 2

1 *Senate Concurring*, That there be established a
 2 committee to perform the above mentioned functions in
 3 consultation with all existing sources of information;
 4 and

5 *Be It Further Resolved*, That the committee be
 6 composed of the Chairpersons, Vice chairpersons and
 7 ranking members of the House Standing Committee on
 8 Judiciary and Law Enforcement and the Senate Standing
 9 Committee on Judiciary; and

10 *Be It Further Resolved*, That the committee perform
 11 these functions in the interim between the first and
 12 second sessions of the Seventy-first General Assembly
 13 and that the interim committee be required to make a
 14 report of its findings and recommendations,
 15 accompanied by its legislative bill draft to implement
 16 such recommendations, to the Legislative Council and
 17 to the Seventy-first General Assembly, 1986 Session.

HCR 42 filed on May 1, 1985; House adopted May 2, 1985; Senate
 adopted May 3, 1985.

1 HOUSE CONCURRENT RESOLUTION 43

2 By Committee On Appropriations

3 A House Concurrent Resolution authorizing the
 4 payment of fees for legal services rendered the Iowa
 5 General Assembly.

6 *Be It Resolved by the House of Representatives, the*
 7 *Senate Concurring*, That the Iowa General Assembly
 8 authorizes the payment of the sum of sixteen thousand
 9 (16,000) dollars, from the funds appropriated by
 10 section 2.12 to be used to pay legal expenses of the
 11 appellant in *Rush v. Ray*, No. 83-1191, filed by the
 12 supreme court on February 13, 1985; and

13 *Be It Further Resolved*, That the state comptroller
 14 shall pay to the attorneys of record for the appellant
 15 the amount authorized by this resolution.

HCR 43 filed from the floor; House adopted May 2, 1985; Senate
 adopted May 3, 1985.

1 HOUSE RESOLUTION 6

2 By Diemer, McIntee and Shoultz

3 A House Resolution paying tribute to Robert A. Case
 4 and his memory.

5 *Whereas*, Robert A. Case, whose journalism career was
 6 devoted to covering governmental affairs and
 7 specifically the Iowa General Assembly, passed away on

8 October 10, 1984; and
 9 *Whereas*, Robert A. Case spent two decades as the
 10 chief administrative assistant to a member of the
 11 Congress of the United States and understood the
 12 political process; and
 13 *Whereas*, Robert A. Case was at various times both
 14 the severest critic of the Iowa General Assembly and
 15 its most faithful friend; and
 16 *Whereas*, Robert A. Case thoroughly understood the
 17 political process and its challenges in a manner few of
 18 his colleagues ever can; and
 19 *Whereas*, Robert A. Case understood and respected his
 20 duty to keep the readers of the Waterloo Courier fully
 21 informed of the work being done by the Iowa General
 22 Assembly; and
 23 *Whereas*, Robert A. Case was quick to criticize the
 24 Iowa General Assembly when he believed it was abusing
 25 its authority and was the first to praise the Iowa
 26 General Assembly for positive achievements; and
 27 *Whereas*, reporters, his many friends and
 28 acquaintances, and members of the Iowa General Assembly
 29 who were associated with Robert A. Case recognize his
 30 contributions to greater public awareness of the

Page 2

1 operations of government; *Now Therefore*,
 2 *Be It Resolved, by the House of Representatives*,
 3 That tribute be paid to Robert A. Case and his memory
 4 and that Robert A. Case, a true friend of the Iowa
 5 General Assembly, be recognized for the contributions
 6 he made to public awareness of legislative issues and
 7 procedures; and
 8 *Be It Further Resolved*. That copies of this
 9 resolution be forwarded to Robert A. Case's widow,
 10 Abigail Case and his children, Doug and Lisa.

HR 6 filed on January 30, 1985; House adopted January 31, 1985.

1 HOUSE RESOLUTION 9,
 2 By Teaford, Peick, Clark, Brammer, Buhr, Carpenter,
 3 Shoultz, Spear, Mullins, Doderer, Carl, Lloyd-Jones,
 4 Chapman, Hammond and Connolly
 5 A House Resolution commemorating the anniversary of
 6 the founding of the League of Women Voters.
 7 *Whereas*, the League of Women Voters believes in
 8 representative government and in the individual
 9 liberties established in the Constitution of the
 10 United States; and

11 *Whereas*, the League of Women Voters believes that
12 democratic government depends upon the informed and
13 active participation of its citizens and requires that
14 governmental bodies protect the citizen's right to
15 know by giving adequate notice of proposed actions,
16 holding open meetings and making public records
17 accessible; and

18 *Whereas*, the League of Women Voters believes that
19 every citizen should be protected in the right to
20 vote; that every person should have access to free
21 public education that provides equal opportunity for
22 all, and that no person or group should suffer legal,
23 economic or administrative discrimination; and

24 *Whereas*, the League of Women Voters believes that
25 efficient and economical government requires competent
26 personnel, the clear assignment of responsibility,
27 adequate financing and coordination among the
28 different agencies and levels of government; and

29 *Whereas*, the League of Women Voters believes that
30 responsible government should be responsive to the

Page 2

1 will of the people, that government should maintain an
2 equitable and flexible system of taxation, promote the
3 conservation and development of natural resources in
4 the public interest, share in the solution of economic
5 and social problems that affect the general welfare,
6 promote a sound economy and adopt domestic policies
7 that facilitate the solution of international
8 problems; and

9 *Whereas*, the League of Women Voters believes that
10 cooperation with other nations is essential in the
11 search for solutions to world problems, and that the
12 development of international organization and
13 international law is imperative in the promotion of
14 world peace; *Now Therefore*.

15 *Be It Resolved by the House of Representatives*,
16 That the House of Representatives commemorates
17 February 14, 1985 as the sixty-fifth anniversary of
18 the founding of the national League of Women Voters,
19 commends that organization for its efforts over the
20 years of its existence, and requests the Chief Clerk
21 of the House to forward copies of this resolution to
22 the officers of that organization.

HR 9 filed on February 13, 1985; House adopted February 14,
1985.

HOUSE RESOLUTION 10

By Committee On Natural Resources And Outdoor
Recreation

A Resolution to request the Iowa Congressional
Delegation to provide wildlife food plots under the
federal 1985 farm program.

Whereas, the Congress of the United States is
proposing a farm program for 1985; and

Whereas, wildlife cover and food are in very short
supply in Iowa during the winter months; and

Whereas, in seasons of late grain harvest, the
standing crops are heavily depredated by wild birds
and game in certain parts of the state; and

Whereas, seed companies in Iowa have indicated a
willingness to make surplus seed corn and sorghum
available for planting of such food plots; *Now*

Therefore,

Be It Resolved by the House of Representatives,
That the Congress of the United States be urged to
allow the voluntary planting of such seed grains on
set-aside acres near game populations of such set-
asides as a part of the federal 1985 farm program; and

Be It Further Resolved, That the Chief Clerk of the
House of Representatives provide copies of this
resolution to the members of the Iowa Congressional
Delegation.

HR 10 filed on February 13, 1985; House adopted March 14, 1985.

HOUSE RESOLUTION 11

By Hatch, Rosenberg, Osterberg and Shoultz

A House Resolution relating to the control of
hazardous waste by Salsbury Laboratories.

Whereas, the U. S. Environmental Protection Agency
is responsible for negotiating with companies who are
responsible for emitting hazardous waste into our
environment; and

Whereas, the U. S. Environmental Protection Agency
has issued a determination and consent order citing
Salsbury Laboratories of Charles City, Iowa for
disposing of hazardous waste that constitutes a
release or threat of release and may be an imminent
and substantial endangerment and a substantial hazard
to the public health or welfare or the environment due
to a release of hazardous substance and hazardous
wastes from the LaBounty site; and

Whereas, the Salsbury Laboratories, Inc., 2000
Rockford Road, Charles City, Iowa has been offered a
negotiated settlement to build an upgradient
groundwater diversion structure, install three
monitoring wells and reimburse the federal government

23 in the amount of \$300,000; and
 24 *Whereas*, on December 16, 1977, Iowa Department of
 25 Environmental Quality issued Executive Order No. 77-
 26 DQ-01 and ordered Salsbury Laboratories to cease
 27 disposal of its waste at the LaBounty site and submit
 28 a plan to remove the waste material from the site to a
 29 suitable location; and
 30 *Whereas*, on January 19, 1978, the Iowa District

Page 2

1 Court for Floyd County issued a stay order from
 2 enforcing Executive Order No. 77-DQ-01; and
 3 *Whereas*, the U. S. Environmental Protection Agency,
 4 Iowa Department of Environmental Quality and Salsbury
 5 Laboratories agreed to necessary remedial measures and
 6 began a two-phased remedial and monitoring program;
 7 and
 8 *Whereas*, on February 1, 1983 a consultant for
 9 Salsbury Laboratories concluded that the site had not
 10 yet stabilized following the remedial measures; and
 11 *Whereas*, contaminants are still being released into
 12 the shallow ground water and into the Cedar River; *Now*
 13 *Therefore*,
 14 *Be It Resolved by the House of Representatives*,
 15 that by approval of this resolution that it is the
 16 recommendation of the House of Representatives for the
 17 complete removal of the waste as the most appropriate
 18 long range option but that a more appropriate short
 19 range option is to agree with the Department of Water,
 20 Air and Waste Management recommendation to put a
 21 ground water barrier and collection structure around
 22 the entire site followed by removal of the waste
 23 presently below the water table.

HR 11 filed on March 7, 1985; House adopted March 12, 1985.

HOUSE RESOLUTION 12

By Harbor and Metcalf

2 A House resolution congratulating the Iowa State
 3 Cyclones and the University of Iowa Hawkeyes
 4 basketball teams.

5 *Whereas*, Johnny Orr and George Raveling have
 6 succeeded in having successful basketball teams at
 7 Iowa State University and the University of Iowa; and

8 *Whereas*, The Iowa Hawkeyes with a record of 21-10
 9 and the Iowa State Cyclones with a record of 21-12
 10 have been selected to the 1985 National Collegiate
 11 Athletic Association Basketball Tournament; and

12 *Whereas*, Iowans are extremely proud of having two
 13 excellent basketball teams that have been selected to

15 the 1985 NCAA Basketball Tournament; *Now Therefore,*
16 *Be It Resolved by the House of Representatives,*
17 That the House of Representatives congratulates Johnny
18 Orr and George Raveling on their successful basketball
19 season and commends the University of Iowa Hawkeyes
20 and the Iowa State University Cyclones for their
21 selection to the 1985 NCAA Basketball Tournament; and
22 *Be It Further Resolved,* That the Iowa General
23 Assembly wishes the best of luck to the Iowa State
24 Cyclones and the Iowa Hawkeyes in the Tournament; and
25 *Be It Further Resolved,* That copies of this
26 resolution be sent to Johnny Orr and George Raveling
27 and each member of the Iowa State Cyclones and the
28 University of Iowa Hawkeyes basketball teams.

HR 12 filed on March 12, 1985; House adopted March 13, 1985.

SUPPLEMENT TO THE HOUSE JOURNAL**BILLS APPROVED, VETOED OR ITEM VETOED
SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills passed by the 1985 Regular Session of the Seventy-first General Assembly and which action was had subsequent to the date of final adjournment:

- H.F. 66 — Requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control. Approved 5-16-85.
- H.F. 128 — Creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes. Approved 5-16-85.
- H.F. 130 — Relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service. Approved 5-23-85.
- H.F. 139 — Relating to the crimes of indecent contact and lascivious acts with a child and providing a penalty. Approved 5-23-85.
- H.F. 150 — Relating to fees collected by the sheriff. Approved 5-15-85.
- H.F. 160 — Removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service. Approved 5-15-85.
- H.F. 164 — Relating to the payment of commissions to commission salespersons and providing a penalty. Approved 5-15-85.
- H.F. 181 — To legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor. Approved 5-15-85.
- H.F. 183 — Relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty. Approved 5-28-85.
- H.F. 196 — Relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union. Approved 5-31-85.
- H.F. 204 — Relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses. Approved 5-15-85.
- H.F. 210 — Relating to the weighting per pupil for shared programs of school districts. Approved 5-29-85.

- H.F. 231 — Relating to the establishment and maintenance of pumping stations in drainage districts. Approved 5-22-85.
- H.F. 255 — Relating to the election of hospital trustees. Approved 5-16-85.
- H.F. 266 — Relating to financial incentive payments for the protection of forests and forest soils from damage by grazing. Approved 5-31-85.
- H.F. 308 — Relating to clinical privileges of certain licensed practitioners. Approved 5-22-85.
- H.F. 315 — Relating to drug product selection. Vetoed 5-28-85. See Governor's Veto Message.
- H.F. 319 — Relating to accrued interest from certain gifts received by the commission for the blind. Approved 5-22-85.
- H.F. 341 — Requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two-family residential construction. Approved 5-17-85.
- H.F. 359 — Relating to fees for boiler inspections. Approved 5-14-85.
- H.F. 366 — Relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles. Approved 5-15-85.
- H.F. 378 — Relating to the safety of road maintenance workers. Approved 5-22-85.
- H.F. 381 — Relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication. Vetoed 5-20-85. See Governor's Veto Message.
- H.F. 398 — Relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility. Approved 5-24-85.
- H.F. 413 — Relating to reparations for medical care and counseling under chapter 912 for victims of domestic abuse and sexual assault and for child victims. Approved 5-23-85.
- H.F. 428 — Relating to the use of gizzard shad as bait. Approved 5-14-85.
- H.F. 438 — Relating to the borrowing of library materials and equipment and evidence of intent in cases alleging theft of such materials and equipment, and providing penalties. Approved 5-24-85.
- H.F. 451 — Relating to child protection and providing penalties. Approved 5-23-85.
- H.F. 453 — Relating to the hunter safety course requirements in applying for a hunting license. Approved 5-14-85.
- H.F. 454 — Requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses. Approved 5-6-85.

- H.F. 460 — Relating to the investment of the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small businesses operating in this state. Approved 5-16-85.
- H.F. 462 — Relating to the protection of victims and witnesses in judicial proceedings, and providing penalties. Approved 5-23-85.
- H.F. 484 — To regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general. Approved 5-20-85.
- H.F. 495 — For the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, and the recording of income tax refund or rebate payments by the clerk. Approved 5-23-85.
- H.F. 498 — Relating to the qualifications of a weed commissioner, deputy weed commissioner or commercial applicator. Approved 5-22-85.
- H.F. 501 — Relating to the inspection of boilers and unfired steam pressure vessels. Approved 5-14-85.
- H.F. 505 — Relating to an annual review of local human service programs by the county board of social welfare. Approved 5-31-85.
- H.F. 514 — To require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls. Approved 5-14-85.
- H.F. 523 — Related to the right of cities and counties to lease or lease-purchase real and personal property. Approved 5-20-85. Became law 6-1-85.
- H.F. 526 — Relating to interpreters for certain hearing impaired persons. Approved 5-15-85.
- H.F. 531 — Prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures; and making penalties applicable. Approved 5-31-85.
- H.F. 537 — Relating to special elections to fill vacancies in city councils. Approved 5-14-85.
- H.F. 539 — Relating to the jurisdiction and control of the great river road. Approved 5-14-85.

- H.F. 540 — Relating to the mining of ores and minerals other than coal and authorizing a penalty. Approved 5-16-85.
- H.F. 541 — To provide for the establishment of the Iowa higher education facilities program. Approved 5-29-85.
- H.F. 549 — Relating to domestic abuse counseling; to the commencement of a domestic abuse action; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage. Approved 5-23-85.
- H.F. 550 — Making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent. Approved 5-20-85.
- H.F. 552 — Relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers. Approved 5-16-85.
- H.F. 554 — Relating to the security interests in farm products and providing penalties. Approved 5-24-85.
- H.F. 555 — To establish the Iowa community cultural grants program within the office for planning and programming. Approved 5-14-85.
- H.F. 556 — Relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and modifying a requirement that an applicant for a loan shall report other installment loans that the applicant may have. Approved 5-20-85.
- H.F. 569 — Relating to the administration of special land use districts. Approved 5-22-85.
- H.F. 570 — Relating to health coverages and mutual service corporations operating under chapter 514 including the taxation thereof and establishing procedures for the mutualization thereof and the authority of insurance companies, making an appropriation for the extension of the medically needy program, and providing for a study. Approved 5-31-85.
- H.F. 575 — To legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land. Approved 5-16-85.

- H.F. 589 — Relating to fees collected by county officers. Approved 5-20-85.
- H.F. 625 — To require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel. Approved 5-14-85.
- H.F. 626 — To revise the procedures for the assessment of penalties under the laws regulating coal mining. Approved 5-16-85.
- H.F. 631 — Relating to the programming and funding of community, supervised apartment living arrangements. Approved 5-16-85.
- H.F. 639 — Relating to the presence and removal of asbestos in public school buildings. Approved 5-14-85.
- H.F. 640 — Relating to the computation of interest penalties on delinquent property taxes. Approved 5-14-85.
- H.F. 641 — Relating to the violation of a custodial order and providing penalties. Approved 5-15-85.
- H.F. 643 — Relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties. Approved 5-22-85.
- H.F. 648 — Relating to the schools subject to the provisions of chapter 601A on sex discrimination in education. Approved 5-29-85.
- H.F. 649 — Relating to water wells by providing for regulation of water wells and the registration of water well contractors. Approved 5-23-85.
- H.F. 652 — Authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts. Approved 5-14-85.
- H.F. 670 — Relating to the termination of a county library district. Approved 5-15-85.
- H.F. 677 — Creating an Iowa sheep and wool promotion board, and providing a penalty. Approved 5-28-85.
- H.F. 678 — Relating to drainage and drainage districts. Approved 5-22-85.
- H.F. 682 — Relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication. Approved 5-7-85. Became law 5-17-85.
- H.F. 686 — Relating to plans and programs for educational development in Iowa. Approved 5-29-85.

- H.F. 688— Relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor. Approved 5-23-85.
- H.F. 691— Relating to the psychological testing of law enforcement officers and candidates. Approved 5-28-85.
- H.F. 692— Relating to the Iowa dairy industry commission. Approved 5-15-85.
- H.F. 696— Relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability. Approved 5-30-85.
- H.F. 700— Relating to the endangering of certain persons and providing penalties. Approved 5-23-85.
- H.F. 701— Amending the juvenile justice code relating to the content of delinquency petitions, witness' testimony, notices of delinquency proceedings, recordings of delinquency hearings, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social investigation reports, hearsay testimony, and transferring of custody or guardianship, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases. Vetoed 5-28-85. See Governor's Veto Message.
- H.F. 702— Including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable. Approved 5-22-85.
- H.F. 703— Creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company. Approved 5-15-85.
- H.F. 709— Relating to the hazardous chemicals interagency coordinating council. Approved 5-15-85.
- H.F. 711— Relating to the application for registration and titling of vehicles and providing penalties. Approved 5-28-85.
- H.F. 713— Relating to educational leave and educational assistance for state employees. Approved 5-29-85.
- H.F. 726— Relating to joint exercise of powers to finance hydroelectric power facilities. Approved 5-6-85.

- H.F. 728— Requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses. Approved 5-6-85.
- H.F. 729— Relating to certain tax levies of political subdivisions and area schools. Approved 5-31-85.
- H.F. 730— Relating to the licensure of dietitians. Approved 5-22-85.
- H.F. 740— Relating to the abandonment of funds or a deposit in a banking or financial organization. Approved 5-30-85.
- H.F. 741— Relating to custom livestock feeders. Approved 5-6-85. Became law 5-18-85.
- H.F. 742— Relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded. Approved 5-15-85.
- H.F. 746— Relating to merged area hospitals. Approved 5-15-85.
- H.F. 748— Relating to the financial requirements of grain dealers. Approved 5-30-85.
- H.F. 750— Imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty. Approved 5-31-85.
- H.F. 751— Relating to restitution by a child for attorneys' fees. Approved 5-15-85.
- H.F. 753— Relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date. Approved 5-20-85. Became law 6-13-85.
- H.F. 761— Relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions. Approved 5-17-85.
- H.F. 762— To legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law. Approved 5-29-85.

- H.F. 763 — To transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication. Approved 5-17-85. Became law 5-29-85.
- H.F. 766 — To establish an Iowa small business new jobs training program and making an appropriation. Approved 5-30-85.
- H.F. 768 — Relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes. Approved 5-28-85.
- H.F. 773 — To establish an education research foundation, to prescribe its functions, and to make an appropriation. Approved 5-29-85.
- H.F. 777 — Relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds. Approved 5-29-85.
- H.F. 780 — Appropriating funds relating to the compensation and benefits for public officials and employees. Approved 6-3-85.
- S.F. 13 — To allow certain nonprofit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years. Approved 5-24-85.
- S.F. 24 — To impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive. Approved 5-31-85.
- S.F. 27 — Relating to the investment policies for funds available to certain state agencies. Approved 5-24-85.
- S.F. 81 — Permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle. Approved 5-24-85.
- S.F. 103 — Authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval. Approved 5-23-85.
- S.F. 110 — Prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Republic of South Africa, prohibiting funds of the Iowa Public Employees' Retirement System or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties. Approved 5-30-85.
- S.F. 156 — Relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, and to change the method of administering the state scholarship program. Approved 5-29-85.

- S.F. 157— Permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance. Approved 5-20-85.
- S.F. 218— Relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles. Approved 5-23-85.
- S.F. 224— Relating to discrimination on the basis of gender and marital status. Approved 5-9-85.
- S.F. 244— For the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions. Approved 5-9-85.
- S.F. 250— Relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system. Approved 5-29-85.
- S.F. 254— Relating to administrative endorsements and certificates issued by the board of educational examiners. Approved 5-29-85.
- S.F. 264— To eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund. Approved 5-22-85.
- S.F. 271— Relating to refund of tuition policies of certain postsecondary institutions and to prescribe a penalty. Approved 5-29-85.
- S.F. 290— Relating to the sale of antique motor vehicles. Approved 5-9-85.
- S.F. 295— Relating to the violation of laws concerning alcoholic liquor and beer by establishing the penalty for transporting an open container of alcoholic liquor or beer in a motor vehicle as a simple misdemeanor, and by removing the duty of a liquor control licensee to break empty liquor bottles. Approved 5-24-85.
- S.F. 296— Relating to the deposit and investment of public funds. Approved 5-24-85.
- S.F. 306— Relating to certain requirements for the filling of prescriptions for controlled substances and poisons. Approved 5-6-85.
- S.F. 309— Relating to dishonored checks, drafts, or orders for payment and providing penalties. Approved 5-24-85.
- S.F. 317— Relating to qualifying for office. Approved 5-7-85.
- S.F. 328— Relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa. Approved 5-8-85.

- S.F. 329 — Relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization. Approved 5-24-85.
- S.F. 349 — Relating to the type of federal tax-exempt persons or organizations eligible to become licensees to conduct games of skill, games of chance, and raffles. Approved 5-17-85.
- S.F. 355 — Relating to the publication of notice of a hearing on an amendment to an urban revitalization plan. Approved 5-9-85.
- S.F. 359 — Relating to the declaration of value for real estate transfers, and providing an effective date. Approved 5-9-85.
- S.F. 364 — Relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board. Vetoed 5-30-85. See Governor's Veto Message.
- S.F. 374 — Relating to the giving of false information on a blood plasma sale application to blood plasma taking personnel and providing a penalty. Approved 5-24-85.
- S.F. 376 — Reclassifying and adding certain controlled substances to the schedules in chapter 204. Approved 5-8-85.
- S.F. 377 — Relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies. Approved 5-20-85.
- S.F. 383 — Relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers. Approved 5-30-85.
- S.F. 385 — To provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties. Vetoed 5-20-85. See Governor's Veto Message.
- S.F. 387 — Allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle, requiring rules to be adopted to provide for the assignment of registration plates to the person, requiring certain counties to send a statement relating to due registration fees to owners of motor vehicles and allowing a refund of unexpired registration fees for certain vehicles. Approved 5-8-85.
- S.F. 393 — Relating to the fee for transferring real estate by the county auditor. Approved 5-9-85.
- S.F. 398 — Relating to school reorganization. Approved 5-29-85.

- S.F. 401 — Relating to the harboring or enticing away of children and providing penalties. Approved 5-23-85.
- S.F. 406 — Relating to the destruction of noxious weeds and providing a penalty. Approved 5-22-85.
- S.F. 407 — Relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date. Approved 5-7-85.
- S.F. 413 — Relating to farm-to-market road fund allocations. Approved 5-7-85.
- S.F. 423 — Relating to claims in estates for which there is insurance coverage. Approved 5-8-85.
- S.F. 424 — Relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty. Approved 5-23-85.
- S.F. 433 — Relating to the certification and regulation of respiratory care practitioners and providing a penalty. Approved 5-20-85.
- S.F. 435 — Relating to the distribution of monthly employment and unemployment statistics by the department of job service. Approved 5-31-85.
- S.F. 438 — Allowing licensed optometrists to administer and prescribe certain pharmaceutical agents. Approved 5-31-85.
- S.F. 445 — Exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system. Approved 5-8-85.
- S.F. 449 — Relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication. Approved 5-30-85.
- S.F. 450 — To create Iowa commerce commission pilot programs for energy conservation improvements. Approved 5-28-85.
- S.F. 452 — Authorizing conversion of certain real property to a mobile home. Approved 5-9-85.
- S.F. 455 — Relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity. Approved 5-28-85.
- S.F. 459 — Relating to real property which is subject to foreclosure. Approved 5-31-85.

- S.F. 463— Relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date. Approved 5-28-85.
- S.F. 465— Relating to agricultural limestone. Approved 5-16-85.
- S.F. 466— Relating to the bonding requirements for a holder of a permit to sell seed. Approved 5-7-85.
- S.F. 467— Relating to the predisposition investigation and report in a juvenile delinquency proceeding. Approved 5-8-85.
- S.F. 473— Relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness and providing an effective date and an appropriation. Approved 5-31-85.
- S.F. 480— Relating to time lines and requirements for a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication. Approved 5-6-85.
- S.F. 497— Prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums. Approved 5-30-85.
- S.F. 502— Relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties. Approved 5-30-85.
- S.F. 503— Relating to self-insurance plans. Approved 5-31-85.
- S.F. 507— To legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city. Approved 5-28-85.
- S.F. 509— Relating to the inspection of fruit-tree or forest reservations and making the Act retroactive. Approved 5-6-85.
- S.F. 511— To extend the time for the completion of the flood plain mapping plan. Approved 5-8-85.
- S.F. 514— Relating to garnished accounts of supervised financial organizations. Approved 5-8-85.
- S.F. 515— Relating to the election to become a senior judge. Approved 5-8-85.
- S.F. 521— Relating to insurance trade practices and providing penalties. Approved 5-30-85.
- S.F. 524— Creating a residential care licensing classification for the mentally ill. Approved 5-14-85.
- S.F. 525— Authorizing the director of general services to assign unmarked motor vehicles to the department of justice. Approved 5-14-85.
- S.F. 526— Requiring successful completion of a professional education program relating to education of the handicapped and gifted and talented before

issuance of any certificate, endorsement, or approval by the department of public instruction. Approved 5-14-85.

- S.F. 538 — Relating to an agricultural supply dealer's lien. Approved 5-28-85.
- S.F. 539 — Relating to motor vehicle fuel. Approved 5-6-85.
- S.F. 547 — Providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department. Approved 5-14-85.
- S.F. 560 — Relating to the establishment of and improvements within a secondary road assessment district. Approved 5-16-85.
- S.F. 561 — Relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; making technical corrections to the individual and corporate income tax concerning the credit for increasing research activities in the state; eliminating the requirement that the election campaign fund and fish and game protection fund checkoffs be on the face of the return immediately above the signature line; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates. Approved 5-30-85.
- S.F. 564 — Relating to the exemption of certain nonprofit corporations providing services to disabled persons and adult day care services from the sales, services and use tax, prohibiting the collection for certain sales, services and use tax not paid by those corporations. Approved 5-31-85.
- S.F. 565 — Relating to the use and taxation for the use of motor vehicles, water vessels, and mobile homes in the state by increasing the rate of tax on motor fuel and special fuel, by crediting moneys from the road use tax fund to the RISE fund, for use in road or street projects which promote economic development in the state, by crediting moneys from the road use tax fund to the public transit assistance fund, by providing an exemption from the use tax for certain vehicles registered under chapter 326, by exempting from the state use tax the portion of the purchase price of a mobile home which is not attributable to the cost of the materials used in manufacturing the mobile home and exempting from the state use tax the gross receipts from the subsequent sale of a mobile home if the use tax had been paid in a previous sale, by exempting from the sales, services and use tax the sale of special fuel for diesel engines for certain ships, barges and waterborne vessels, by allowing certain truck tractors to be registered as special trucks, and making penalties applicable. Approved 5-30-85.

- S.F. 568— Relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and imposing rates for its use, benefit, and connection. Approved 5-16-85.
- S.F. 570— Making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures and making certain procedures retroactive. Approved 5-24-85 with the exception of Section 27. See Governor's Item Veto Message.
- S.F. 574— Relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax. Approved 5-30-85.
- S.F. 575— Relating to and making appropriations to state agencies for capital projects and providing that part of the Act takes effect upon publication. Approved 5-31-85.
- S.F. 576— Relating to the granting of a partial real property tax credit for new construction of research-service facilities. Approved 5-30-85.
- S.F. 577— Relating to the economy of the state of Iowa, by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by changing the name of the Iowa housing finance authority, by requiring that real estate brokers' trust accounts be deposited in interest-bearing accounts and the interest transferred quarterly to the treasurer of state and deposited in the title guaranty fund, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for title of real property, creating a commitment costs fund, creating a title guaranty fund, by modifying the limitations on bank offices upon merger or acquisition, by providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods of lienholders under the procedure, permitting the charging of fees incurred under the title guaranty program, requiring the disclosure of the availability of the title guaranty program and making penalties applicable, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for incentives for lending institutions to participate in the operating assistance program, providing for a five-year write-off of interest bought down under the authority's operating assistance program, permitting life insurance companies and associations to invest in bonds of the African development bank, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, by modifying the investment powers of the state chartered savings and loan associations and savings banks, revising the requirements of amendments to a uniform commercial code financing statement, providing for stipulation of redemption periods, providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods for lienholders, providing for the execution of foreclosure judgments, providing for the creation of the Iowa export trading company, providing for interim study committees, and providing an effective date. Approved 5-31-85.

- S.F. 578— Relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, and making coordinating amendments to the Code. Approved 6-3-85.
- S.F. 580— Exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions. Approved 5-31-85.
- S.F. 581— Providing for the promotion of the pork industry in this state by creating an Iowa pork producers council, authorizing an assessment on the sale of porcine animals, and imposing penalties. Approved 5-28-85.
- S.F. 583— Relating to the imposition of certain taxes by imposing the barrel tax and the gallonage tax to beer and wine manufactured in Iowa and correcting references to an additional real property tax under the local option tax provisions of Senate File 395. Approved 5-28-85.
- S.F. 584— To provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication. Approved 5-16-85.
- S.F. 585— Appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants. Approved 5-31-85.
- S.F. 586— Appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication. Approved 5-15-85.
- S.F. 587— Relating to and appropriating petroleum overcharge funds. Approved 5-16-85.
- S.F. 588— Amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance. Approved 5-16-85.
- S.F. 589— Related to the licensure of dietitians. Approved 5-31-85.

GOVERNOR'S VETO MESSAGES

May 28, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

House File 315, an Act relating to drug product selection, is hereby disapproved

and transmitted to you in accordance with Article III, Section 16 of the Constitution of the State of Iowa.

For almost ten years, Iowa pharmacists have been allowed to substitute generic drugs for brand name prescriptions. This is a useful practice, and has saved both Iowa consumers and the state Medicaid Program substantial amounts of money.

House File 315 would expand the authority of pharmacists by allowing substitution of "therapeutic alternates," with prior authorization from the prescribing physician. Therapeutic substitution is substantially different from generic substitution. When a pharmacist substitutes a generic, the patient receives the exact chemical compound prescribed by the physician. The pharmacist merely uses a generic as opposed to a brand name of the drug in order to save the consumer money.

Therapeutic substitution involves giving the patient a different chemical compound than what was prescribed. Again, the intention is to save money for the consumer, but in this case it is done by dispensing a different drug. This practice raises many concerns.

Formulary systems have been used in closed practices such as hospitals for some time. A formulary system is a method designed to reduce the number of drugs hospitals stock. In such a system, a committee of physicians and pharmacists establishes procedures for therapeutic substitution when a prescription is written for a drug which the hospital pharmacy does not stock.

Recently there have been questions regarding whether such formulary systems are allowed under existing Iowa law. This is one of the reasons House File 315 was proposed. Formulary systems are valuable, and should be retained. However, House File 315 goes well beyond authorizing formulary systems in hospitals or health maintenance organizations.

House File 315 allows any pharmacist in any setting to therapeutically substitute with prior authorization. However, the legislation provides no protocols or guidelines regarding the necessary form or content of the authorization. Should House File 315 become law, Iowa would be the first state in the nation to adopt this kind of statute.

In fact, only one other state, Washington, statutorily authorizes therapeutic substitution in any form. The Washington law is specific regarding the form and content of the required prior authorization.

In addition, many of the public health safeguards built into a closed-practice formulary system would not be available in a corner drug store. A hospital is likely to have one set of formulary guidelines, established through the efforts of a committee of pharmacists and physicians working together. These guidelines would be prevalent throughout the hospital, and would normally be agreed to by all physicians practicing in that hospital. Further, a hospitalized patient is frequently monitored by health professionals, including daily visits from his or her physician.

In a retail pharmacy, the pharmacist is likely to be dealing with literally hundreds of prescribing physicians, podiatrists, and dentists. In turn, each prescriber might deal with dozens of pharmacies. Each physician would have his or her own set of authorizations with each pharmacy. This multitude of prior authorizations could greatly increase the possibility of errors in drug dispensing, thereby posing a threat to the public health. Also, patients taking medication at home are not monitored as closely as hospitalized individuals. Therefore, errors that do occur are less likely to be discovered quickly.

House File 315 also raises questions of liability for harm to the consumer. For example, both prescribers and manufacturers are required to warn of possible adverse reactions from prescribed drugs. A physician might duly describe the possible side effects of a prescribed drug, only to have the pharmacist therapeutically substitute a different chemical compound with different side effects. Would the physician be liable to the patient for any injury occurring from side effects of the drug actually dispensed? Would the physician be required to explain to the patient the side effects of every drug which could possibly be therapeutically substituted for the drug actually prescribed? Because Iowa would be the first state to adopt this kind of statute, there do not seem to be clear answers to these or many other questions of liability raised by House File 315.

These liability issues could easily exacerbate the already serious problem of the high cost of medical liability insurance. Ironically, this could result in actually increasing the cost of medical care, exactly the opposite of the intention of this legislation.

House File 315 is a well intentioned attempt to reduce the cost of prescription medicine. By encouraging increased use of generic substitution, and by clearing up any questions surrounding the legality of formulary systems in hospitals and other similar closed practice settings, the bill would bring some benefit to citizens of Iowa.

However, the bill would also break new ground regarding the authority of pharmacists in retail practice to therapeutically substitute a different drug than the one which was actually prescribed. This provision of the bill raises public health and liability concerns which are not adequately answered. Given the uncertainties regarding the ramifications of this bill, it is unacceptable.

For these reasons, I hereby respectfully disapprove House File 315.

Sincerely,
Terry E. Branstad
Governor

May 20, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

House File 381, an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Section 85.16 of the Iowa Code disallows payment of workers' compensation claims to workers who were intoxicated at the time of their injury. Workers' compensation payments are not allowed if an employer proves that intoxication was a "substantial factor" in an employee's injury.

House File 381 makes it easier for a volunteer fire fighter who was injured on the job while intoxicated to obtain workers' compensation benefits.

Volunteer fire fighters are public servants who provide essential fire protection services to many Iowans. These Iowans deserve our thanks and respect, and they

deserve appropriate benefits when injured while protecting our lives, homes, and property. However, this bill would allow volunteer fire fighters to obtain workers' compensation benefits even though the injury was sustained while the fire fighter was intoxicated.

Encouraging a volunteer fire fighter to respond to a call while under the influence of alcohol would be dangerous and unsafe. It would threaten the public, other fire fighters, and the families and friends of volunteer fire fighters.

In addition to these safety concerns, this bill is seriously flawed. There is no legal requirement or authority provided to test the blood alcohol content of injured fire fighters. Without such a procedure, the blood alcohol content of an injured fire fighter may never be established.

In short, House File 381 is flawed and misdirected. It could endanger the public's safety, and would reduce the public's confidence in our state's volunteer fire fighters. For these reasons, I hereby respectfully disapprove House File 381.

Sincerely,
Terry E. Branstad
Governor

May 28, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

House File 701, an act amending the juvenile justice code relating to the content of delinquency petitions, witness' testimony, notices of delinquency proceedings, recordings of delinquency hearings, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social investigation reports, hearsay testimony, and the transferring of custody or guardianship, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

House File 701 contains provisions which are not in the best interests of protecting and helping children and which cause additional hardships on the juvenile court system for very little benefit.

Of greatest concern, is a provision of the bill which raises the standard of proof used by the court to determine when an alleged sexual offender in a child's home should be ordered to leave the home. Raising this standard senselessly hampers efforts to protect children from alleged sexual abuse. We should favor protecting the children from potential abuse over providing more opportunities to suspected adult sexual offenders to remain in the children's homes.

House File 701 also imposes needless additional hardships on the juvenile justice system. The bill provides that minutes of testimony must be filed with delinquency petitions and child-in-need-of-assistance petitions. This change will create problems for county attorneys filing delinquency petitions and would have a crippling effect on children-in-need-of-assistance proceedings.

Because the state is required to file a delinquency petition within 48 hours of the time a juvenile is put in detention, petitioners would be required to have minutes submitted before adequate investigations had been completed. Delinquency petitions could be amended by supplementing the minutes, but this is an unnecessary burden.

There is no provision allowing for supplementation of minutes of testimony for child-in-need-of-assistance petitions. The petitioners must set forth all the minutes of testimony at the time of filing petitions and no further evidence may subsequently be added. If the filing of child-in-need-of-assistance petitions must be delayed until all information is available, it may be necessary to delay the removal of some children from harmful circumstances or risk losing the cases. Thus, to not allow additional evidence to be presented by supplementing minutes in child-in-need-of-assistance petitions may endanger the lives of children.

House File 701 also limits hearsay to only "first level hearsay." The hearsay provision is undefined and is subject to individual interpretation as it applies to preparation of social reports. The provision has the effect of placing a severe limitation on sources of corroborating information. While great progress was made this session to protect children, this legislation goes in the other direction.

House File 701 also imposes an arbitrary, five-day delay for dispositions, unless waived by the parties, while the court and counsel read the predisposition reports. According to this provision, counsel for any party could arbitrarily delay a process that in some instances is already too long. A more appropriate remedy for concerns over adequate time to inspect the reports would be to require "adequate time for inspection" and let the courts determine what that time may be.

Finally, House File 701 requires evidence that the parents in a termination-of-parental-rights proceeding not only have been offered services to correct the situation (which the present law provides) but also that the parents refused the services or failed to cooperate. In instances where parents cannot be found, it may be more difficult for terminations to take place or there may be longer delays before terminations occur.

In summary, House File 701 establishes a number of requirements which are not in the best interests of protecting children. The bill imposes additional burdens on the juvenile justice system for very little benefit. The Criminal and Juvenile Justice Planning Agency, the Prosecuting Attorneys Council, county attorneys and juvenile justice personnel, have expressed opposition to this legislation. It does not improve the safety and well-being of the children of this state. In fact, it goes in the other direction.

I hereby respectfully disapprove House File 701.

Sincerely,
Terry E. Branstad
Governor

May 28, 1985

The Honorable Donald Avenson
Speaker
House of Representatives
State Capitol Building
L O C A L

Dear Mr. Speaker:

I am unable to approve House Concurrent Resolution 41, a concurrent resolution relating to the Board of Regents Ten-Year Building Program, in accordance with Section 262A.4 of the Code of Iowa, 1985.

House Concurrent Resolution 41 gives the State Board of Regents the authority to issue negotiable bonds under Chapter 262A in a total amount not to exceed \$22,770,000. The proceeds of these bonds would be used to fund several capital remodeling projects at the Regent institutions. Student tuition is pledged to repay these bonds. However, there is a longstanding commitment that the General Assembly will appropriate funds to replace these tuition revenues.

I support these capital remodeling projects. In fact, the budget I submitted to the General Assembly in January included recommendations for funding from lottery revenues in the 1985-1987 biennium for a number of these same projects. However, rather than providing for these projects through the appropriations process on a pay-as-you-go basis, House Concurrent Resolution 41 would fund them through further bonded indebtedness. Funding these projects in such a manner is not in the best interests of the State of Iowa.

Financing remodeling projects through bonded indebtedness greatly increases the cost to the taxpayers. Interest payments and costs of bond issuance would raise the total cost of these projects to more than \$40 million over the life of the bonds.

Over the next 17 years, more than \$206 million in principal and interest payments will come due for bonds already outstanding. The cost in the next two fiscal years alone will exceed \$41 million. Increasing this debt load by bonding for remodeling projects at this time would be imprudent, and could divert needed funds from the Regents operating budgets in the future.

In addition, as a practical matter, the Regents staff anticipates that the bonds authorized under this resolution could not be sold until May or June of 1986. Thus, the projects to be funded by the proceeds of the bonds could not begin until very late in fiscal year 1986, or the beginning of fiscal year 1987.

Given this timetable, the remodeling projects would not be delayed if the General Assembly would consider these projects for direct appropriations in fiscal year 1987.

In light of the state's present financial difficulties, it would not be wise to commit the state to \$40 million of additional spending at this time. To the extent possible, the state should use a pay-as-you-go policy in funding remodeling projects.

For these reasons, I hereby respectfully disapprove House Concurrent Resolution 41.

Sincerely,
Terry E. Branstad
Governor

May 30, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 364, an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 364 is the so-called scope of bargaining bill. This bill makes substantial changes in the Iowa Public Employee Relations Act which was enacted in 1974. Senate File 364 modifies chapter 20 of the Iowa Code by substantially expanding the list of items which are mandatory subjects of public employee collective bargaining. This bill also makes other significant changes in the Public Employment Relations Act including strictly limiting the number of employees who are exempt from the bargaining process because of their confidential relationship with managers who make decisions affecting labor relations.

The current Iowa Public Employment Relations Act strikes a balance between the rights of public employers and employees under collective bargaining. Chapter 20 strictly defines the list of items which must be bargained in order to maintain this balance between employer and employee rights. These strict limitations on mandatory subjects of bargaining are appropriate given the fact that the ultimate resolution of disputes under chapter 20 is binding arbitration.

I understand that the proponents of Senate File 364 believe the courts and administrative agencies have too narrowly interpreted the statutory language which outlines the mandatory subjects of bargaining. However, I am concerned that this bill not only broadly and vaguely redefines these items but substantially expands the scope of collective bargaining beyond the items originally included in the Iowa Public Employment Relations Act.

Of specific concern is an amendment to chapter 20 which would make subject of bargaining proposals which "reasonably relate" to wages. This language could be interpreted to broadly expand the meaning of all the items currently in the mandatory list. Moreover, this definition could reasonably make the size of classes in our public schools mandatorily subject to bargaining.

In addition, Senate File 364 expands the scope of bargaining to include items which would likely add to the cost of government while reducing funds available for purposes other than personnel costs. Of greatest concern are these additional bargainable items:

Promotion Procedures

Current promotional procedures are covered by statute and Merit rules and provide appropriate protections to employees. Adding promotion procedures to the mandatory list of items subject to bargaining could substantially increase the influence of seniority on promotion decisions and would be contrary to fundamental Merit system principles. Promotion of public employees should be done on the basis of the employee's ability to do the work. And, in order to accomplish that, public employers must have the flexibility to make promotion decisions without strict limitations placed in collective bargaining contracts.

Criteria For Staff Reduction and Recall

Under the present law, staff reduction procedures are already mandatory subjects of bargaining. However, Senate File 364 would require public employers to bargain over decisions to initially implement a staff reduction. Public employers need to retain the ability to order a staff reduction when necessary. Senate File 364 would restrict public employers' abilities to make those kinds of essential determinations and

could result in a budget crisis if needed staff reductions are prohibited by bargaining contract.

Minimum Equipment And Staffing

Senate File 364 would require the employer to bargain over the type of equipment that would be provided to employees and the staffing levels which are required at public work places. The ability to determine staffing levels and appropriating equipment is essential to a public employers ability to operate government efficiently. This language could, for example, make mandatorily subject to bargaining the number of police officers assigned to each patrol car. Management must retain this essential right to control staff and to make staffing decisions.

Senate File 364 would also expand the list of items in a number of other areas which would reduce needed management authority. Expanding the scope of collective bargaining to require negotiation on these topics could substantially tip the delicate balance in our existing Public Employment Relations Act toward the side of the unions. While I understand the interest among public employees to have input into personnel decisions in a number of these areas, it would be inappropriate to require public employers to bargain on each of these items.

At the present time, public employers can permissibly bargain many of these items and, in the case of state government, a number of items included in Senate File 364 are already negotiated.

However, the state should not mandate that these items be negotiated by city and county governments and school districts. This would violate fair play toward these local units of government.

In addition, Senate File 364 also substantially limits the number of employees who are exempted from the bargaining process because of their confidential relationship with state managers. Currently, the employees of the Iowa Merit Employment Department are appropriately exempted from collective bargaining because of their confidential relationship with those involved in management decisions. The modified definition of confidential employee included in Senate File 364 could extend union coverage to many of the Merit Department's employees and other confidential employees which could severely restrict the ability of management to efficiently provide information and services to those involved in the collective bargaining process.

In short, Iowa's present Public Employment Relations Act strikes a delicate balance between management and union rights. To maintain this balance is critical to the smooth functioning of government at both the state and local levels. Current laws work quite well in meeting that goal and should not be altered at this time. Moreover, this bill would substantially tip the balance in favor of the unions by significantly adding to the items which must be made subject to collective bargaining. These items could substantially restrict the ability of public employers to efficiently and effectively manage government and to control costs for Iowa taxpayers.

For the above reasons, I hereby respectfully disapprove Senate File 364.

Very truly yours,
Terry E. Branstad
Governor

May 20, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 385, an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the Labor Commissioner and providing penalties, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 385 would establish a new chapter in the Iowa Code known as the "Prevailing Wage Rate Act." The act requires governmental bodies entering into contracts for public improvements over \$2,000 in counties over 20,000 population to include in the contracts provisions requiring the payment of prevailing wages to laborers and mechanics. The Labor Commissioner is to determine the prevailing wages based on projects similar in character in the city or county in which the work is to be performed. The bill also provides for the enforcement of payment of prevailing wages by the Labor Commissioner and provides penalties for violation of the law.

I am sensitive to the concerns of the proponents of this bill regarding the economic hardships faced by many unemployed construction workers. I have listened to and have carefully considered their arguments for this bill. However, Iowa construction jobs can only be created within the fiscal constraints of the state budget.

Requiring the payment of a prevailing wage on public construction projects will substantially increase the cost of projects paid by state and local taxpayers. The fiscal note prepared by the Legislative Fiscal Bureau estimates that this bill would add over \$15 million to the cost of public projects. Several state agencies provided me with projected cost increases of between ten and twenty-five percent.

It would be inappropriate to implement a new prevailing wage law at a time when some state operating budgets have been frozen or cut in order to meet our constitutional responsibilities for a balanced budget.

Senate File 385 would mandate expensive reporting procedures, increase administrative costs and generally complicate the completion of public construction projects. These requirements would impede efficient administration of construction contracts and place an additional burden on many small businesses including minority, and female contractors. The General Assembly failed to provide the necessary funding and staff which everyone acknowledges would be necessary to enforce this legislation.

I am not aware of any state which has placed these added financial and administrative burdens upon their taxpayers in recent years. In fact, since 1978, five states — Alabama, Arizona, Florida, Idaho and Utah — have repealed prevailing wage laws. Other states, including Colorado and New Hampshire, are presently considering the repeal of similar laws. Now is not the time for Iowa to impose this additional burden on its taxpayers.

In summary, after careful study and review, it is my conclusion that Senate File 385 would substantially increase the costs of construction projects for taxpayers and increase regulatory burdens. If we are forced to pay more for each construction project, fewer state projects can be undertaken, and fewer jobs will be available.

For the reasons mentioned above, I hereby respectfully disapprove Senate File 385.

Sincerely,
Terry E. Branstad
Governor

GOVERNOR'S ITEM VETO MESSAGE

May 24, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 570, an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures and making certain procedures retroactive.

Senate File 570 is approved May 24, 1985, with the exception of Section 27, which I hereby disapprove.

Senate File 570 makes a number of changes in our court system, including adjusting court fees and modifying the judicial retirement system. Specifically, this bill provides for an increase in certain court fees and fines and applies a portion of those additional revenues to the judicial retirement system.

At the present time, the judicial retirement system has an unfunded liability of over \$700,000. The additional revenues derived from the fee adjustments in Senate File 570 will eliminate that liability and will make the retirement system actuarially sound. I am pleased that the General Assembly has acted to make that fund secure.

However, Senate File 570 also requires certain judges to pay a larger percentage of their salaries to the judicial retirement system. Those judges with less than seven years of experience must pay an additional three percent of their salaries into the fund; those with seven to twelve years are required to contribute two percent more; and judges with thirteen to eighteen years of experience must contribute an additional one percent of their salaries. While there may be a need in the future to increase the pension contribution rate, the increase required in Senate File 570 is unfair, unwise and untimely.

Separate legislation passed by the General Assembly froze all judicial salaries for the next fiscal year. This salary freeze, in combination with the required increase in judicial contributions to the retirement fund, will effectively cut the take-home pay of many of our judges. This is an appropriate time to limit pay increases for those on the state payroll; I recommended a salary freeze for legislators and the Governor for the next two years. But it is unfair to single out judges for a cut in pay.

This reduction would hit hardest those judges who are new to the bench. As a result, it could adversely affect our ability to attract top flight attorneys to judicial positions. I am concerned that justice would be the ultimate loser if Section 27 of Senate File 570 were to become law.

Finally, an actuarial study of the judge's pension system will be conducted this summer. The General Assembly should wait for the results of that study before making major changes in the retirement system. Moreover, no additional pension contributions from judges are needed at this time to make the system actuarially sound.

In short, Section 27 of Senate File 570 unfairly singles out judges for a cut in pay. Such a reduction could harm the quality of justice in Iowa and is not needed to ensure the actuarial soundness of the judicial retirement system.

For the above reasons, I respectfully disapprove of this section in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 570 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

May 9, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 318 was published in The Sioux City Journal, Sioux City, Iowa on April 29, 1985 and in The New Iowa Bystander, Des Moines, Iowa on May 3, 1985.

I further certify that Senate File 200 was published in The Sioux City Journal, Sioux City, Iowa on April 29, 1985 and in The New Iowa Bystander, Des Moines, Iowa on May 3, 1985.

I further certify that House File 642 was published in The Solon Economist, Solon, Iowa on May 7, 1985 and in the Oskaloosa Daily Herald, Oskaloosa, Iowa on May 7, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

May 21, 1985

Mr. Joe O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 490, was published in The Forest City Summit, Forest City, Iowa on May 2, 1985 and in the Lake Mills Graphic, Lake Mills, Iowa on May 8, 1985 without expense to the State of Iowa.

I further certify that House File 553 was published in The Grundy Register, Grundy Center, Iowa on May 2, 1985 and in The New Iowa Bystander, Des Moines, Iowa on May 10, 1985.

I further certify that House File 494 was published in The Sioux City Journal, Sioux City, Iowa on May 10, 1985 and in The Cedar Rapids Gazette, Cedar Rapids, Iowa on May 11, 1985.

I further certify that Senate File 456 was published in The Holstein Advance, Holstein, Iowa on May 2, 1985 and in the Estherville Daily News, Estherville, Iowa on May 8, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

May 30, 1985

Mr. Joe O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 509 was published in The Manchester Press, Manchester, Iowa on May 15, 1985 and in the Diamond Trail News, Sully, Iowa on May 15, 1985.

I further certify that Senate File 480 was published in The Clinton Herald, Clinton, Iowa on May 13, 1985 and in The Maquoketa Sentinel-Press, Maquoketa, Iowa on May 15, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 3, 1985

Mr. Joe O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 586 was published in the Diamond Trail News, Sully, Iowa on May 22, 1985 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on May 23, 1985.

I further certify that Senate File 13 was published in The Toledo Chronicle, Toledo, Iowa on May 29, 1985 and in the Ackley World-Journal, Ackley, Iowa on May 30, 1985.

I further certify that House File 763 was published in The Denison Bulletin, Denison, Iowa on May 23, 1985 and in The Sac Sun, Sac City, Iowa on May 28, 1985.

I further certify that Senate File 409 was published in The Red Oak Express, Red Oak, Iowa on May 10, 1985 and in the Fort Madison Daily Democrat, Fort Madison, Iowa on May 10, 1985.

I further certify that pursuant to the authority vested in the undersigned Secretary of State of the State of Iowa, because of inherent and imperative need, I have designated that House File 523 was to be published in The Des Moines Register, a newspaper published in Des Moines, Iowa in addition to the newspapers designated in the Act.

I hereby certify that House File 523 was published in The Clinton Herald, Clinton, Iowa on May 24, 1985, The Des Moines Register, Des Moines, Iowa on May 30, 1985 and in The Dubuque Leader, Dubuque, Iowa on May 31, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 7, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 539 was published in The Cedar Valley Times, Vinton, Iowa on May 10, 1985 and in The Bancroft Register, Bancroft, Iowa on May 15, 1985.

I further certify that Senate File 157 was published in The Toledo Chronicle, Toledo, Iowa on May 25, 1985 and in the Business Record, Des Moines, Iowa on May 27, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 13, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 741 was published in The Daily Freeman-Journal, Webster City, Iowa on May 10, 1985 and in The Red Oak Express, Red Oak, Iowa on May 17, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 13, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 584 was published in the Ames Daily Tribune, Ames, Iowa on May 22, 1985 and in The Des Moines Register, Des Moines, Iowa on May 24, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 14, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 303 was published in the Ames Daily Tribune,

Ames, Iowa on May 3, 1985 and in the Waterloo Courier Cedar Falls Record, Waterloo, Iowa on May 6, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 18, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 575 was published in The Guttenberg Press, Guttenberg, Iowa on June 12, 1985 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on June 13, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 20, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 561 was published in the Dallas County News, Adell, Iowa on June 6, 1985 and in The Lamoni Chronicle, Lamoni, Iowa on June 12, 1985.

I further certify that House File 682 was published in The Keota Eagle, Keota, Iowa on May 16, 1985 and in The Fonda Times, Fonda, Iowa on May 16, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 24, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 753 was published in the Ames Daily Tribune,

Ames, Iowa on May 24, 1985 and in the Iowa City Press-Citizen, Iowa City, Iowa on June 12, 1985.

I further certify that Senate File 449 was published in the Iowa City Press-Citizen, Iowa City, Iowa on June 7, 1985 and in the Muscatine Journal, Muscatine, Iowa on June 11, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 27, 1985

Mr. Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 459 was published in The Schleswig Leader, Schleswig, Iowa on June 13, 1985 and in The Belle Plaine Union, Belle Plaine, Iowa on June 19, 1985.

I further certify that Senate File 103 was published in the Clear Lake Mirror-Reporter, Clear Lake, Iowa on May 29, 1985 and in The Red Oak Express, Red Oak, Iowa on June 4, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

IN MEMORIAM

House

Memorials adopted by the House of Representatives, 1985 Regular Session of the Seventy-first General Assembly, commemorating the life, character, and public service of the former members of the House of Representatives.

- HENRY W. BUSCH** July 15, 1920 — August 11, 1981
- SONJA L. EGENES** October 19, 1930 — November 27, 1984
- CARL H. HENSLEY** February 15, 1897 — February 15, 1985
- RAYMAN D. LOGUE** June 23, 1920 — March 3, 1985
- ELROY MAULE** May 16, 1913 — April 19, 1984
- TED P. SLOANE** March 22, 1903 — December 21, 1984
- HERMAN W. WALTER** March 30, 1911 — January 2, 1985

HENRY W. BUSCH

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Henry W. Busch, begs leave to submit the following memorial:

Henry W. Busch was born on July 15, 1920 in Bristow, the son of Henry and Bilda Busch. On February 22, 1946 he married Maurine L. Busch, to which union was born one son and one daughter.

A 1937 graduate from Allison High School, he farmed in partnership with his brother George near Allison. He served 36 months in the European Theatre during World War II, during which time he was awarded the Purple Heart and Bronze Star. Discharged in 1946, he returned to the Allison area and farmed until moving to a farm south of Waverly in 1949. In 1966 he started in the real estate business in the Waverly area and formed Busch-McKee, Inc. Realtors in Waverly in 1971.

Mr. Busch was a member of the Trinity United Methodist Church in Waverly, a member of the Board of Directors of the First National Bank of Waverly, a member of the Waverly Amvet Post and the Waverly V.F.W. Post, past president of the Waverly Chamber of Commerce, past president of the Bremer, Butler, Chickasaw Board of Realtors, past president of the Bremer County Farm Bureau and a past member of the Waverly Rotary Club.

A Republican, Mr. Busch represented Bremer County in the Sixtieth, Sixty-first and Sixty-second General Assemblies.

Henry W. Busch died on August 11, 1981. Survivors include his wife, Maurine, of Dallas, Texas; son, Paul, of Dallas, Texas; daughter, Beverly Manuel, of Arlington, Texas; three brothers, George, of Allison, Iowa; Marvin, of Waverly, Iowa; and James, of Pollock, Missouri; and two sisters, Margaret Hill of Marion, Iowa and Arlene Riggert of Green Valley, Arizona.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Henry W. Busch, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

RAYMOND LAGESCHULTE
ROBERT RENKEN
WILLIAM H. HARBOR

Committee

 SONJA L. EGENES

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Sonja L. Egenes, begs leave to submit the following memorial:

Sonja L. Egenes was born October 19, 1930 in St. Paul, Minnesota, the daughter of Reverend Sam and Lillian Carlson. She was married August 15, 1948 to John S. Egenes, to which union was born one son.

Mrs. Egenes received her B.S. degree in 1951 from Iowa State University, having attended St. Olaf College and the University of Iowa. An Iowa State University Fulbright Scholar, she did graduate work in political history in Oslo, Norway. After teaching at Randall High School for five years, she taught government at Iowa State University in 1960-1961. At the time of her death, she was serving as a member of the Luther College Board of Regents.

A member of Immanuel Lutheran Church, Mrs. Egenes directed the choir for 11 years; was a member of the Iowa Academy of Political Science; former director of the Iowa Metropolitan Opera Auditions; Tax Study Division; "Ideas For A Better Iowa"; Landscape Critics Council; Ames International Orchestra Festival Association; Iowa Women's Political Caucus; Federation of Republican Women; Federated Women's Club; Commissioner on Education Commission of the States; Phi Kappa Phi and Omicron Nu honoraries.

Her political career began in 1962, as she became the first woman in Iowa to make a bid for the Fifth District seat of the U.S. Congress. A Republican, Mrs. Egenes represented Story County in the Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, Sixty-seventh Extra, Sixty-eighth, Sixty-ninth, and Sixty-ninth Extra General Assemblies.

Sonja L. Egenes died November 27, 1984. She is survived by her husband, John, of Story City; and her son, Jay, of Iowa City.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Sonja L. Egenes, the state has lost an honorable citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of her service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JOYCE LONERGAN
DELWYN STROMER
RICHARD WELDEN

Committee

CARL H. HENSLEY

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Carl H. Hensley, begs leave to submit the following memorial:

Carl Hensley was born February 15, 1897 in Audubon County. On March 3, 1919, he married Edith Hansen, to which union was born one son and one daughter. Edith preceded him in death on November 15, 1943. On December 23, 1969, he married Evlyn Hamlin Miller.

Mr. Hensley farmed in Greeley Township, was very active in soil conservation, was an early AAA committeeman, was President of the REA Board for many years, was active in the Braddyville Lions Club, and was a member of the Federated Church of Exira.

A Democrat, Mr. Hensley represented Audubon County in the Fifty-seventh and Fifty-ninth General Assemblies.

Carl H. Hensley died February 15, 1985. His survivors include his wife, Evelyn, of Exira, Iowa; his son, Leroy of Modesto, California; his daughter, Berniece of Hayward, Iowa; six grandchildren; five great-grandchildren, several nieces, nephews and other relatives.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Carl H. Hensley, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MIKE PETERSON
DALE M. COCHRAN
LOUIS MUHLBAUER

Committee

RAYMAN D. LOGUE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Rayman D. Logue, begs leave to submit the following memorial:

Rayman D. Logue was born June 23, 1920 in Roundup, Montana. On June 28, 1941 he married Cleo Nolan, to which union was born one son and one daughter.

Mr. Logue worked for 26 years as land buyer for Iowa Electric Light and Power Company; served in the U.S. Marine Corps during World War II; was president of Marengo Rotary Club; was a member of the Chamber of Commerce; served on the school board and as county fair director.

A Republican, Mr. Logue represented Iowa County in the Sixty-third General Assembly; and Benton, Iowa, Johnson, Keokuk and Poweshiek Counties in the Sixty-fifth General Assembly. A member of the House Judiciary and Law Enforcement Committee, he lobbied unsuccessfully to limit to two terms Iowa's office of governor.

Rayman D. Logue died March 3, 1985. Survivors include his wife, Cleo, of Marengo, Iowa; one son, Michael, of Louisville, Colorado; one daughter, Karee, of Louisville, Kentucky; and one sister, Lucille Wheeler, of Cherokee, Iowa.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Rayman D. Logue, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

RICHARD VARN
JANET CARL
KYLE HUMMEL

Committee

ELROY MAULE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Elroy Maule, begs leave to submit the following memorial:

The son of Charles and Jennie Maule, he was born May 16, 1913 at Mondamin, Iowa. On January 1, 1933 he married Evangeline Wickersham of Elk Point, South Dakota, to which union was born one son and one daughter.

He grew up in Onawa, Iowa; graduated from University of Iowa; taught science; was the principal and coach at Shueyville High School in Johnson County until 1941 when he and his wife purchased a farm west of Onawa. Both a farmer and a teacher, he was a former president of the Monona County Farm Bureau; member of the Farm Security Board; Chairman of the Boy Scout Council; Departmental Superintendent of the Monona County Fair; a member of the Administrative Board and Choir of the United Methodist Church; and taught in the West Harrison Community High School until retiring in 1975.

A Democrat, Mr. Maule represented Monona County in the Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first General Assemblies. He was Majority Floor Leader in the Sixty-first General Assembly.

Elroy Maule died April 19, 1984. His survivors include his wife, Evangeline, of Onawa, Iowa; his son, John, of Onawa, Iowa; his daughter, Mrs. Rodger (Mary) Brubaker, of Flagstaff, Arizona; one brother, Robert, of Turin, Iowa; two sisters, Mrs. William (Lois) Beedle and Mrs. Myles (Inez) DeSomer, both of Onawa; nine grandchildren and one niece, Mrs. Frank (Genevieve) Sulek, of Lafferty, Ohio, whom he and Mrs. Maule raised.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Elroy Maule, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

WAYNE BENNETT
LOUIS MUHLBAUER
JAMES D. O'KANE

Committee

TED P. SLOANE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Ted P. Sloane, begs leave to submit the following memorial:

The son of L. T. and Mary Rebecca (Shea) Sloane, he was born March 22, 1903. On March 21, 1937 he married Eleanor Louise Davis, to which union was born one son and one daughter.

An all-state football player for Valley High School, he was named an All-American in 1925. He was a member of the Drake University coaching staff from 1928 to 1931. He was often hailed as one of Drake University's most famous football players and was recognized in 1980 as one of Drake's all-time great athletes. A prominent Des Moines divorce attorney, he served 39 years as a domestic court lawyer; served as secretary to the late Des Moines Mayor Parker L. Crouch in 1930 and 1931; was a member of the Iowa and Polk County bar associations; was the first treasurer of the Polk County Young Republicans Club; was a member of St. John's Lutheran Church; was a member of the Za-Ga-Zig Shrine; was a Scottish Rite Thirty-second degree Mason; served as vice president and general counsel at Pictures Productions, Inc.; and at the time of his retirement, was a partner in the law firm of Powers, Sloane, Jordan, Marks, Flag and Hockett.

A Republican, Mr. Sloane represented Polk County in the Fiftieth, Fifty-first, Fifty-second, Fifty-third and Fifty-fourth General Assemblies.

Ted P. Sloane died December 21, 1984. His survivors include his wife, Eleanor, of Boca Raton, Florida; his son, Ted, of San Jose, California; his daughter, Mary McCarty, of Birmingham, Alabama; two brothers, Earl, of Boca Raton, Florida and Luke, of Sulphur Springs, Texas; and two granddaughters.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Ted P. Sloane, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

DOROTHY CARPENTER
JACK WOODS
JOHN CONNORS

Committee

HERMAN W. WALTER

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Herman W. Walter, begs leave to submit the following memorial:

The son of Rudolph and Fredia Walter, he was born March 30, 1911. On November 9, 1938, he married Audrey Stageman, to which union were born two sons, Craig and Kim.

Mr. Walter attended Council Bluffs public schools, Wentworth Military Academy, the University of Omaha and the University of Omaha Law School. He was past president of the Pottawattamie County Bar Association; a member of the Council Bluffs Airport Commission; the Kiwanis Club; Bookfellows; the Iowa Thoroughbred Race Horse Association; and was a practicing attorney and former Iowa Assistant Attorney General.

A Republican, Mr. Walter represented Pottawattamie County in the Forty-eighth, Forty-ninth, Fiftieth, Fifty-first and Fifty-second General Assemblies.

Herman W. Walter died January 2, 1985. He was preceded in death by his wife, Audrey, on March 11, 1982. He is survived by his sons, Craig and Kim; his brother, Richard, of Council Bluffs, Iowa; and two grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-first General Assembly of Iowa, That in the passing of the Honorable Herman W. Walter, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

EMIL S. PAVICH
J. BRENT SIEGRIST
JOAN L. HESTER

Committee

GENERAL INDEX

ADDRESSED THE HOUSE—

(See also Joint Convention and/or Special Presentation)

Jayne Danner, 1985 Iowa's Junior Miss—160-161

Karen Ford, executive director, Food Bank of Iowa—1312

The Honorable Delwyn Stromer, Minority Floor Leader—7-8, 19-20, 2341

The Honorable Donald D. Avenson, Speaker of the House—8-12, 2339-2340

The Honorable Florence D. Buhr, Assistant Majority Floor Leader—53-54

The Honorable Gerald Collins, Fianna Fail Party, Irish House of Parliament—790-791

The Honorable Joyce Lonergan—6-7

The Honorable Lowell E. Norland, Majority Floor Leader—6, 20, 2340-2341

ADMINISTRATIVE RULES REVIEW COMMITTEE—

Appointments to—46, 489

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS—

Appointments to—47, 2347

ADVISORY INVESTMENT BOARD OF IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM—

(See IPERS Advisory Investment Board)

AGING, COMMISSION ON—

Appointments to—46, 2346

Communication from—187

AGRICULTURE, COMMITTEE ON—

Amendments filed—1015, 1207, 1499, 1646

Amendments offered—1135, 1646

Amendments withdrawn—1511

Appointed—24

Bills introduced—235, 344, 582, 717, 758, 759, 907, 908, 932, 937, 989, 990, 1054, 1102, 1128

Recommendations—137, 156-157, 208, 381, 560, 682, 739, 872-873, 926, 1010-1011, 1205, 1409, 1440, 1493

Resolutions offered—137, 1443

Subcommittee assignments—177, 178, 295, 297, 298, 300, 465, 468, 565, 566, 570, 627, 628, 629, 733, 735, 864, 865, 866, 868, 869, 1007, 1204, 1386, 1526

AMENDMENTS—

(Also see Bills and/or Individual Listngs)

Amendments filed, not otherwise printed during session—2358-2612

Filed—100, 137-138, 150, 157, 163, 182, 191, 197, 209-210, 232, 244, 250, 258, 271, 311, 325, 338-341, 383-384, 429, 490, 498, 503, 562, 581, 587, 608, 635, 648, 659, 684, 714, 741, 757, 781-782, 802-803, 827, 875, 884, 906, 930, 986-987, 1014-1015, 1051-1052, 1098-1099, 1169-1170, 1207, 1242-1243, 1308-1309, 1371-1372, 1389-1390, 1412, 1426-1427, 1443-1444, 1499-1500, 1528-1529, 1580, 1630-1631, 1663-1664, 1687-1688, 1717-1718, 1744, 1783-1784, 1837-1838, 1905, 2030-2031, 2090-2092, 2134-2135, 2200, 2310-2311, 2349

Filed from the floor—214-215, 356, 359, 360, 364, 376, 378, 393-394, 409-410, 418, 418-422, 423-424, 424-425, 457, 532-534, 536-537, 539-540, 540-541, 542, 543-544, 544, 545-546, 546-548, 549, 549-550, 551, 552, 553-554, 554, 555, 556, 563, 601-602, 669-670, 670-671, 671, 673, 675-676, 677, 765, 766-767, 767, 770, 772, 773 774, 775, 793-794, 812, 817-818, 821, 833, 834-835, 848, 902-903, 968-970, 971, 972, 973-974, 974-977, 995-996, 996, 997-998, 998, 1002, 1034, 1044, 1067, 1072, 1080-1081, 1087, 1088-1089, 1089, 1091, 1108, 1120, 1158, 1159, 1162, 1187, 1187-1188, 1196, 1197, 1198, 1230-1231, 1231-1232, 1234-1235, 1237, 1283-1284, 1284-1285, 1285, 1286, 1287, 1288, 1288-1289, 1290, 1291-1292, 1293, 1294-1296, 1296-1297, 1297, 1297-1298, 1298, 1299, 1300-1304, 1304-1305, 1318, 1319, 1336-1340, 1361, 1377-1379, 1379, 1380-1381, 1381-1382, 1400, 1420, 1421, 1435-1436, 1437, 1455-1460, 1463, 1510, 1575-1576, 1576, 1577, 1623, 1624-1625, 1634, 1644, 1646, 1652, 1672-1675, 1705, 1739-1740, 1754-1755, 1755, 1757-1758, 1766-1767, 1767, 1769, 1770-1771, 1771, 1773-1774, 1792, 1793, 1794, 1796-1797, 1800, 1807, 1807-1808, 1808, 1810, 1812-1813, 1816-1818, 1818, 1819-1821, 1821, 1824, 1827, 1828, 1829, 1829-1830, 1830-1831, 1831, 1831-1832, 1832, 1846-1847, 1847, 1848, 1848-1849, 1851, 1852-1853, 1853, 1856-1857, 1863, 1865, 1882-1883, 1889-1890, 1897, 1916, 1923, 1924, 1962, 1964, 1969, 1981, 1991-1992, 1997-1998, 2000, 2005, 2017-2018, 2019, 2041, 2047, 2056, 2061, 2062, 2062-2063, 2063, 2116-2117, 2118, 2119, 2142, 2145, 2153, 2164, 2168, 2170, 2193, 2206, 2206-2207, 2207, 2208, 2211, 2219, 2226-2238, 2244-2246, 2248-2249, 2249, 2249-2250, 2279, 2280, 2299-2300, 2303, 2303-2304, 2338

Amendments out of order—1644, 1652

Senate amendments considered—643, 850, 938, 1772, 1854, 1886, 1908, 1917, 1972, 1976, 1993, 2007, 2010, 2024, 2032, 2039, 2043, 2068, 2074, 2143, 2154, 2210, 2212, 2265, 2274, 2287, 2290, 2293, 2313, 2324, 2334, 2342

Senate amendments filed—608, 782, 827, 1580, 1663, 1687, 1688, 1717, 1744, 1783, 1837, 1838, 1905, 2005, 2031, 2091, 2092, 2200, 2311, 2349

APPOINTMENTS—

Administrative Rules Review Committee:

Representative Parker—46

Representative Clark—489

Capitol Planning Commission:

Representative Grandia—2346

Commission on Children, Youth and Families:

Representatives Clark & Hughes—46

Representatives Mullins & Hughes—2347

Commission on the Aging:

Representative Van Maanen—46

Representative Van Camp—2346

Communications Review Commission:

Representatives Hummel, Koenigs & Renaud—2347

Confidential Record Council:

Representatives Corey & Varn—2347

Energy Policy Council:

Representatives Osterberg & Paulin—924-925

Health Data Commission:

Representative Zimmerman—47

Iowa Advisory Commission on Intergovernmental Relations:

Representative Renken—47

Representative Hammond—2347

- Iowa Boundary Commission:
 Jim Anderson—47
 Representative Royer—2347
- Iowa Commission on Compensation, Expenses & Salaries for Elected Officials:
 Carroll Perkins & Barb Bowman—47
- Iowa Commission on Interstate Cooperation:
 Representatives Knapp, Lageschulte, Lonergan, Pellett & Sullivan—
 2347-2348
- Iowa Development Commission:
 Representatives Groninga & Bennett—47
- Iowa Law Enforcement Academy Council:
 Representative Fogarty—47
- Legislative Fiscal Committee:
 Representative Arnould (replacing Representative Doderer)—190, 292
- Low-Level Radioactive Waste Management Advisory Committee:
 Representative Johnson—2354
- Medical Assistance Advisory Council:
 Representative Haverland—2348
- State Functional Classification Review Board:
 Representative Woods—2348
- Title XX Statewide Advisory Committee:
 Representatives Fey & Ollie—2348
- Water Resources Information System Advisory Committee:
 Representative Cooper—2348

APPROPRIATIONS, COMMITTEE ON—

- Amendments filed—714, 741, 1427, 1744, 1783, 2030, 2200
 Amendments offered—791, 814, 1798, 1815, 1825, 2182, 2183, 2203, 2282
 Appointed—24
 Bills introduced—650, 718, 783, 831, 1127, 1432, 1501, 1666, 1689, 1834, 1971, 2022,
 2037, 2120-2121, 2127, 2165, 2197, 2337
 Recommendations—257, 496-497, 647, 711, 739, 824, 1097-1098, 1425-1426, 1686,
 1743, 1782, 1836, 2004, 2029-2030, 2088-2089, 2132, 2198-2199
 Reports—2176-2177, 2337
 Resolutions offered—802, 2030, 2138-2140
 Subcommittee assignments—295, 566, 625, 629, 1383, 1384, 1716

APPROPRIATIONS, SUBCOMMITTEES—

- Appointed—27-28
 Regulatory and Licensing (subcommittee assignment)—629

ARNOULD, ROBERT C.—Representative Scott County, Assistant Majority Floor Leader

- Amendments filed—271, 503, 659, 827, 1125, 1297, 1298, 1372, 1455-1460, 1663, 1744,
 1783, 1997-1998, 2091, 2092, 2311
 Amendments offered—1297, 1873, 1877
 Amendments withdrawn—1873, 2260
 Appointed to the Legislative Council—190
 Bills introduced—140, 201, 213, 216, 217, 235, 252, 260, 274, 275, 344, 387, 432, 506,
 637, 878, 936

Committee appointments—25, 27, 56
 Introduced to the House the Amazing Spider-Man—346
 Petitions presented—1373
 Presented to the House the Honorable B. Joseph Rinas, former member of the House—797
 Presided at sessions of the House—406, 557, 1134, 1373, 1375, 1379, 1645, 1755, 2013
 Rulings made—557
 Subcommittee assignments—135, 179, 180, 181, 222, 223, 225, 226, 227, 295, 297, 298, 299, 300, 463, 464, 465, 466, 565, 567, 568, 569, 625, 626, 628, 629, 734, 863, 864, 866, 1004, 1005, 1006, 1007, 1203, 1204, 1387

ASSISTANT MAJORITY FLOOR LEADERS—

Robert C. Arnould, Representative **Scott** County
 (See Arnould, Robert C.—Representative **Scott** County, Assistant Majority Floor Leader)
 Florence D. Buhr, Representative **Polk** County
 (See Buhr, Florence D.—Representative **Polk** County, Assistant Majority Floor Leader)
 Rod Halvorson, Representative **Webster** County
 (See Halvorson, Rod—Representative **Webster** County, Assistant Majority Floor Leader)
 Richard V. Running, Representative **Linn** County
 (See Running, Richard V.—Representative **Linn** County, Assistant Majority Floor Leader)

ASSISTANT MINORITY FLOOR LEADERS—

Wayne Bennett, Representative **Ida-Monona-Woodbury** Counties
 (See Bennett, Wayne—Representative **Ida-Monona-Woodbury** Counties, Assistant Minority Floor Leader)
 Dorothy F. Carpenter, Representative **Polk** County
 (See Carpenter, Dorothy F.—Representative **Polk** County, Assistant Minority Floor Leader)
 Roger A. Halvorson, Representative **Allamakee-Clayton** Counties
 (See Halvorson, Roger A.—Representative **Allamakee-Clayton** Counties, Assistant Minority Floor Leader)
 Ruhl Maulsby, Representative **Calhoun-Sac-Webster** Counties
 (See Maulsby, Ruhl—Representative **Calhoun-Sac-Webster** Counties, Assistant Minority Floor Leader)

AVENSON, DONALD D.—

(See Speaker of the House—Donald D. Avenson, Representative **Chickasaw-Fayette** Counties)

BAXTER, ELAINE—Representative **Des Moines** County

Amendments filed—339, 341, 409-410, 635, 714, 803, 930, 987, 1372, 1377-1379, 1455-1460, 1528, 1630, 1848, 2244-2246
 Amendments offered—407, 409, 2244
 Amendments withdrawn—423, 425
 Bills introduced—77, 78, 192, 275, 386, 506, 652, 687, 806, 936
 Committee appointments—25, 26, 2035
 Leave of absence—1068, 1248, 1530, 1914

Presentation of visitors—710

Presented to the House seventy girl scouts and their leaders from six councils covering most of the state of Iowa—1096

Presided at sessions of the House—707, 1761

Reports—2084-2085

Resolutions offered—382, 658

Subcommittee assignments—179, 180, 222, 468, 734, 1008, 1524

BEATTY, LINDA L.—Representative Warren County

Amendments filed—503, 902-903, 1170, 1528, 1783, 1784, 2311

Amendments offered—745, 879, 1363

Bills introduced—431, 491, 506, 610

Committee appointments—26, 27, 103, 1068

Leave of absence—2289

Petitions presented—385

Presented to the House the Honorable James Middleswart, former member of the House—779

Resolutions offered—658

Subcommittee assignments—135, 180, 295, 300, 464, 465, 468, 469, 567, 568, 569, 624, 731, 733, 734, 736, 863, 864, 865, 866, 867, 1004, 1006, 1202, 1203, 1204, 1205, 1384, 1385, 1387, 1525

BECAME LAW BY PUBLICATION—

House File 41—1684

House File 87—1308

House File 100—1408

House File 225—2345-2346

House File 494—2654

House File 523—2655

House File 553—2654

House File 642—2653

House File 682—2657

House File 741—2656

House File 753—2657-2658

House File 763—2655

Senate File 13—2655

Senate File 55—1742

Senate File 79—2346

Senate File 103—2658

Senate File 117—1382-1383

Senate File 157—2656

Senate File 200—2653

Senate File 286—1123

Senate File 303—2656-2657

Senate File 318—2653

Senate File 409—2655

Senate File 449—2658

Senate File 456—2654

Senate File 459—2658

Senate File 480—2654

Senate File 490—2654

Senate File 509—2654

Senate File 539—2655
 Senate File 561—2657
 Senate File 575—2657
 Senate File 584—2656
 Senate File 586—2655

BENNETT, WAYNE—Representative **Ida-Monona-Woodbury Counties**, Assistant
 Minority Floor Leader

Amendments filed—339, 340, 341, 384, 659, 672, 741, 766-767, 1125, 1170, 1283-1284,
 1294-1296, 1630, 1631, 1663, 1794, 2090
 Amendments offered—405, 672, 766, 769, 1189, 1283, 1636, 1677, 1680, 1681, 1794,
 2259
 Amendments withdrawn—766
 Bills introduced—275, 313, 326, 327, 328, 329, 342, 343, 387, 475, 476, 492, 504, 574,
 685, 688, 717
 Committee appointments—12, 24, 25, 26, 27, 187, 2196
 Leave of absence—504
 Resolutions offered—74, 186, 683
 Subcommittee assignments—222, 225, 295, 463, 625, 627, 733, 863, 864, 869, 1202,
 1203, 1204, 1716, 2003

BILLS—

(Action on House Joint Resolutions, House Files, Senate Joint Resolutions and
 Senate Files in Legislative Index Volume)

Amendments not otherwise printed during session—2358-2612

Approved—578, 646, 681, 730, 756, 778, 860, 924, 981, 1049, 1123, 1201, 1382,
 1407-1408, 1524, 1714-1715, 1742, 1781, 1834-1835, 1841, 1903-1904, 2028, 2039,
 2049, 2087, 2130-2131, 2197-2198, 2307

Approved after session—2629-2643

Consideration of—214, 236, 263, 276, 316, 334, 347, 389, 477, 486, 493, 508, 510, 593,
 612, 639, 666, 693, 722, 744, 764, 787, 791, 811, 833, 879, 888, 893, 910, 990, 1021,
 1042, 1058, 1069, 1110, 1132, 1135, 1172, 1179, 1210, 1219, 1247, 1253, 1262,
 1312, 1374, 1392, 1402, 1417, 1450, 1502, 1510, 1531, 1558, 1582, 1611, 1634,
 1670, 1676, 1696, 1703, 1721, 1724, 1747, 1750, 1788, 1796, 2008, 2013, 2033,
 2096, 2111, 2151, 2158, 2166, 2202, 2219, 2317

Deferred—347, 389, 481, 603, 614, 618, 640, 746, 816, 890, 892, 910, 990, 1031, 1041,
 1046, 1059, 1063, 1070, 1073, 1110, 1118, 1132, 1135, 1143, 1145, 1179, 1185,
 1210, 1211, 1213, 1214, 1216, 1217, 1253, 1255, 1256-1257, 1259, 1312, 1315, 1317,
 1392, 1396, 1399, 1417, 1455, 1506, 1521, 1531, 1546, 1555, 1557, 1560, 1574,
 1587, 1592, 1597, 1601, 1607, 1647, 1655, 1676, 1694, 1703, 1710, 1712, 1721,
 1746, 1798, 1840, 1879

Final disposition of motions to reconsider and amendments filed—2350

Introduction of—50-52, 75-78, 101-103, 139-141, 151-154, 158-160, 164-166, 183-186,
 192-195, 199-202, 233-236, 245-247, 251-252, 259-261, 264, 272-276, 312-315,
 326-331, 342-344, 386-388, 430-433, 472-476, 491-493, 494-495, 504-507, 574-577,
 582-583, 588-591, 593, 609-611, 636-638, 650-653, 660-662, 685-689, 715-718,
 742-743, 758-760, 783-785, 789-790, 804-809, 828-831, 876-878, 907-909, 931-932,
 936-938, 988-990, 1016-1017, 1053-1055, 1100-1103, 1127-1128, 1164-1165, 1178,
 1200, 1432, 1501, 1558, 1632, 1665-1666, 1689, 1750, 1833-1834, 1971-1972, 2022,
 2036-2037, 2120-2121, 2127, 2165, 2197, 2337

Item veto messages—1692-1694, 2276-2277, 2309-2310, 2652-2653

Item vetoed after session—2641

Motion to override governor's item veto—1695, 2277-2278

Passed on file—859, 2150

Referred to committees—333, 600, 1497, 1573-1574

Rereferred to committees—155, 202, 380, 584, 645, 709, 1523, 1976

Sent to governor—580, 623, 823, 882, 1049, 1096, 1307, 1424-1425, 1628, 1903, 2001, 2086-2087, 2130, 2197, 2354

Veto messages—1017-1021, 2643-2645, 2645, 2646-2647, 2647-2648, 2648-2650, 2651-2652

Vetoed after session—2630, 2634, 2638

Withdrawn—292, 333, 481, 502, 508, 600, 604, 653, 665, 726, 728, 778, 820, 841, 1214, 1220, 1362, 1452, 1453, 1455, 1466, 1523, 1567, 1844, 2101, 2169, 2171, 2287, 2345

BILLS SENT TO GOVERNOR—

(See Bills)

BLACK, DENNIS H.—Representative Jasper-Marshall Counties

Amendments filed—311, 340, 608, 930, 1125, 1169, 1285, 1576, 1687, 1688, 1784, 1808, 1838, 2091

Amendments offered—620, 1186, 1808, 1828, 1868

Bills introduced—77, 153, 199, 246, 274, 275, 315, 473, 661

Committee appointments—18-19, 25, 26, 2021

Leave of absence—312, 1100, 1310, 1421, 1869

Presented to the House Marlene DeBryn, Newton, who are hosting Kaoru Kakinoki, Japan, Cristina Anacabe, Spain and Heiki Spahn, West Germany, Youth for Understanding Education Exchange Program—604

Presented to the House the Honorable Eugene Hill, former member of the House—730

Presided at sessions of the House—550, 767, 882, 1635, 2281

Reports—42-44, 1383, 2108-2109

Subcommittee assignments—178, 296, 299, 300, 467, 468, 569, 732, 734, 735, 736, 1007, 1385, 1524

BLANSHAN, EUGENE—Representative Boone-Carroll-Greene Counties

Amendments filed—429, 503, 562, 659, 684, 1015, 1170, 1270, 1237, 1309, 1372, 1444, 1455-1460, 1630, 1688, 1744, 1816-1818, 2031, 2091, 2118, 2135, 2311

Amendments offered—1318, 1539, 1600, 2103, 2118, 2239

Amendments withdrawn—486, 725, 1599, 2118, 2242

Appointed to the Legislative Fiscal Committee—190

Bills introduced—77, 431, 473, 590, 653

Committee appointments—24, 26, 27, 56, 2027, 2035, 2036

Leave of absence—574, 1581

Presented to the House the Honorable Henry Stevens and C. Raymond Fisher, former member of the House—1662

Presided at sessions of the House—370, 775

Reports—2057-2059, 2077-2080, 2124-2125

Resolutions offered—74

Subcommittee assignments—177, 178, 179, 180, 224, 225, 295, 297, 298, 299, 300, 464, 465, 467, 468, 565, 566, 567, 570, 571, 624, 627, 628, 731, 732, 733, 734, 735, 736, 864, 865, 866, 869, 1005, 1006, 1202, 1204, 1384, 1385, 1386, 1387, 1525

BOARDS, COMMISSIONS, COMMITTEES AND/OR COUNCILS—

(See Appointments and/or Communications, subheading Reports and/or individual headings)

BRAMMER, PHILIP E.—Representative **Linn** County

Amendments filed—244, 684, 782, 802, 827, 833, 973-974, 1125, 1126, 1243, 1309, 1361, 1455-1460, 1528, 1580, 1630, 1663, 1783, 1838, 1924, 2200, 2311

Amendments offered—322, 695, 833, 1180, 1342, 1360, 1361, 1590, 1750, 1895, 1923, 1924, 2317

Amendments withdrawn—1361, 1973, 1974, 2249

Bills introduced—200, 212, 217, 273, 506, 589, 637, 661, 689, 716, 760, 805, 829, 886

Committee appointments—25, 26, 27, 55, 2165

Leave of absence—430, 574, 1596, 1694

Petitions presented—1053, 1100, 1391

Presided at sessions of the House—1753

Reports—55, 2270-2271

Resolutions offered—383

Subcommittee assignments—222, 224, 294, 296, 298, 299, 463, 464, 465, 467, 570, 624, 625, 628, 629, 731, 733, 734, 736, 867, 1004, 1006, 1203, 1386, 1387, 1716, 2003

BRANSTAD, CLIFFORD O.—Representative **Hancock-Kossuth-Winnebago** Counties

Amendments filed—150, 157, 271, 340, 1285, 1528, 1630, 1646, 2091, 2134

Bills introduced—141, 275, 326, 327, 328, 329, 330, 342, 343, 387, 432, 433, 475, 492, 501, 504, 638, 685, 878

Committee appointments—24, 25, 2036

Leave of absence—233, 706, 1173, 1248, 1501, 1665, 1694, 2006, 2312

Resolutions offered—74, 587

Subcommittee assignments—296, 297, 468, 565, 566, 625, 628, 629, 731, 735, 865, 868, 1006, 1008, 1526

BRANSTAD, GOVERNOR TERRY E.—

(See Governor Branstad, Terry E.)

BUDGET MESSAGE—

Delivered by Governor Terry E. Branstad—168-174

Resolutions relating to:

House Concurrent Resolution 3—14 adopted

House Concurrent Resolution 24—802

BUHR, FLORENCE D.—Representative **Polk** County, Assistant Majority Floor Leader

Amendments filed—244, 271, 490, 503, 741, 973-974, 1207, 1309, 1372, 1390, 1455-1460, 2134, 2311

Amendments offered—1215

Bills introduced—251, 275, 506, 590, 637, 638, 716, 931, 936

Committee appointments—8, 25, 26, 27, 2026-2027

Presided at sessions of the House—267, 1109, 1399

Remarks in honor and memory of the birthday of Martin Luther King, Jr. —53-54

Reports—2065-2067

Resolutions offered—49, 54, 383, 658

Subcommittee assignments—135, 180, 226, 227, 295, 296, 297, 299, 300, 464, 465, 466, 567, 568, 569, 628, 864, 865, 866, 1007, 1203, 1387

CAPITOL PLANNING COMMISSION—
Appointment to—2346

CARL, JANET A.—Representative Iowa-Poweshiek Counties

Amendments filed—340, 364, 503, 648, 659, 1015, 1169, 1170, 1372, 1412, 1427, 1580,
 1630, 1663, 1744, 1838, 1847, 2019, 2311
 Amendments offered—406, 676, 1225, 1737, 1847, 1884, 2015
 Amendments withdrawn—1885
 Bills introduced—77, 140, 165, 185, 217, 275, 312, 475, 506, 576, 784, 808, 892
 Committee appointments—25, 26, 691
 Leave of absence—491, 504, 1053, 1100, 1377, 1445, 1501, 1581, 1906, 2093
 Presided at sessions of the House—1086, 1770
 Resolutions offered—383, 658, 2005
 Rulings made—1777
 Subcommittee assignments—179, 181, 222, 224, 225, 226, 227, 296, 298, 299, 300, 464,
 465, 466, 467, 565, 568, 569, 626, 628, 629, 732, 733, 734, 736, 864, 867, 869, 1005,
 1008, 1202, 1203, 1204, 1385, 1386, 1387

**CARPENTER, DOROTHY F.—Representative Polk County, Assistant Minority
 Floor Leader**

Amendments filed—137, 138, 271, 340, 341, 490, 540-541, 542, 555, 659, 757, 848,
 973-974, 987, 1293, 1298, 1304-1305, 1309, 1372, 1377-1379, 1379, 1389, 1390,
 1426, 1455-1460, 1528, 1630, 1631, 1663, 1688, 1744, 1767, 1769, 1783, 1810, 1828,
 2005, 2193-2194
 Amendments offered—276, 454, 555, 666, 792, 848, 1001, 1293, 1298, 1304, 1379, 1697,
 1702, 1759, 1769, 1793, 1810, 2008
 Amendments withdrawn—1702, 1767
 Appointed to the Legislative Council—190
 Bills introduced—184, 193, 275, 327, 328, 329, 473, 492, 506, 574, 716, 717, 805, 806,
 829, 887, 936
 Committee appointments—2, 25, 26, 27, 154, 690
 Presented to the House the Honorable Philip Hill, former member of the House and
 Senate—1201
 Presented to the House the Honorable Richard Byerly, former member of the
 House—268
 Reports—2-4, 174-175
 Resolutions offered—74, 383, 607, 658, 690
 Subcommittee assignments—179, 180, 223, 224, 299, 463, 464, 566, 570, 625, 626, 627,
 628, 733, 734, 865, 867, 869, 1005, 1006, 1202, 1387, 1716, 2003

CARTER, BRIAN—Representative Des Moines-Henry Counties

Amendments filed—271, 339, 550, 1170, 1309, 1372, 1389, 1426, 1455-1460, 1510,
 1744, 1848, 2091, 2310
 Amendments offered—370, 550, 1510, 1762, 1848
 Bills introduced—77, 78, 492, 506, 661, 686, 760, 806, 936
 Committee appointments—24, 25, 27
 Leave of absence—828, 1919
 Presided at sessions of the House—1174
 Resolutions offered—74

Subcommittee assignments—135, 180, 224, 225, 226, 296, 297, 467, 468, 566, 568, 626, 629, 734, 736, 865, 869, 1004, 1007, 1204, 1386, 1525

CERTIFICATES OF RECOGNITION—

Abraham Lincoln High School, Council Bluffs—2029
 Anne Marie Wehril (Mrs. Iowa), Council Bluffs—1408-1409
 Capitol Hill Christian Church, Des Moines, centennial—149
 Carol Needham, Greene, Iowa Mother of the Year award—1242
 Carroll Kuemper Knights—1241
 Deep River, Community of, centennial—49
 Demco Products Company, Boyden, Best Small Business Award—2349
 Denison Monarchs Basketball Team—1050
 Devin Embray, Knoxville, State Wrestling Championship, Class 1A—883
 Doug Gambell, Hedrick—1242
 Gene & Jo Struthers, Ottosen, 125 yrs. of family farming—49
 Guernsey, Community of, centennial—49
 Hartwick, Community of, centennial—49
 Hedwick Boys Basketball Team—1242
 Hull Western Christian High School—1242
 Jayne Danner, Carroll, Iowa's Junior Miss—187
 John Reeves, Des Moines, Eagle Scout Award—2354
 Judy Shirbroun, Perry, 1984 Business Woman of the Year—149
 Lori Hess, Dows, Girls Scout Gold Award—1242
 Marengo, Community of, 125th anniversary—49
 Michael A. Losh, Altoona, Eagle Scout Award—1743
 Michelle Brainard, Marengo, Girls Scout Gold Award—1242
 Mount Pleasant, City of, 150th anniversary—2029
 Shanda Berry, Oelwein—1242
 Sherwin Hesebeck, Ocheydan, Eagle Scout Award—2354
 Sioux Center Warriors—1241
 Students of Moravia Elementary School—1408-1409
 Thomas Jefferson High School, Council Bluffs, Boys Gymnastic Team—1241
 Thomas Jefferson High School, Council Bluffs—2029
 Waverly-Shell Rock High School Chamber Choir—1050
 Wayne Vermeer, Sioux Center High School, Iowa Teacher of the Year—1743

CHAPLAINS—

Committee on, appointed—18
 Compensation, resolution relating to, SCR 2—78, 79, 100, 110-121 adopted
 Resolution relating to, HR 1—17-18 adopted

CHAPMAN, KAY—Representative Linn County

Amendments filed—271, 973-974, 1098, 1099, 1125, 1126, 1170, 1207, 1288, 1294-1296, 1296-1297, 1298, 1372, 1426, 1528, 1717, 1784, 1828, 1905, 2091, 2206, 2311
 Amendments offered—1033, 1115, 1117, 1189, 1214, 1262, 1288, 1294, 1296, 1594, 1793, 1887, 1946, 2206
 Amendments withdrawn—1296, 1974
 Bills introduced—77, 212, 213, 506, 576, 660
 Committee appointments—25, 26, 27, 40, 105, 1368, 2264
 Leave of absence—259, 491
 Presented to the House the Honorable Joan Lipsky, former member of the House—604

Presided at sessions of the House—364, 623, 722, 1510, 1611, 1961, 2106, 2272

Reports—1468-1489, 2329-2331

Resolutions offered—383, 658, 2005

Subcommittee assignments—223, 226, 296, 297, 298, 299, 300, 464, 465, 466, 467, 567, 570, 625, 627, 733, 737, 864, 869, 1006, 1008, 1203, 1204, 1205, 1384, 1386, 2003

CHIEF CLERK OF THE HOUSE, Joseph O'Hern

Communications received and on file—73, 78-82, 82-97, 97-99, 135, 149, 156, 176-177, 177, 187, 195, 219, 239, 247, 254, 428, 502, 578-579, 656, 860-861, 882, 904, 1096, 1308, 1382-1383, 1408, 1491-1492, 1684, 1742, 2345-2346, 2348-2349

Elected acting Chief Clerk—1

Elected permanent Chief Clerk—12

Reports:

Certificates of recognition—49, 149, 187, 883, 1050, 1241-1242, 1408-1409, 1743, 2029, 2349, 2354

Committee meetings—1262, 2038, 2176-2177, 2323, 2337

Committee recommendations—74, 100, 137, 156-157, 182, 196-197, 208-209, 232, 249-250, 257, 269-271, 310-311, 337-338, 381-382, 496-498, 560-562, 585-587, 606-607, 633-634, 647, 657-658, 682-683, 711-713, 738-741, 779-781, 800-802, 824-826, 872-874, 905-906, 925-929, 982-986, 1010-1014, 1050-1051, 1097-1098, 1167-1169, 1205-1207, 1387-1388, 1409-1411, 1425-1426, 1440-1443, 1493-1499, 1526-1527, 1629, 1686-1687, 1743, 1782-1783, 1836-1837, 1905, 2004-2005, 2029-2030, 2088-2090, 2132-2133, 2198-2199, 2308-2309

Conference committee reports filed—161, 1439, 2306

Enrolled bills—580, 623, 823, 882, 1049, 1096, 1307, 1424-1425, 1628, 1903, 2001, 2086-2087, 2130, 2197, 2354

Resolutions relating to:

House Concurrent Resolution 35—1837

House Resolution 2—18 adopted

House Resolution 8—383, 856-859 adopted

House Resolution 9—383, 389 adopted

House Resolution 10—383, 823 adopted

Senate Concurrent Resolution 1—49, 103 adopted

Senate Concurrent Resolution 2—78, 99, 100, 110-121 adopted

Took oath of office—1

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable W. W. Reynoldson—
(See Supreme Court of Iowa)

CHILDREN, YOUTH AND FAMILIES, COMMISSION ON—
Appointments to—46, 2347

CLAIMS—

(See Claims Filed)

(See Comptroller)

(See Judiciary Committee)

(See State Appeal Board)

CLAIMS FILED—

(See also Comptroller of Iowa)

(See also State Appeal Board)

Claims approved—83-97

Claims disapproved—79-82, 176-177, 578-579, 861, 1491-1492

Claims filed—78-82, 82-97, 176-177, 578-579, 861, 1491-1492

Communications from State Appeal Board—78-79, 578-579, 1491

Communications from State Comptroller—82-83

CLARK, BETTY JEAN—Representative Cerro Gordo-Floyd-Mitchell CountiesAmendments filed—150, 271, 339, 340, 341, 540-541, 542, 782, 802, 803, 1051,
1080-1081, 1372, 1455-1460, 1529, 1663, 1828, 1852-1853, 2091, 2193-2194, 2311

Amendments offered—840, 1114, 1537, 1669, 1852

Appointed to the Administrative Rules Review Committee—489

Appointed to the Commission on Children, Youth and Families—46

Bills introduced—77, 184, 194, 313, 314, 326, 327, 328, 329, 330, 344, 387, 432, 474, 492,
501, 504, 506, 589, 688, 785, 877, 936

Committee appointments—25, 1068

Leave of absence—158, 183, 192, 233, 326, 636, 742, 1330, 1767, 1822

Presented to the House foreign exchange student Simone Lukas of Fernitz,
Austria—1408

Presided at sessions of the House—1237

Resolutions offered—74, 383, 658

Subcommittee assignments—178, 179, 180, 181, 224, 225, 226, 227, 296, 297, 298, 299,
300, 464, 465, 466, 467, 565, 567, 568, 569, 570, 626, 627, 628, 629, 732, 733, 734,
864, 1008, 1203, 1204, 1387**COCHRAN, DALE M.—Representative Hamilton-Webster Counties**

Amendments filed—271, 503, 549, 1099, 1170, 1389, 1646, 2062, 2091, 2211, 2311

Amendments offered—549, 1120, 2210, 2211

Amendments withdrawn—549, 1437

Appointed to the Legislative Council—190

Bills introduced—75, 76, 102, 166, 184, 185, 216, 217, 251, 260, 273, 275, 474, 501, 574,
638, 686, 687, 715, 790, 806, 877

Committee appointments—24, 25, 27, 664

Escorted to the Speaker's station and presented Jamie Barker, 1985 Iowa Easter
Seal Ambassador—332-333

Leave of absence—233, 574, 1391, 1530

Petitions presented—588

Presented to the House United Nations diplomats—623

Presided at sessions of the House—1643

Remarks—14-15

Subcommittee assignments—179, 180, 222, 224, 225, 295, 297, 298, 300, 463, 465, 467,
567, 570, 571, 625, 627, 628, 733, 864, 865, 869, 1005, 1007, 1202, 1204, 1385,
1386, 1387, 1716, 2003**COMMISSIONS, COMMITTEES, BOARDS AND/OR COUNCILS—**(See Appointments and/or Communications, subheading Reports and/or individual
headings)

COMMITTEE MEETING REPORTS—

Appropriations—2176-2177, 2337
 Ways and Means—1262, 2038, 2323

COMMITTEE RECOMMENDATIONS—

Agriculture—137, 156-157, 208, 381, 560, 682, 739, 872-873, 926, 1010-1011, 1205, 1409, 1440, 1493
 Appropriations—257, 496-497, 647, 711, 739, 824, 1097-1098, 1425-1426, 1686, 1743, 1782, 1836, 2004, 2029-2030, 2088-2089, 2132, 2198-2199
 Economic Development—269-270, 739, 824-825, 1011, 1526-1527, 2133
 Education—157, 196-197, 249, 270, 585, 657, 712, 780, 825, 905, 982-983, 1167-1168, 1387-1388, 1440, 1493-1494
 Energy and Environmental Protection—381, 606, 800, 873, 926-927, 1011-1012, 1205, 1410, 1494
 Ethics—337
 Human Resources—182, 257, 337-338, 497, 585, 606, 657-658, 712, 780, 825, 905, 983, 1440-1441, 1494
 Judiciary and Law Enforcement—257, 310-311, 560-561, 633-634, 740, 800-801, 825, 873, 927-928, 1050-1051, 1206, 1410, 1441, 1495-1496, 1782-1783, 2133
 Labor and Industrial Relations—561, 606-607, 682, 928, 1012-1013, 1206, 1410, 1442, 1497, 1905
 Local Government—208-209, 311, 382, 561, 634, 683, 740, 801-802, 873-874, 928-929, 1013, 1411, 1497-1498
 Natural Resources and Outdoor Recreation—232, 249-250, 270, 338, 497, 586, 712-713, 780, 825-826, 905, 1388, 1442
 Rules and Administration—74, 100
 Small Business and Commerce—209, 271, 497-498, 586, 658, 713, 826, 906, 983-984, 1388, 1498, 1527
 State Government—209, 382, 562, 607, 683, 802, 874, 929, 1014, 1206, 1411, 1442, 1498-1499, 1527, 2308-2309
 Transportation—197, 338, 498, 587, 658, 713, 780-781, 826, 906, 985-986, 1168, 1388, 1443
 Ways and Means—498, 683, 740-741, 986, 1169, 1207, 1629, 1686-1687, 1836-1837, 2004-2005, 2089-2090, 2133, 2199
 Corrected committee recommendation—1207

COMMITTEES, COMMISSIONS, BOARDS AND/OR COUNCILS—

(See Appointments and/or Communications, subheading Reports and/or individual headings)

COMMITTEES, SPECIAL—

Appointments—1-2, 8, 12, 16, 55, 103, 104, 105, 166, 167, 1638, 2354-2355
 Escort Pioneer Lawmakers—1638-1639
 Escort Speaker of the House, Donald D. Avenson—8
 Escort Speaker Pro Tempore, John Connors—16
 Escort the Justices of the Supreme Court and Judges of the Appellate Court—56, 105, 168
 From Senate—12, 2355
 Notify and escort Chief Justice W. W. Reynoldson—105, 110, 168
 Notify and escort President of the Senate—55, 104, 167, 1638
 Notify and escort Governor Terry E. Branstad—12, 55-56, 56, 72, 105, 110, 167, 168, 174, 2354-2355

Notify Senate—12, 55, 103, 166, 1638, 2355
 Reports—17, 55, 104, 167, 1638, 2355

COMMUNICATIONS FROM—

Appeal Board, State, Claims—78-82, 176-177, 578-579, 860-861, 1491-1492

Comptroller, Claims—82-97

Governor Terry E. Branstad—2355-2357

Michigan, State of, Senate Resolution 53—904

Nebraska, State of:

Legislative Resolution 2—156

Legislative Resolution 24—2349

Reports:

Aging, Commission on—187

Campaign Finance Disclosure Commission—98

Commerce Commission—177

Compensation, Expenses and Salaries of the Elected State Officials, Commission on—428

Criminal and Juvenile Justice Planning Agency—177

Development Commission—149, 195

Health Data Commission—99

Health, Department of—219, 656

Higher Education Loan Authority—99

Human Services, Department of—98, 177

Industrial Commissioner—1096

Iowa Railway Finance Authority—99

Jobs Commission—247

Planning and Programming, Office for—99, 135, 502

Professional and Occupational Regulation Commission—1308

Public Safety, Department of—73, 98

Regents, Board of (Ten-Year Bldg. Program)—177

Status of Women, Commission on—239

Transportation, Department of—98, 254, 2348-2349

Water, Air and Waste Management, Department of—99

Secretary of State—41-42

Secretary of State, became law by publication—1123, 1308, 1382-1383, 1408, 1684, 1742, 2345-2346, 2653-2658

Texas, State of, House Concurrent Resolution 12—187

The Honorable Ned F. Chiodo—48

Wyoming, State of, House Joint Resolutions 2 & 6—882

COMMUNICATIONS REVIEW COMMITTEE—

Appointments to—2347

COMPANION BILLS—

(See House and Senate Companion Bills listed in Legislative Index Volume)

COMPENSATION, EXPENSES AND SALARIES FOR ELECTED STATE OFFICIALS, COMMISSION ON—

Appointments to—47

Communication from—428

COMPTROLLER OF IOWA —

Claims (approved)—83-97

Claims (disapproved)—79-82, 176-177, 578-579, 861, 1491-1492

Claims filed—79-82, 82-97, 176-177, 578-579, 861, 1491-1492

Communications from—82-97

Resolutions relating to:

House Concurrent Resolution 36—2005

House Concurrent Resolution 43—2167-2168 adopted

CONDITION OF THE STATE MESSAGE —

(See State of the State Message)

CONFERENCE COMMITTEES —

Appointed—154, 1368, 2021, 2026, 2027, 2035, 2036, 2120, 2165, 2196, 2264, 2316

Reports:

House File 476—2057-2059

House File 570—2270-2271

House File 571—2065-2067

House File 643—2108-2109

House File 686—2122

House File 730—2124-2125

Senate Concurrent Resolution 3—174-175

Senate File 329—2329-2331

Senate File 364—2319-2322

Senate File 395—1468-1489

Senate File 434—2084-2085

Senate File 552—2081-2082

Senate File 562—2077-2080

Reports called up:

House File 476—2057-2059 adopted

House File 570—2270-2273 adopted

House File 571—2065-2067 adopted

House File 643—2108-2109 adopted

House File 686—2122-2123 adopted

House File 730—2124-2125 adopted

Senate Concurrent Resolution 3—174-175

Senate File 329—2329-2331 adopted

Senate File 364—2319-2322 adopted

Senate File 395—1468-1489 adopted

Senate File 434—2084-2085 adopted

Senate File 552—2081-2082 adopted

Senate File 562—2077-2080 adopted

Reports filed:

Senate Concurrent Resolution 3—161

Senate File 365—2306

Senate File 395—1439

CONFIDENTIAL RECORDS COUNCIL —

Appointments to—2347

CONGRESS AND/OR PRESIDENT OF THE UNITED STATES—

(See President of the United States, Congress and/or Federal Agencies)

CONNOLLY, MICHAEL W.—Representative **Dubuque** County

- Amendments filed—271, 338, 339, 359, 360, 384, 827, 968-970, 996, 1630, 1718, 1838, 2047, 2311
- Amendments offered—358, 379, 410
- Bills introduced—275, 343, 387, 476, 689, 806
- Committee appointments—25, 26, 27
- Leave of absence—636, 1694
- Presented to the House his niece, Gwen Connolly, who is the national champion of the American Legion Oratorical Contest—1706
- Presented to the House the finalists in the American Legion National Oratorical Contest—1684
- Presided at sessions of the House—1654
- Resolutions offered—383, 607
- Subcommittee assignments—223, 224, 225, 463, 464, 626, 627, 731, 733, 734, 863, 1006, 1386, 1525, 1716, 2003

CONNORS, JOHN H.—Representative **Polk** County, Speaker Pro Tempore

- Amendments filed—503, 1126, 1309, 1389, 1400, 1426, 1455-1460, 1630, 1744, 2019, 2091
- Amendments offered—1400, 1761, 2019
- Appointed to the Legislative Council—190
- Bills introduced—77, 159, 246, 275, 505, 589, 637, 651, 716, 878
- Committee appointments—25, 26, 154, 690, 2354-2355
- Elected Speaker pro tempore—14-17
- Escorted to the Speaker's station and presented to the House, Jennifer Mahoney, 1985 Iowa Muscular Dystrophy Poster Child—320
- Escorted to the well and presented to the House six athletes and two coaches who participated in the Third International Winter Special Olympics Games, representing Iowa—1787-1788
- Leave of absence—609, 972, 1016, 1053
- Petitions presented—491
- Presentation of visitors—1408
- Presented to the House Melissa Tyler, Disneyland's 1985 Ambassador to the World, accompanied by "Mickey Mouse"—2138
- Presided at sessions of the House—72, 285, 320, 335, 491, 494, 532, 534, 535, 669, 847, 879, 1115, 1151, 1208, 1374, 1391, 1401, 1422, 1449, 1460, 1508, 1513, 1518, 1520, 1609, 1698, 1746, 1849, 1913, 1971, 1983, 2035, 2056, 2152, 2194, 2206, 2223, 2337
- Remarks—16-17
- Reports—174-175
- Rulings made—1397, 1460, 1748
- Subcommittee assignments—225, 298, 568, 569, 626, 628, 629, 732, 735, 863, 867, 868, 869
- Welcomed Pioneer Lawmakers on behalf of the House—1639

COOPER, JAMES J.—Representative **Clarke-Monroe-Lucas-Wayne** Counties

- Amendments filed—741, 1285, 1528, 1687, 1818, 2091, 2134
- Amendments offered—1818, 1968

Appointed to the Water Resources Information System Advisory Committee—2348
 Bills introduced—77, 184, 199, 251, 260, 272, 273, 275, 431, 474, 475, 583, 651
 Committee appointments—12, 26, 27
 Leave of absence—588
 Presided at sessions of the House—1911
 Resolutions offered—1371
 Subcommittee assignments—135, 178, 179, 180, 224, 300, 468, 568, 570, 625, 626, 628,
 732, 733, 735, 863, 864, 866, 867, 869, 1007, 1203, 1204, 1384, 1385, 1525

COREY, VIRGIL E.—Representative Des Moines-Louisa-Washington Counties
 Amendments filed—150, 157, 182, 232, 339, 340, 341, 490, 648, 875, 1529, 1630, 1827,
 1838, 1848, 2134, 2193-2194
 Amendments offered—319, 362, 368, 369, 375, 461, 667, 1827
 Amendments withdrawn—1961
 Appointed to the Confidential Records Council—2347
 Bills introduced—78, 165, 184, 199, 200, 213, 245, 251, 260, 275, 330, 492, 500, 651, 685,
 790, 808, 936, 1432
 Committee appointments—25, 26, 27, 166, 2196
 Leave of absence—143
 Petitions presented—164, 385
 Presented to the House the Honorable Dale Rickert, former member of the
 House—710
 Resolutions offered—74, 1371
 Subcommittee assignments—178, 179, 181, 225, 226, 227, 228, 299, 463, 464, 465, 466,
 565, 567, 568, 569, 626, 628, 629, 736, 866, 1008, 1204, 1526, 2003

CREDENTIALS, COMMITTEE ON—

Appointed—1-2
 Report—2-4
 Report adopted—4

DAGGETT, HORACE—Representative Adams-Decatur-Ringgold-Taylor Counties
 Amendments filed—140, 163, 341, 540-541, 542, 648, 659, 757, 782, 1052, 1285, 1309,
 1390, 1631, 1663, 1687, 1739-1740, 2090, 2091, 2193-2194
 Amendments offered—794, 1082, 1700, 1739, 2033, 2106
 Bills introduced—76, 77, 216, 275, 327, 328, 329, 433, 474, 475, 504, 590, 636, 638, 651,
 685, 759, 783, 878
 Committee appointments—16, 25, 26, 27, 167, 2120, 2122
 Leave of absence—265, 532, 574, 693, 828, 876, 1707, 2006, 2312
 Petitions presented—1373
 Presented to the House the Honorable Arlo Hullinger, former member of the
 House—1370
 Presided at sessions of the House—1884
 Reports—2122
 Resolutions offered—74, 587, 781
 Subcommittee assignments—135, 180, 222, 224, 226, 295, 296, 300, 463, 468, 469, 565,
 566, 570, 625, 734, 863, 1004, 1007, 1202, 1205, 1385, 2003, 2004

DE GROOT, KENNETH—Representative Lyon-O'Brien-Osceola-Sioux Counties
 Amendments filed—339, 340, 341, 384, 542, 546-548, 550, 659, 1099, 1125, 1242, 1285,
 1291-1292, 1372, 1427, 1500, 1634, 1718, 1757-1758, 1783, 1838, 1863, 2119,
 2193-2194

Amendments offered—364, 1291, 1634, 1757, 1862, 2119
 Amendments withdrawn—1133, 1504, 1605
 Bills introduced—139, 235, 275, 328, 329, 342, 430, 501, 504, 583, 590, 610, 637, 638,
 651, 685
 Committee appointments—24, 25, 27, 1068
 Leave of absence—574
 Petitions presented—192, 211, 742, 1431
 Presided at sessions of the House—483
 Resolutions offered—74, 587
 Subcommittee assignments—178, 225, 297, 463, 465, 565, 570, 732, 734, 735, 736, 865,
 866, 868, 1005, 1008, 1204, 2003

DEVELOPMENT, COMMISSION ON—

Appointments to—47
 Communications from—149, 195

DIEMER, MARVIN E.—Representative **Black Hawk** County

Amendments filed—150, 339, 341, 540-541, 542, 1528, 1829, 2031, 2091
 Amendments offered—1829
 Bills introduced—153, 165, 199, 246, 273, 275, 313, 314, 326, 328, 329, 344, 387, 474,
 492, 504, 574, 589, 652, 685, 688, 715, 783, 808
 Committee appointments—26, 2027
 Reports—2057-2059
 Resolutions offered—74, 209, 382, 2140
 Subcommittee assignments—135, 178, 179, 222, 295, 466, 468, 624, 625, 626, 732, 735,
 863, 869, 1004, 1007, 1203, 1524

DODERER, MINNETTE—Representative **Johnson** County

Amendments filed—339, 376-377, 503, 542, 553, 554-555, 555, 556, 556-557, 782, 827,
 973-974, 987, 995-996, 1009, 1125, 1126, 1237, 1242, 1309, 1372, 1389, 1390, 1426,
 1455-1460, 1529, 1783, 1793, 1796-1797, 2200, 2249, 2249-2250, 2311
 Amendments offered—510, 542, 553-554, 554, 556, 840, 841, 973, 1174, 1237, 1455,
 1793, 1796, 2158, 2249
 Amendments withdrawn—377, 555, 2248, 2250
 Appointed to the Legislative Fiscal Committee—190
 Bills introduced—77, 160, 275, 506, 610, 652, 759, 806, 809, 892
 Committee appointments—25, 27
 Elected Temporary Speaker—1
 Leave of absence—609
 Presentation of Speaker—8
 Presented to the House the Honorable John Pelton, former member of the
 House—2001
 Presented to the House the Honorable Tom Dougherty, former member of the
 House—1308
 Presided at sessions of the House—1681, 2106
 Resolutions offered—383, 607, 658
 Subcommittee assignments—179, 222, 224, 225, 226, 296, 297, 299, 300, 463, 464, 466,
 467, 567, 568, 570, 627, 628, 733, 734, 736, 864, 865, 869, 1005, 1006, 1008, 1203,
 1204, 2003
 Took oath of office—1

ECONOMIC DEVELOPMENT, COMMITTEE ON—

Amendments filed—1015, 2134

Amendments offered—2223

Appointed—25

Bills introduced—264, 758, 907

Recommendations—269-270, 739, 824-825, 1011, 1526-1527, 2133

Subcommittee assignments—179, 180, 298, 731, 734, 1007, 1008

EDUCATION, COMMITTEE ON—

Amendments filed—271, 782, 827, 1169, 1389, 1443, 1499, 1500

Amendments offered—316, 921, 1512, 1531, 1552, 1560

Appointed—25

Bills introduced—164, 183, 246, 252, 591, 717, 743, 809, 908, 909, 1017, 1053, 1054

Recommendations—157, 196-197, 249, 270, 585, 657, 712, 780, 825, 905, 982-983,
1167-1168, 1387-1388, 1440, 1493-1494

Resolutions offered—232, 383, 1580

Subcommittee assignments—135, 177, 179, 223, 224, 294, 296, 300, 464, 468, 565, 566,
570, 571, 625, 626, 627, 629, 868, 1004, 1005, 1006, 1008, 1204, 1385, 1386, 1387,
1525**EMPLOYEES—**

(See Officers and Employees)

ENERGY AND ENVIRONMENTAL PROTECTION, COMMITTEE ON—

Amendments filed—1412, 1500

Amendments offered—1601, 1622

Appointed—25

Bills introduced—472, 493, 637, 831, 876, 877, 937, 989, 1016, 1054, 1055, 1101, 1128

Recommendations—381, 606, 800, 873, 926-927, 1011-1012, 1205, 1410, 1494

Subcommittee assignments—180, 224, 225, 226, 296, 465, 566, 569, 628, 735, 736, 866,
867, 1007, 1008, 1385, 1525**ENERGY POLICY COUNCIL—**

Appointments to—924-925

ENROLLED BILLS—(See Bills, Sent to the Governor, Chief Clerk of the House, Joe O'Hern and/or
Speaker of the House, Donald D. Avenson)**ETHICS, COMMITTEE ON—**

Appointed—40, 41

Recommendations—337, 383

Resolutions offered—854-856, 856-859

Resolutions relating to:

House Resolution 7—854-856 adopted

House Resolution 8—856-859 adopted

EXPLANATIONS OF VOTE—

House File 35—Representative Lonergan—860

House File 41—Representatives Van Camp & Lonergan—489

House File 41—Representative Daggett—904

House File 49—Representative Grandia—981
 House File 66—Representatives Van Camp & Lonergan—489
 House File 66—Representatives Baxter & Black—2028
 House File 70—Representative Daggett—336
 House File 87—Representative Connolly—656
 House File 124—Representative Siegrist—1049
 House File 124—Representative Lonergan—1096
 House File 128—Representatives Baxter & Black—2028
 House File 128—Representative Swearingen—2087-2088
 House File 130—Representative Siegrist—1049
 House File 130—Representative Lonergan—1096
 House File 130—Representative Maulsby—1122
 House File 139—Representative Black—2028
 House File 164—Representatives Cochran & Connolly—1425
 House File 170—Representative Fey—646
 House File 173—Representative Fey—646
 House File 183—Representative Daggett—336
 House File 183—Representative Baxter—2028
 House File 183—Representative Black—2028-2029
 House File 183—Representative Swearingen—2087-2088
 House File 186—Representative Swearingen—624
 House File 186—Representative Fey—646
 House File 186—Representative Daggett—904
 House File 196—Representative Connolly—709
 House File 196—Representative Lonergan—860
 House File 196—Representatives Baxter & Black—2028
 House File 196—Representative Swearingen—2087-2088
 House File 204—Representative Lonergan—1096
 House File 204—Representative Maulsby—1122
 House File 210—Representatives Van Camp & Lonergan—489
 House File 210—Representatives Baxter & Black—2028
 House File 210—Representative Swearingen—2087-2088
 House File 225—Representative Miller—428
 House File 225, H-3386—Representative Siegrist—1049
 House File 225—Representative Maulsby—1122
 House File 231—Representative Black—2028
 House File 255—Representative Grandia—981
 House File 255—Representatives Baxter & Black—2028
 House File 255—Representative Swearingen—2087-2088
 House File 265—Representatives Van Camp & Lonergan—489
 House File 266—Representatives Baxter & Black—2028
 House File 266—Representative Swearingen—2087-2088
 House File 292—Representative Fey—646
 House File 308—Representative Connolly—656
 House File 309—Representative Swearingen—624
 House File 309—Representative Fey—646
 House File 315—Representative Daggett—904
 House File 319—Representative McIntee—1003
 House File 338—Representative Lonergan—860
 House File 341—Representative Connolly—656
 House File 359—Representative Siegrist—1049
 House File 359—Representative Lonergan—1096

House File 359 – Representative Maulsby – 1122
House File 360 – Representative Siegrist – 1049
House File 360 – Representative Lonerger – 1096
House File 360 – Representative Maulsby – 1122
House File 366 – Representative Siegrist – 1049
House File 366 – Representative Lonerger – 1096
House File 366 – Representative Maulsby – 1122
House File 378 – Representative Fey – 646
House File 378 – Representatives Baxter & Black – 2028
House File 392 – Representative Gruhn – 1240
House File 392, H-3545 to H-3390 – Representative Hughes – 1241
House File 392 – Representative Hughes – 1241
House File 395 – Representative Fey – 646
House File 398 – Representative Fey – 646
House File 398 – Representatives Baxter & Black – 2028
House File 413 – Representatives Baxter & Black – 2028
House File 413 – Representative Swearingen – 2087-2088
House File 414 – Representative Fey – 646
House File 415 – Representative Fey – 646
House File 419 – Representative Fey – 646
House File 421 – Representative Fey – 646
House File 428 – Representative Daggett – 904
House File 438 – Representative Skow – 2346
House File 451 – Representative Lonerger – 860
House File 451 – Representatives Baxter & Black – 2028
House File 451 – Representative Swearingen – 2087-2088
House File 452 – Representative Lonerger – 860
House File 453 – Representative Daggett – 730
House File 453 – Representative Lonerger – 860
House File 456 – Representative Lonerger – 860
House File 460 – Representatives Brammer & Renken – 710
House File 460 – Representative Lonerger – 860
House File 460 – Representatives Baxter & Black – 2028
House File 460 – Representative Swearingen – 2087-2088
House File 462 – Representative Lonerger – 860
House File 462 – Representatives Baxter & Black – 2028
House File 471 – Representative Daggett – 904
House File 476 – Representative Lonerger – 860
House File 476 – Representative Black – 2028
House File 476 – Representative Maulsby – 2131
House File 484 – Representative Black – 2028
House File 494 – Representatives Baxter & Black – 2028
House File 495 – Representative Daggett – 904
House File 495 – Representatives Baxter & Black – 2028
House File 495 – Representative Swearingen – 2087
House File 497 – Representative Siegrist – 1049
House File 497 – Representative Lonerger – 1096
House File 497 – Representative Maulsby – 1122
House File 498 – Representative Gruhn – 1240
House File 498 – Representative Hughes – 1241
House File 498 – Representative Black – 2028

- House File 498 – Representative Swearingen – 2087-2088
- House File 505 – Representatives Baxter & Black – 2028
- House File 505 – Representative Swearingen – 2087-2088
- House File 523 – Representative Lonergan – 1096
- House File 523 – Representative Maulsby – 1122
- House File 523 – Representative Black – 2028
- House File 531 – Representative Skow – 2346
- House File 540 – Representative Grandia – 981
- House File 540 – Representatives Baxter & Black – 2028
- House File 540 – Representative Swearingen – 2087-2088
- House File 541 – Representative Daggett – 904
- House File 547, H-3383 – Representative Hughes – 1241
- House File 547, H-3667B – Representative Black – 2028-2029
- House File 549 – Representatives Baxter & Black – 2028
- House File 549 – Representative Swearingen – 2087-2088
- House File 552 – Representatives Baxter & Black – 2028
- House File 552 – Representative Swearingen – 2087-2088
- House File 554 – Representative Connolly – 1490
- House File 556 – Representatives Baxter & Black – 2028
- House File 570 – Representative Daggett – 904
- House File 571 – Representative Maulsby – 1122, 2131
- House File 572 – Representative McIntee – 1003
- House File 584 – Representative McIntee – 1003
- House File 625 – Representative Lonergan – 1096
- House File 625 – Representative Maulsby – 1122
- House File 626 – Representative Lonergan – 1096
- House File 626 – Representative Maulsby – 1122
- House File 626 – Representatives Baxter & Black – 2028
- House File 626 – Representative Swearingen – 2087-2088
- House File 629 – Representative Gruhn – 1240
- House File 629 – Representative Hughes – 1241
- House File 629 – Representative Black – 1439
- House File 631 – Representatives Baxter & Black – 2028
- House File 631 – Representative Swearingen – 2087-2088
- House File 641 – Representative Lonergan – 1096
- House File 641 – Representative Maulsby – 1122
- House File 642 – Representative Maulsby – 1122
- House File 643, H-3963 – Representative Black – 2028-2029
- House File 645 – Representative Lonergan – 1096
- House File 646 – Representative Lonergan – 1096
- House File 646 – Representative Maulsby – 1122
- House File 647 – Representative Lonergan – 1096
- House File 647 – Representative Maulsby – 1122
- House File 648 – Representative Lonergan – 1096
- House File 648 – Representative Maulsby – 1122
- House File 648 – Representative Skow – 2346
- House File 649 – Representatives Baxter & Black – 2028
- House File 649 – Representative Swearingen – 2087-2088
- House File 660 – Representative Lonergan – 1096
- House File 660 – Representative Maulsby – 1122
- House File 664 – Representative Lonergan – 1096

House File 664 – Representative Maulsby – 1122
House File 676 – Representatives Cochran & Connolly – 1425
House File 677 – Representative Gruhn – 1240
House File 677 – Representative Hughes – 1241
House File 677 – Representatives Baxter & Black – 2028
House File 677 – Representative Swearingen – 2087-2088
House File 678 – Representatives Cochran & Connolly – 1425
House File 678 – Representatives Baxter & Black – 2028
House File 681 – Representative Gruhn – 1240
House File 681 – Representative Hughes – 1241
House File 686, H-4113 – Representative Maulsby – 2131
House File 688 – Representatives Baxter & Black – 2028
House File 688 – Representative Swearingen – 2087-2088
House File 691 – Representative Gruhn – 1240
House File 691 – Representative Hughes – 1241
House File 696 – Representatives Baxter & Black – 2028
House File 696 – Representative Swearingen – 2087-2088
House File 700 – Representative Skow – 2346
House File 701 – Representative Hughes – 1241
House File 701 – Representative Skow – 2346
House File 702 – Representative Gruhn – 1240
House File 702 – Representative Cochran – 1425
House File 702 – Representatives Baxter & Black – 2028
House File 702 – Representative Swearingen – 2087-2088
House File 703 – Representative Maulsby – 1200
House File 709 – Representative Maulsby – 1200
House File 710 – Representative Maulsby – 1200
House File 711 – Representative Maulsby – 1200
House File 714 – Representative Poncy – 1904
House File 717 – Representative Poncy – 1904
House File 724 – Representative Gruhn – 1240
House File 726 – Representative Cochran – 1425
House File 729 – Representative Diemer – 1307
House File 729 – Representatives Baxter & Black – 2028
House File 729 – Representative Swearingen – 2087-2088
House File 740 – Representatives Baxter & Black – 2028
House File 740 – Representative Swearingen – 2087-2088
House File 741 – Representative Gruhn – 1240
House File 746 – Representatives Cochran & Connolly – 1425
House File 747 – Representative Maulsby – 2131
House File 747 – Representative Skow – 2346
House File 750 – Representatives Baxter & Black – 2028
House File 750 – Representative Swearingen – 2087-2088
House File 753 – Representative McIntee – 1524
House File 753 – Representative Skow – 2346
House File 761 – Representative Poncy – 1904
House File 761 – Representative Skow – 2346
House File 762 – Representatives Baxter & Black – 2028
House File 762 – Representative Swearingen – 2087-2088
House File 763 – Representatives Baxter & Black – 2028
House File 763 – Representative Swearingen – 2087-2088

- House File 766 – Representative Black – 2028
- House File 766 – Representative Skow – 2346
- House File 767 – Representatives Baxter & Black – 2028
- House File 767 – Representative Swearingen – 2087-2088
- House File 769 – Representative Baxter – 2028
- House File 769 – Representative Black – 2028-2029
- House File 769 – Representative Swearingen – 2087-2088
- House File 771 – Representative Maulsby – 2131
- House File 780 – Representative Skow – 2346
- Senate File 24 – Representative Skow – 2346
- Senate File 25 – Representative Daggett – 336
- Senate File 27 – Representative Lonergan – 1684
- Senate File 32 – Representative Handorf – 778
- Senate File 55 – Representative Fey – 646
- Senate File 63 – Representative McIntee – 1715
- Senate File 78 – Representative Daggett – 336
- Senate File 81 – Representative Siegrist – 2307
- Senate File 81 – Representatives Siegrist & Hughes – 2346
- Senate File 90 – Representative Daggett – 904
- Senate File 103 – Representative Lonergan – 1684
- Senate File 110 – Representative Muhlbauer – 2001
- Senate File 110 – Representative Black – 2028-2029
- Senate File 113 – Representative Fey – 646
- Senate File 117 – Representative Lonergan – 860
- Senate File 121 – Representative McIntee – 1715
- Senate File 128 – Representatives Van Camp & Lonergan – 489
- Senate File 149 – Representative Daggett – 904
- Senate File 154 – Representative McIntee – 1715
- Senate File 157 – Representative Connolly – 1662
- Senate File 163 – Representative Daggett – 336
- Senate File 215 – Representative Daggett – 904
- Senate File 218 – Representative Lonergan – 1684
- Senate File 224 – Representative Lonergan – 1684
- Senate File 230 – Representative McIntee – 1715
- Senate File 241 – Representative Connolly – 656
- Senate File 244 – Representative McIntee – 1715
- Senate File 250 – Representative Lonergan – 1684
- Senate File 254 – Representatives Poncy & Daggett – 1742
- Senate File 271 – Representative Van Camp – 1781
- Senate File 286 – Representative Lonergan – 860
- Senate File 296 – Representative Lonergan – 1684
- Senate File 296 – Representative Baxter – 2028
- Senate File 296 – Representative Black – 2028-2029
- Senate File 296 – Representative Swearingen – 2087-2088
- Senate File 303 – Representative Lonergan – 1684
- Senate File 306 – Representative McIntee – 1715
- Senate File 309 – Representative Skow – 2346
- Senate File 315 – Representative McIntee – 1715
- Senate File 317 – Representative McIntee – 1715
- Senate File 318 – Representative Lonergan – 1684
- Senate File 328 – Representative McIntee – 1715

Senate File 329 – Representative Lonergan – 1684
Senate File 355 – Representative Lonergan – 1684
Senate File 359 – Representative Lonergan – 1684
Senate File 364 – Representative Skow – 2346
Senate File 374 – Representative Black – 2028-2029
Senate File 376 – Representative Lonergan – 1684
Senate File 377 – Representative McIntee – 1715
Senate File 383 – Representative Skow – 2346
Senate File 387 – Representative McIntee – 1715
Senate File 393 – Representative Lonergan – 1684
Senate File 398 – Representative Lonergan – 1684
Senate File 401 – Representative Lonergan – 1684
Senate File 406 – Representatives Baxter & Black – 2028
Senate File 406 – Representative Swearingen – 2087-2088
Senate File 407 – Representative McIntee – 1715
Senate File 423 – Representative Lonergan – 1684
Senate File 424 – Representative Black – 2028-2029
Senate File 433 – Representative Carl – 1579
Senate File 434 – Representative Maulsby – 2131
Senate File 435 – Representative Lonergan – 1684
Senate File 445 – Representative Lonergan – 1684
Senate File 449 – Representative Skow – 2346
Senate File 452 – Representative Black – 2028-2029
Senate File 456 – Representative Lonergan – 1684
Senate File 459 – Representatives Poncy & Daggett – 1742-1743
Senate File 461 – Representative Black – 2028-2029
Senate File 463 – Representative Lonergan – 1684
Senate File 465 – Representative Lonergan – 1684
Senate File 465 – Representative Baxter – 2028
Senate File 465 – Representative Black – 2028-2029
Senate File 465 – Representative Swearingen – 2087-2088
Senate File 466 – Representative McIntee – 1715
Senate File 467 – Representative Lonergan – 1684
Senate File 475 – Representative Van Camp – 1781
Senate File 480 – Representative McIntee – 1715
Senate File 490 – Representative McIntee – 1715
Senate File 502 – Representative Baxter – 2028
Senate File 502 – Representative Black – 2028-2029
Senate File 502 – Representative Swearingen – 2087-2088
Senate File 507 – Representative Skow – 2346
Senate File 509 – Representative Poncy – 1904
Senate File 511 – Representative McIntee – 1715
Senate File 514 – Representative Lonergan – 1684
Senate File 515 – Representatives Poncy & Daggett – 1742-1743
Senate File 521 – Representative Kremer – 1781
Senate File 524 – Representative Van Camp – 1781
Senate File 524 – Representative Baxter – 2028
Senate File 524 – Representative Black – 2028-2029
Senate File 524 – Representative Swearingen – 2087-2088
Senate File 525 – Representative McIntee – 1715

Senate File 538 – Representative Lonergan – 1684
 Senate File 552 – Representative Hermann – 1904
 Senate File 552 – Representative Maulsby – 2131
 Senate File 561 – Representatives Baxter & Black – 2028
 Senate File 561 – Representative Swearingen – 2087-2088
 Senate File 562 – Representative Maulsby – 2131
 Senate File 565, H-4160 – Representative Fey – 2106
 Senate File 565, H-4139, H-4153 & H-4148 – Representative Maulsby – 2131
 Senate File 565 – Representative Skow – 2346
 Senate File 568 – Representative Skow – 2346
 Senate File 570 – Representative Skow – 2346
 Senate File 575 – Representative Skow – 2346
 Senate File 576 – Representative Skow – 2346
 Senate File 577 – Representative Skow – 2346
 Senate File 578 – Representative Skow – 2346
 Senate File 580 – Representative Skow – 2346
 Senate File 581 – Representative Skow – 2346
 Senate File 583 – Representative Skow – 2346
 Senate File 584 – Representative Siegrist – 2307
 Senate File 584 – Representatives Skow & Hughes – 2346
 Senate File 589 – Representative Skow – 2346

FEDERAL AGENCIES –

(See President of the United States, Congress and/or Federal Agencies)

FEY, THOMAS H. – Representative Scott County

Amendments filed – 134, 157, 163, 271, 457, 498, 503, 827, 973-974, 1372, 1455-1460, 1630, 1718, 1783, 1838, 2090, 2311
 Amendments offered – 134, 454, 456, 457, 2050, 2098
 Appointed to the Title XX Statewide Advisory Committee – 2348
 Bills introduced – 184, 217, 218, 233, 261, 275, 506, 583, 637, 686, 760, 878, 936
 Committee appointments – 25, 26, 27, 154, 2355
 Leave of absence – 233, 312, 588
 Presided at sessions of the House – 546, 811, 1603
 Reports – 44-46, 143-148, 174-175, 427, 558-559, 924, 1835
 Resolutions offered – 18
 Subcommittee assignments – 178, 179, 181, 223, 225, 226, 227, 295, 298, 299, 463, 464, 465, 466, 468, 565, 568, 569, 570, 571, 625, 626, 628, 629, 731, 733, 736, 863, 866, 867, 868, 1004, 1007, 1008, 1204, 1525, 2003

FOGARTY, DANIEL P. – Representative Clay-Palo Alto Counties

Amendments filed – 1125, 1242, 1285, 1372, 1390, 1529, 2090, 2091
 Amendments offered – 1315, 2258
 Amendments withdrawn – 1433, 2258
 Bills introduced – 273, 274, 275, 314, 475, 662
 Committee appointments – 24, 26, 27, 103, 2035
 Petitions presented – 233, 742, 907, 1127
 Presented to the House the Honorable Gerald Collins, a member of the Fianna Fail Party, Irish House of Parliament – 790-791
 Presented to the House the Honorable John Kibbie, former member of the House – 267
 Reports – 104, 2084-2085

Resolutions offered—607, 1837

Subcommittee assignments—177, 178, 466, 565, 566, 627, 732, 733, 735, 864, 866

GENERAL ASSEMBLY—HOUSE—

(See also Rules and Administration Committee in the General Index and/or House Concurrent Resolutions, House Resolutions and Senate Concurrent Resolutions listed in Legislative Index Volume)

Resolutions relating to:

House Concurrent Resolution 1, state of the state message— 13 adopted
House Concurrent Resolution 2, condition of the judicial department's message—13 adopted

House Concurrent Resolution 3, budget message—14 adopted

House Concurrent Resolution 12, recognize & support, national crisis action rally—509-510 adopted

House Concurrent Resolution 17, memorial session—607-708 adopted

House Concurrent Resolution 18, pioneer lawmakers—607, 708-709 adopted

House Concurrent Resolution 36, payment of fees, legal services—2005

House Concurrent Resolution 37, telephone services for legislators—2005, 2222 adopted

House Concurrent Resolution 43, payment of fees, legal services—2167-2168 adopted

House Concurrent Resolution 45, adjournment—2349

House Resolution 1, ministers—17-18 adopted

House Resolution 2, appointment of clerks, secretaries & pages—18 adopted

House Resolution 4, rules—74, 137, 138, 150, 157, 163, 182, 258, 433-461 adopted

House Resolution 7, code of ethics—383, 854-856 adopted

House Resolution 8, rules governing lobbyists—383, 856-859 adopted

Senate Concurrent Resolution 2, compensation of chaplains, officers & employees—78, 99, 100, 110-121 adopted

Senate Concurrent Resolution 3, joint rules—78, 100, 122-134 adopted—142, 154, 160, 161, 166, 174-175, 175 adopted

Senate Concurrent Resolution 34, exempt SF 492 from joint rules—1414, 1426, 1494, 1794-1795, 1809-1811 adopted

Senate Concurrent Resolution 37, suspend joint rules, conference com. report, SF 395—1446-1449 adopted

GIFTS—

(See Awards and Gifts)

GOVERNOR BRANSTAD, TERRY E.—

Addressed joint convention—56-61, 168-174

Bills signed by—578, 646, 681, 730, 756, 778, 860, 924, 981, 1049, 1123, 1201, 1382, 1407-1408, 1524, 1714-1715, 1742, 1781, 1834-1835, 1903-1904, 2028, 2087, 2130-2131, 2197-2198, 2307, 2629-2643

Closing message—2355-2357

Committees to escort—56, 72, 105, 110, 168

Committees to notify—12, 55-56, 167, 174, 2354

Communication from—2355-2357

Delivered Budget Message—168-174

Delivered State of the State Message—56-61

Item veto messages—1692-1694, 2276-2277, 2309-2310, 2652-2653

Recommendations of—61-72

Resolution relating to Budget Message, HCR 3—14 adopted

Resolution relating to State of the State Message, HCR 1—13 adopted

Resolutions relating to:

House Concurrent Resolution 19—658, 684, 707-708 adopted

House Concurrent Resolution 20—683

House Concurrent Resolution 24—802

House Concurrent Resolution 33—1837

Senate Concurrent Resolution 10—236, 244, 285 adopted

Veto messages—1017-1021, 2643-2645, 2645, 2646-2647, 2647-2648, 2648-2650, 2651-2652

GRANDIA, ROBERT J.—Representative **Marion** County

Amendments filed—150, 339, 340, 341, 540-541, 542, 563, 1528, 1847, 2134

Amendments offered—1847

Appointed to the Capitol Planning Commission—2346

Bills introduced—200, 217, 273, 275, 313, 327, 328, 329, 330, 343, 432, 492, 504, 574-575, 653, 685, 688, 785, 808

Committee appointments—26

Petitions presented—151, 385

Presented to the House Geselle Mulder, Queen of the 1985 Pella Tulip Festival—2036

Resolutions offered—74

Subcommittee assignments—295, 296, 299, 467, 468, 733, 1007, 1524, 1525

GRONINGA, JOHN—Representative **Cerro Gordo** County

Amendments filed—271, 339, 503, 875, 968-970, 996, 1099, 1125, 1309, 1372, 1455-1460, 1528, 1718, 1744, 1838, 2311

Amendments offered—410, 1159, 1513, 1775

Bills introduced—184, 194, 275, 828, 829, 877, 908, 936

Committee appointments—2, 25, 26, 27

Escorted to the front of the well and presented to the House six members of the Diet of Yamanashi Prefecture of Japan—2202-2203

Leave of absence—103

Petitions presented—472

Presided at sessions of the House—2111

Reports—2-4

Resolutions offered—383, 607

Rulings made—2117

Subcommittee assignments—179, 180, 222, 223, 298, 463, 569, 624, 625, 627, 731, 733, 734, 735, 867, 868, 1007, 1202, 1525, 1716, 2003

GROTH, RICHARD—Representative **Buena Vista-Pocahontas** Counties

Amendments filed—210, 214-215, 341, 384, 503, 648, 1052, 1098, 1125, 1126, 1170, 1309, 1334-1335, 1663, 1672-1675, 1688, 2090, 2091, 2134, 2311

Amendments offered—214, 316, 480, 483, 654, 1332, 1334, 1672, 2113, 2252

Amendments withdrawn—483, 1672, 2128, 2252

Bills introduced—51, 102-103, 152, 154, 275, 506, 785, 807

Committee appointments—25, 26, 27, 2120, 2196

Leave of absence—693

Petitions presented—742

Presided at sessions of the House—1172, 1365, 2258

Reports—2122, 2319-2322

Subcommittee assignments—135, 222, 223, 296, 300, 463, 464, 467, 565, 566, 570, 625, 626, 733, 863, 1006, 1008, 1202, 1385, 2003, 2004

GRUHN, JOSEPHINE—Representative **Dickinson-Emmet** Counties

Amendments filed—271, 339, 503, 741, 1285, 1372, 1455-1460, 2091, 2311

Amendments offered—749, 751

Bills introduced—51, 217, 506, 588, 687, 742, 784, 785

Committee appointments—24, 26, 27, 1638

Leave of absence—1185, 1208

Petitions presented—75, 742, 1053, 1581

Resolutions offered—658

Subcommittee assignments—179, 223, 295, 297, 463, 465, 468, 565, 566, 629, 735, 864, 865, 866, 868, 1006

HALVORSON, RODNEY N.—Representative **Webster** County, Assistant Majority Floor Leader

Amendments filed—271, 503, 1052, 1170, 1237, 1286, 1309, 1372, 1377-1379, 1455-1460, 1529, 1630, 1828, 2090, 2091, 2208, 2310

Amendments offered—1184, 1286, 2208

Bills introduced—77, 194, 275, 475, 504

Committee appointments—24, 25, 27

Leave of absence—574, 1127, 1208

Presided at sessions of the House—253, 456, 541, 1080, 2061, 2241

Resolutions offered—74

Rulings made—2242, 2243

Subcommittee assignments—135, 180, 224, 225, 465, 566, 568, 628, 629, 732, 735, 864, 868, 1004, 1716

HALVORSON, ROGER A.—Representative **Allamakee-Clayton** Counties, Assistant Minority Floor Leader

Amendments filed—150, 157, 339, 340, 341, 356-357, 535, 540-541, 542, 546-548, 741, 767, 827, 834-835, 1098, 1125, 1126, 1158, 1169, 1242, 1297-1298, 1336-1340, 1443, 1444, 1499, 1500, 1528, 1580, 1630, 1631, 1663, 1744, 2090, 2135, 2145, 2206, 2226-2238

Amendments offered—347, 356, 375, 459, 542, 767, 1118, 1158, 1297, 1336, 1595, 1682, 1778, 2145, 2206

Amendments withdrawn—1116, 2285

Bills introduced—52, 102, 139, 200, 212, 275, 313, 314, 326, 327, 328, 329, 330, 342, 343, 387, 430, 432, 476, 574, 652, 661, 685, 687, 688, 785, 809, 829, 877, 936

Committee appointments—24, 25, 26, 55, 2165

Presented to the House the Honorable Walter Hagen, former member of the House—428

Presided at sessions of the House—594

Reports—2270-2271

Subcommittee assignments—222, 225, 226, 227, 294, 296, 297, 299, 300, 464, 466, 467, 468, 567, 568, 569, 629, 733, 734, 736, 864, 865, 866, 867, 868, 869, 1005, 1006, 1202, 1204, 1384, 1385, 1386, 1525, 1716

HAMMOND, JOHNIE—Representative Story County

Amendments filed—271, 339, 659, 669-670, 677, 782, 1098, 1170, 1284-1285, 1372, 1377-1379, 1389, 1426, 1455-1460, 1500, 1528, 1783, 1828, 1997-1998, 2019, 2311
 Amendments offered—366, 669, 677, 1239, 1284, 1577, 1611, 1877, 2019
 Amendments withdrawn—2019
 Appointed to the Advisory Commission on Intergovernmental Relations—2347
 Bills introduced—77, 140, 154, 184, 194, 201, 251, 313, 326, 342, 431, 506, 638, 688
 Committee appointments—25, 27, 166, 2035
 Leave of absence—2337
 Petitions presented—1373
 Presided at sessions of the House—1041, 1826
 Reports—167, 2124-2125
 Resolutions offered—383, 658
 Subcommittee assignments—135, 179, 181, 222, 224, 225, 226, 227, 296, 298, 299, 464, 465, 466, 467, 565, 566, 568, 569, 570, 626, 627, 628, 629, 733, 734, 735, 865, 867, 1005, 1006, 1203, 1204, 1386, 1387

HANDORF, WARD—Representative Black Hawk-Marshall-Tama Counties

Amendments filed—137, 339, 340, 341, 540-541, 542, 563, 1412, 1435-1436, 1528, 1631, 1818
 Bills introduced—251, 275, 313, 326, 327, 328, 329, 343, 344, 387, 430, 492, 504, 574, 589, 685, 688, 805
 Committee appointments—24, 25, 26, 2035
 Leave of absence—1335, 1665, 2032, 2201
 Reports—2084-2085
 Resolutions offered—74, 587
 Subcommittee assignments—178, 295, 465, 566, 570, 627, 629, 733, 868, 1008, 1204, 1386

HANSON, DARRELL R.—Representative Buchanan-Delaware-Linn Counties

Amendments filed—150, 340, 341, 384, 418, 498, 532-534, 540-541, 542, 563, 741, 757, 773, 782, 802, 803, 930, 973-974, 974-977, 998, 1126, 1169, 1170, 1237, 1286, 1288-1289, 1309, 1372, 1377-1379, 1389, 1426, 1455-1460, 1576, 1577, 1580, 1630, 1631, 1663, 1664, 1863, 1882-1883, 1991-1992, 2311
 Amendments offered—360, 411, 418, 767, 772, 773, 815, 902, 974, 998, 1184, 1393, 1543, 1574, 1576, 1607, 1991
 Amendments withdrawn—377, 391, 423, 425, 815, 1286, 1991
 Bills introduced—275, 326, 327, 328, 329, 330, 343, 387, 432, 504, 574, 688, 716, 908
 Committee appointments—25, 26, 27, 2035, 2316
 Leave of absence—660
 Petitions presented—1244, 1445
 Presented to the House the Honorable Maurice Hennessey, former member of the House—1408
 Presided at sessions of the House—265, 641, 1058, 1381, 1546, 2151
 Reports—2124-2125
 Resolutions offered—74
 Subcommittee assignments—178, 179, 180, 222, 223, 225, 297, 298, 463, 464, 465, 467, 468, 570, 571, 626, 731, 732, 733, 736, 863, 864, 865, 869, 1006, 1202, 1204, 1385, 1386, 1387, 1525, 2003

HARBOR, WILLIAM H.—Representative Mills-Montgomery-Pottawattamie Counties

Amendments filed—137, 138, 150, 157, 250, 258, 339, 340, 341, 359, 535, 540-541, 542, 544, 546-548, 551, 741, 757, 767, 803, 930, 987, 1088-1089, 1098, 1126, 1169, 1242, 1309, 1435, 1443, 1444, 1528, 1631, 1744, 1816-1818, 1838, 1897, 2030, 2031, 2063, 2090, 2116-2117, 2134, 2135, 2145, 2206

Amendments offered—359, 377, 453, 455, 535, 546, 551, 1040, 1074, 1116, 1435, 1583, 1681, 1741, 1763, 2102, 2116

Amendments withdrawn—265, 360, 2257, 2259

Appointed to the Legislative Council—190

Bills introduced—102, 139, 153, 165, 272, 273, 275, 314, 328, 329, 330, 387, 475, 492, 500, 574, 575, 590, 652, 685, 687, 784, 892, 909

Committee appointments—24, 26, 27, 103, 154, 761, 2036

Leave of absence—636, 649, 685, 1581

Presented to the House members of the Iowa Hawkeyes Basketball Team—1685

Reports—174-175

Resolutions offered—74, 781, 1717

Subcommittee assignments—178, 179, 224, 464, 625, 732, 867, 869, 1383, 1384

HATCH, JACK—Representative Polk County

Amendments filed—384, 490, 1098, 1170, 1198, 1309, 1528, 1630, 2091

Amendments offered—1190, 1194, 1196

Amendments withdrawn—2286

Bills introduced—184, 501, 582, 583, 590, 591, 637, 687, 716, 717, 805, 807, 877

Committee appointments—24, 25, 26

Resolutions offered—713

Subcommittee assignments—295, 297, 299, 627, 734, 735, 865, 867, 1005, 1008, 1525, 1716

HAVERLAND, MARK A.—Representative Polk County

Amendments filed—138, 338, 340, 1099, 1371, 1377-1379, 1528, 1580, 2303-2304, 2311

Amendments offered—369, 487, 921, 1552, 1571, 1572, 1573, 2016, 2303

Amendments withdrawn—373, 1738

Appointed to the Medical Assistance Advisory Council—2348

Bills introduced—77, 101, 140, 272, 275, 327, 506, 686, 716

Committee appointments—25, 26, 1068

Leave of absence—1884, 2201

Presided at sessions of the House—990, 1505

Resolutions offered—18, 607, 708

Rulings made—1507

Subcommittee assignments—178, 179, 222, 226, 296, 297, 298, 299, 300, 466, 467, 468, 565, 566, 567, 568, 570, 625, 626, 627, 732, 736, 864, 1006, 1008, 1203, 1204, 1385, 1386, 1524, 1525

HEALTH DATA COMMISSION—

Appointment to—47

Communication from—99

HERMANN, DONALD F.—Representative Scott County

Amendments filed—339, 340, 341, 542, 1830-1831, 2090, 2134

Bills introduced—159, 184, 185, 194, 200, 275, 314, 327, 328, 329, 492, 504, 638, 685, 829

Committee appointments—25, 26, 41, 2026-2027
 Leave of absence—103, 211, 472, 491, 544, 563, 609, 636, 1829, 2083
 Petitions presented—931
 Reports—2065-2067
 Resolutions offered—74
 Subcommittee assignments—225, 295, 628

HESTER, JOAN L.—Representative Harrison-Pottawattamie Counties

Amendments filed—339, 340, 341, 1630, 2193-2194
 Bills introduced—184, 313, 327, 328, 329, 330, 387, 504, 574, 685, 688, 936
 Committee appointments—25, 26, 690
 Leave of absence—509, 1665
 Petitions presented—1373
 Resolutions offered—74, 658
 Subcommittee assignments—179, 181, 225, 226, 227, 294, 296, 297, 298, 299, 300, 464, 465, 466, 468, 565, 566, 567, 568, 569, 570, 626, 627, 628, 629, 731, 732, 734, 736, 863, 864, 865, 866, 867, 868, 869, 1005, 1006, 1202, 1203, 1204, 1384, 1385

HOLVECK, JACK—Representative Polk County

Amendments filed—340, 884, 1207, 1231-1232, 1284-1285, 1309, 1500, 1664, 1718, 1838, 2164, 2311
 Amendments offered—1231, 1233, 1363, 2177, 2314
 Amendments withdrawn—1234, 2250
 Bills introduced—201, 275, 327, 387, 431, 493, 590, 610, 637, 688, 805
 Committee appointments—25, 26, 27, 40
 Presided at sessions of the House—1849
 Subcommittee assignments—222, 223, 226, 294, 296, 297, 298, 299, 300, 463, 464, 466, 467, 570, 624, 625, 627, 731, 734, 735, 736, 864, 868, 1004, 1008, 1202, 1203, 1204, 1386, 2003

HOUSE COMMITTEE ASSIGNMENTS—28-40

HOUSE INSISTS—

House File 476—2027
 House File 571—2026
 Senate File 364—2195

HOUSE RECEDES—

Senate File 524—1975

HOUSE REFUSED TO CONCUR—

House File 554—1958
 House File 570—2154
 House File 589—1891
 House File 643—1900
 House File 686—2068
 House File 730—1898
 House File 764—2293
 Senate File 103—1972
 Senate File 329—2074
 Senate File 552—2024
 Senate File 570—2313

HOUSE RULES AND ADMINISTRATION COMMITTEE—
 (See Rules and Administration, Committee On)

HUGHES, RANDY—Representative Adair-Adams-Cass-Clarke-Union Counties
 Amendments filed—1098, 1099, 1125, 1170, 1309, 1372, 1390, 1455-1460, 1528, 1630,
 1634, 1818, 2091, 2311
 Amendments offered—1111, 1148, 1210, 1365, 1622, 1634
 Amendments withdrawn—1111, 1739
 Appointed to the Commission on Children, Youth and Families—46, 2347
 Bills introduced—275, 475, 501, 506, 576, 651, 785
 Committee appointments—24, 25
 Leave of absence—72, 1171, 1827
 Presided at sessions of the House—347, 763, 833, 1520, 1915, 2097, 2252
 Rulings made—357
 Subcommittee assignments—178, 225, 294, 295, 298, 465, 565, 566, 570, 625, 627, 736,
 868, 1004, 1008, 1204, 1385, 1386, 1525, 1526

HUMAN RESOURCES, COMMITTEE ON—

Amendments filed—182, 338, 587, 659, 782, 986, 1500
 Amendments offered—285, 593, 703, 753, 913, 1060, 1079, 1873
 Appointed—25
 Bills introduced—261, 344, 386, 505, 593, 611, 718, 808, 908, 1102, 1103
 Recommendations—182, 257, 337-338, 497, 585, 606, 657-658, 712, 780, 825, 905, 983,
 1440-1441, 1494
 Subcommittee assignments—178, 179, 180, 181, 225, 226, 227, 296, 297, 298, 299,
 464-465, 466, 565, 566, 567, 568, 569, 626, 627, 628, 629, 732, 734, 736, 864, 869,
 1005, 1006, 1202, 1203, 1204, 1384, 1385

HUMMEL, KYLE—Representative Benton-Black Hawk Counties

Amendments filed—339, 340, 341, 429, 503, 659, 684, 714, 1088-1089, 1126, 1207, 1309,
 1372, 1389, 1444, 1663, 1664, 1687, 1882-1883, 2000, 2226-2238
 Amendments offered—365, 368, 371, 373, 483, 1569, 1572, 1679, 2000
 Amendments withdrawn—374, 1403, 1437, 1736, 2015
 Appointed to the Communications Review Commission—2347
 Bills introduced—200, 275, 276, 314, 326, 327, 328, 329, 330, 342, 432, 474, 476, 492,
 685, 688, 807
 Committee appointments—25, 26, 691, 2035, 2165
 Leave of absence—72, 233
 Reports—2081-2082, 2270-2271
 Resolutions offered—74, 191, 1580
 Subcommittee assignments—177, 178, 179, 297, 565, 567, 569, 624, 629, 731, 732, 734,
 735, 863, 869, 1005, 1006, 1202, 1203, 1384, 1385, 1386, 1525

INTERIM COMMITTEES—

(See also Legislative Council and/or Study Committees)

Resolutions relating to:

House Concurrent Resolution 23—802
 House Concurrent Resolution 28—1371
 House Concurrent Resolution 32—1530
 House Concurrent Resolution 39—2005
 House Concurrent Resolution 44—2199

INTERSTATE COOPERATION COMMISSION—

Appointments to—2347-2348

INTRODUCTION OF BILLS—

(See Bills, Introduction of, and/or individual listings)

IOWA BOUNDARY COMMISSION—

Appointments to—47, 2347

IPERS ADVISORY INVESTMENT BOARD—

Resolution relating to, SCR 51—2165, 2200, 2336 adopted

JAY, DANIEL J.—Representative **Appanoose-Davis-Wapello** Counties

Amendments filed—271, 821, 973-974, 987, 1098, 1099, 1125, 1126, 1170, 1207, 1242, 1285, 1444, 1580, 1630, 1631, 1664, 1783, 1830-1831, 1924, 2062, 2063, 2090, 2116-2117, 2208, 2310, 2311, 2349

Amendments offered—821, 1173, 1217, 1225, 1228, 1517, 1594, 1650, 1880, 1899, 2063

Amendments withdrawn—1403, 1651

Bills introduced—194, 275, 506, 688, 785, 806

Committee appointments—25, 27, 105, 2021, 2264

Leave of absence—472, 1016, 1208, 1530, 1694, 1719, 1763, 1812, 1839

Presided at sessions of the House—677, 1313

Reports—2108-2109, 2329-2331

Subcommittee assignments—178, 222, 225, 297, 299, 300, 463, 465, 566, 567, 569, 570, 627, 628, 736, 737, 863, 864, 865, 866, 869, 1006, 1202, 1204, 1205, 1384, 1386, 1525, 1526

JOCHUM, THOMAS J.—Representative **Dubuque** County

Amendments filed—163, 271, 503, 684, 714, 757, 930, 1098, 1242, 1528, 1580, 1630, 1631, 1663, 1718, 1744, 1754-1755, 1766-1767, 1770-1771, 1771, 1783, 1784, 1807, 1807-1808, 1808, 1829, 1838, 1846-1847, 1856-1857, 1865, 2047-2048, 2090, 2091, 2134, 2135, 2200, 2279, 2280, 2303, 2311, 2338

Amendments offered—458, 796, 1175, 1752, 1757, 1766, 1770, 1771, 1774, 1798, 1801, 1807, 1808, 1815, 1825, 1846, 1856, 1861, 1865, 1866, 1867, 2047, 2141, 2166, 2182, 2183, 2279, 2280, 2282, 2303, 2338

Amendments withdrawn—1752, 1757, 1766, 1799, 1806, 1856, 2151

Appointed to the Legislative Council—190

Appointed to the Legislative Fiscal Committee—190

Bills introduced—331, 637

Committee appointments—24, 25, 26, 2026-2027, 2027, 2035, 2036

Leave of absence—885, 1433, 1508, 1581

Petitions presented—1581, 1665

Presented to the House Colleen Melloy Piekenbrock, Joyce Hughes and Erin O'Connell, a group of puppeteers from Dubuque, called "The Kids on the Block"—1913

Reports—2057-2059, 2065-2067, 2077-2080, 2081-2082, 2084-2085

Subcommittee assignments—566, 1384, 1716

JOHNSON, PAUL W.—Representative **Allamakee-Winneshiek** Counties

Amendments filed—271, 340, 659, 714, 741, 817-818, 1051, 1169, 1372, 1455-1460, 1528, 1688, 1718, 2311

Amendments offered—670, 722, 787, 1065, 1560, 2149
 Appointed to the Low-Level Radioactive Waste Management Advisory Committee—2354
 Asked and received unanimous consent to correct spelling error, Senate File 526, H-3718, line 7—1561
 Bills introduced—153, 184, 433
 Committee appointments—25, 26
 Petitions presented—907, 931
 Presided at sessions of the House—2033
 Subcommittee assignments—179, 223, 224, 296, 467, 569, 625, 629, 868, 1386, 1387, 1525

JOINT CONVENTIONS—

Budget Message—168-174
 Condition of the Judicial Department's message—105-110
 Former Governor Robert D. Fulton addressed the Pioneer Lawmakers—1639-1642
 Memorial Session—1427-1430
 Resolutions relating to:
 House Concurrent Resolution 1, state of the state message—13 adopted
 House Concurrent Resolution 2, condition of the judicial department's message—13 adopted
 House Concurrent Resolution 3, budget message—14 adopted
 House Concurrent Resolution 17, memorial session—607, 708 adopted
 House Concurrent Resolution 18, pioneer lawmakers—607, 708-709 adopted
 State of the State Message—56-61
 To honor Pioneer Lawmakers—1638-1642

JOINT RULES—

(See also Rules and/or Rules and Administration, Committee on)

Pursuant to Joint Rule 13.3 (conference committee):

House File 570—2272

Resolutions relating to:

Senate Concurrent Resolution 3—122-134 adopted

Senate Concurrent Resolution 34 (Senate File 492, Joint Rule 20)—1809

Senate Concurrent Resolution 37—1446-1448 adopted

JUDICIARY AND LAW ENFORCEMENT, COMMITTEE ON—

Amendments filed—258, 311, 648, 802, 827, 875, 930, 1051, 1412, 1443, 1499

Amendments offered—322, 487, 694, 1025, 1033, 1043, 1046, 1228, 1249, 1537, 1540, 1547, 1588, 1594, 1647, 1712, 2177

Appointed—25

Bills introduced—576, 611, 638, 660, 685, 686, 742, 759, 789, 790, 830, 886, 932, 937, 938, 1054, 1055, 1101, 1102, 1164

Recommendations—257, 310-311, 560-561, 633-634, 740, 800-801, 825, 873, 927-928, 1050-1051, 1206, 1410, 1441, 1495-1496, 1782-1783, 2133

Subcommittee assignments—222, 224, 225, 226, 227, 296, 297, 298, 299, 300, 466, 467, 468, 567, 568, 569, 570, 627, 629, 732, 733, 734, 735, 736, 737, 864, 865, 866, 867, 868, 869, 1005, 1007, 1008, 1202, 1203, 1204, 1205, 1384, 1385, 1386, 1387, 1526, 1716, 2349

KNAPP, DONALD J.—Representative **Dubuque-Jones** Counties

Amendments filed—684, 714, 1426, 1630, 1664, 1783, 1863, 1882-1883, 2134, 2168, 2311
Amendments offered—722, 723, 1588, 1760, 2168
Appointed to the Commission on Interstate Cooperations—2347
Bills introduced—259, 275
Committee appointments—24, 25, 26, 2027
Leave of absence—321
Presided at sessions of the House—1900
Reports—2057-2059
Subcommittee assignments—222, 225, 297, 299, 300, 567, 570, 627, 736, 865, 869, 1007, 1202, 1384, 1386, 1526

KOENIGS, DEO A.—Representative **Chickasaw-Howard-Mitchell** Counties

Amendments filed—503, 648, 1125, 1285, 1630, 1659, 1818, 1905, 2030, 2090, 2091
Amendments offered—1066, 1285
Amendments withdrawn—1960
Appointed to the Communications Review Commission—2347
Bills introduced—216, 275, 651, 785
Committee appointments—24, 25, 27
Leave of absence—1512, 1707
Presented to the House the Honorable Jim Johnson, former member of the House—710
Presented to the House the Honorable Michael Kennedy, former member of the House—1492
Presided at sessions of the House—1675
Resolutions offered—74
Subcommittee assignments—178, 179, 224, 297, 566, 732, 733, 735, 864, 865, 868, 1006, 1204, 1526

KREMER, JOSEPH M.—Representative **Black Hawk-Buchanan** Counties

Amendments filed—150, 339, 341, 542, 827, 972, 1067, 1162, 1170, 1389, 1412, 1426, 1443, 1528, 1631
Amendments offered—601, 1540, 1541, 1680
Bills introduced—153, 199, 275, 314, 328, 329, 330, 432, 474, 574-575, 685, 808, 886
Committee appointments—25, 26, 2264
Leave of absence—485, 1581
Petitions presented—385
Reports—2329-2331
Resolutions offered—74
Subcommittee assignments—222, 295, 297, 298, 299, 300, 567, 568, 570, 626, 627, 628, 737, 865, 866, 867, 869, 1007, 1008, 1202, 1203, 1205, 1384, 1386, 1526, 1716, 2349

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—

Amendments filed—562, 608, 684, 930, 1015, 1412, 1499
Amendments offered—601, 1021, 1248, 1395, 1671, 1747, 2285
Appointed—26
Recommendations—561, 606-607, 682, 928, 1012-1013, 1206, 1410, 1442, 1497, 1905
Subcommittee assignments—225, 295, 297, 298, 299, 468, 568, 569, 570, 626, 628, 629, 731, 732, 863, 865, 866, 867, 868, 869, 1006, 1007, 1008, 1203, 1204, 1525, 1526, 2003

LAGESCHULTE, RAYMOND—Representative Black Hawk-Bremer-Butler Counties

Amendments filed—150, 197, 209, 339, 340, 341, 542, 545-546, 608, 741, 972, 1309, 1630, 1744, 1905, 2056, 2063, 2091, 2193-2194, 2200, 2299-2300

Amendments offered—319, 1739, 2056, 2099, 2280, 2299

Amendments withdrawn—2299

Appointed to the Commission on Interstate Cooperation—2347

Bills introduced—184, 275, 313, 314, 326, 327, 328, 329, 343, 344, 432, 474, 475, 492, 500, 504, 574, 575, 589, 685, 688

Committee appointments—25, 27, 761

Leave of absence—636, 1053, 1208, 1719

Presented to the House the Waverly-Shell Rock High School Chamber Choir—891

Resolutions offered—74, 683, 761

Subcommittee assignments—178, 222, 223, 224, 225, 463, 465, 466, 467, 468, 566, 567, 569, 626, 628, 864, 865, 868, 1004, 1006, 1008, 1202, 1204, 1386

LAW ENFORCEMENT ACADEMY COUNCIL—

Appointment to—47

LEAVE OF ABSENCE—

72, 103, 110, 143, 151, 158, 174, 183, 192, 211, 233, 259, 265, 312, 321, 326, 391, 430, 472, 485, 491, 504, 509, 532, 544, 563, 574, 588, 593, 609, 636, 649, 660, 666, 685, 693, 706, 722, 742, 769, 828, 840, 876, 885, 892, 972, 988, 1016, 1053, 1068, 1100, 1127, 1171, 1173, 1178, 1185, 1208, 1219, 1244, 1248, 1310, 1330, 1335, 1377, 1391, 1421, 1433, 1445, 1468, 1501, 1508, 1512, 1514, 1530, 1577, 1581, 1596, 1632, 1665, 1694, 1699, 1707, 1719, 1763, 1767, 1770, 1785, 1812, 1822, 1827, 1829, 1839, 1851, 1869, 1884, 1906, 1914, 1919, 1930, 2006, 2032, 2036, 2039, 2083, 2093, 2201, 2289, 2312, 2337

LEGISLATIVE COUNCIL—

(See also Study Committees)

Appointments to—190

Resolutions relating to:

House Concurrent Resolution 16—607

House Concurrent Resolution 23—802

House Concurrent Resolution 28—1371

House Concurrent Resolution 32—1580

House Concurrent Resolution 37—2005, 2222 adopted

House Concurrent Resolution 39—2005

House Concurrent Resolution 40—2005

House Concurrent Resolution 42—2134, 2142, 2143 adopted

House Concurrent Resolution 44—2199

Senate Concurrent Resolution 7—199, 209, 270, 604 adopted

LEGISLATIVE EMPLOYEES—

(See Officers and Employees)

LEGISLATIVE FISCAL COMMITTEE—

(See also Legislative Council)

Appointments to—190, 292

LEGISLATIVE PHYSICIAN FOR THE DAY—

75, 101, 139, 158, 164, 183, 192, 198, 211, 233, 245, 251, 259, 312, 326, 342, 385, 472, 491,
499, 504, 574, 582, 588, 931, 1445, 1530, 1581, 1632, 1665, 1719

LLOYD-JONES, JEAN—Representative **Johnson** County, Assistant Majority Floor Leader

Amendments filed—138, 271, 757, 782, 1124, 1309, 1372, 1377-1379, 1379, 1389,
1455-1460, 1528, 1631, 1663, 1688, 2031, 2090, 2310

Amendments offered—791, 995, 1377, 1703, 2151

Amendments withdrawn—792, 1520, 1915

Bills introduced—51, 77, 102, 159, 184, 275, 506, 583, 589, 637, 831, 936

Committee appointments—16, 24, 26, 27

Escorted to the front of the well nine international visitors participating in the
Council of International Programs—2107-2108

Leave of absence—574, 666, 1468

Presided at sessions of the House—453, 1335, 1769

Resolutions offered—383, 658, 2005

Rulings made—1340

Subcommittee assignments—295, 300, 625, 736, 1006, 1387, 1716

LOBBYISTS—

(See Ethics, Committee on)

LOCAL GOVERNMENT, COMMITTEE ON—

Amendments filed—209, 562, 635, 741, 930, 1014, 1499, 1500

Amendments offered—746, 879, 1118, 1186, 1618, 1968

Appointed—26

Bills introduced—315, 386, 430, 591, 685, 790, 808, 830, 831, 876, 885, 989, 1054, 1055

Recommendations—208, 311, 382, 561, 634, 683, 740, 801-802, 873-874, 928-929, 1013,
1411, 1497-1498

Subcommittee assignments—135, 178, 179, 180, 225, 295, 296, 299, 300, 465, 466, 468,
568, 569, 570, 624, 626, 628, 629, 732, 734, 735, 736, 863, 864, 865, 866, 867, 868,
869, 1006, 1007, 1203, 1384, 1385

LONERGAN, JOYCE—Representative **Boone**-Story Counties

Amendments filed—258, 659, 972, 987, 1098, 1125, 1377-1379, 1500, 1838, 2019, 2134,
2145, 2311

Amendments offered—289, 913, 972, 1002, 2013, 2147

Amendments withdrawn—2014

Appointed to the Commission on Interstate Cooperation—2347-2348

Bills introduced—140, 194, 275, 506, 637

Committee appointments—25, 26, 142, 154, 2026-2027

Escorted to the front of the well sixth grade students from Bryant Elementary
School in Boone—2143

Leave of absence—174, 312, 472, 660, 693, 828, 876, 1016, 1053, 1581, 2006

Presided at sessions of the House—195, 1249

Remarks by—6-7

Reports—174-175, 2065-2067

Resolutions offered—142, 658

Subcommittee assignments—178, 180, 181, 223, 295, 464, 466, 567, 627, 735, 866, 1525

LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT ADVISORY COMMITTEE—

Appointment to—2354

MAJORITY FLOOR LEADER, Lowell E. Norland—Representative Cerro-Gordo-Winnebago-Worth Counties
(See Norland, Lowell E.—Representative Cerro-Gordo-Winnebago-Worth Counties, Majority Floor Leader)

MARTIN LUTHER KING, JR. OBSERVANCE—
Remarks by Representative Buhr—53-54

MAULSBY, RUHL—Representative **Calhoun-Sac-Webster** Counties
Amendments filed—150, 157, 339, 340, 341, 540-541, 542, 553-554, 563, 772, 774, 1285, 1631, 1800, 1821, 1830-1831, 1832, 2090, 2193-2194
Amendments offered—772, 774, 1800, 1821, 1832, 2035
Bills introduced—158, 275, 314, 326, 327, 328, 329, 330, 342, 343, 344, 430, 432, 475, 492, 500, 504, 589, 638, 685, 688, 808, 877
Committee appointments—18-19, 24, 25, 187, 2264, 2354-2355
Leave of absence—430, 988, 1016, 1421, 2039
Petitions presented—1208
Reports—42-44, 1383, 2329-2331
Resolutions offered—74, 587
Subcommittee assignments—135, 222, 295, 297, 298, 299, 300, 467, 565, 567, 570, 626, 627, 629, 735, 736, 737, 865, 868, 869, 1004, 1202, 1384, 1386, 1525, 1526, 1716

McINTEE, JOHN E.—Representative **Black Hawk** County
Amendments filed—150, 271, 341, 376-377, 532-534, 542, 684, 714, 803, 1125, 1126, 1242, 1288-1289, 1309, 1372, 1412, 1426, 1443, 1444, 1528, 1580, 1624-1625, 1630, 1631, 1652, 1663, 1783, 1831, 1916, 1923, 2062, 2200
Amendments offered—532, 1046, 1288, 1506, 1507, 1623, 1624, 1707, 1712, 1826, 1831, 1923, 2242
Amendments withdrawn—792, 1916
Bills introduced—153, 246, 260, 273, 275, 313, 314, 326, 327, 328, 329, 387, 432, 433, 474, 492, 501, 504, 506, 574, 637, 685, 688, 760, 790, 808, 886, 932
Committee appointments—25, 26, 105
Leave of absence—769, 1530
Remarks—15-16
Resolutions offered—74, 209, 683
Subcommittee assignments—222, 225, 226, 227, 297, 298, 299, 300, 466, 467, 567, 568, 570, 627, 735, 736, 865, 867, 868, 869, 1202, 1205, 1384, 1385, 1386, 1526

McKEAN, ANDREW (ANDY)—Representative **Jones-Linn** Counties
Amendments filed—100, 150, 191, 209, 311, 339, 340, 341, 659, 684, 782, 972, 1091, 1099, 1124, 1125, 1169, 1187, 1187-1188, 1455-1460, 1528, 1688, 1969, 2134, 2193-2194
Amendments offered—317, 391, 794, 796, 1091, 1146, 1186, 1187, 1969
Amendments withdrawn—318, 320
Bills introduced—184, 201, 214, 273, 326, 327, 328, 329, 343, 344, 387, 431, 432, 474, 492, 501, 504, 574, 589, 685, 688, 785, 809
Committee appointments—25, 26, 104, 2035, 2120
Leave of absence—430, 1707
Presented to the House Tim Heckstall Smith, Devon, England—428
Reports—2081-2082
Resolutions offered—74
Subcommittee assignments—178, 222, 225, 296, 466, 566, 570, 629, 1386

MEDICAL ASSISTANCE ADVISORY COUNCIL —
 Appointment to—2348

MEMORIALS —

Committees appointed—142, 187, 664, 690, 691, 761
 In Memoriam List—1428-1430, 2659
 Joint Memorial Session—1427-1430
 Memorial Services Committee appointed—1068
 Memorials—2660-2665
 Resolution relating to, HCR 17—708 adopted
 Resolutions relating to—142, 186-187, 664, 690, 691, 761

MESSAGES —

(Also see Communications, Joint Conventions and Addressed the House)

From Governor Terry E. Branstad—2355-2357

From Senate—46, 52, 78, 142, 160, 166, 183, 198-199, 211-212, 236, 238, 247, 252-253, 262, 315-316, 331-332, 345-346, 476-477, 501-502, 507-508, 577-578, 591-592, 638, 649-650, 663-664, 665, 691-693, 709, 720-721, 743, 762-763, 810-811, 811, 878-879, 888, 909, 910, 933, 990, 1055-1058, 1105-1107, 1109-1110, 1131-1132, 1134-1135, 1171-1172, 1179, 1208-1209, 1240, 1246, 1261, 1310-1311, 1367-1368, 1374, 1392, 1401-1402, 1406-1407, 1413-1414, 1416, 1431, 1438, 1445-1446, 1449, 1501-1502, 1530-1531, 1578-1579, 1582, 1632, 1637, 1666-1669, 1683, 1689-1692, 1719-1721, 1723, 1742, 1745-1746, 1780-1781, 1785-1787, 1795, 1834, 1839-1840, 1902-1903, 1906-1907, 1914, 1971, 2006-2007, 2011-2012, 2022-2024, 2027, 2032-2033, 2037-2038, 2043, 2076-2077, 2083, 2094-2096, 2107, 2120, 2121, 2126, 2137-2138, 2164-2165, 2197, 2201-2202, 2209-2210, 2262-2264, 2312-2313, 2317, 2341, 2350-2353

Immediate messages—20, 134, 266, 292, 335, 426, 485, 488, 564, 604, 680, 744, 882, 891, 904, 992, 1001, 1003, 1042, 1048, 1071, 1084, 1095, 1109, 1122, 1164, 1200, 1219, 1239, 1307, 1315, 1369, 1406, 1438, 1448-1449, 1464, 1467, 1509, 1654, 1780, 1811, 1833, 1866, 1902, 1912, 1940, 1967, 1972, 1988, 2012, 2021, 2027, 2042, 2049, 2060, 2068, 2076, 2084, 2086, 2102, 2108, 2110, 2124, 2126, 2130, 2142, 2148, 2150, 2152, 2158, 2167, 2171, 2183, 2195, 2196, 2210, 2212, 2220, 2248, 2251, 2262, 2274, 2284, 2287, 2299, 2302, 2305, 2313, 2316, 2318, 2324, 2339

Item veto messages—1692-1694, 2276-2277, 2309-2310, 2652-2653

Motion to override governor's item veto—1695, 2277-2278

Request for immediate message withdrawn—1107

Senate messages considered—186, 202-203, 246-247, 253, 261-262, 264-265, 331, 344-345, 388-389, 507, 577, 583-584, 611-612, 653, 662-663, 689-690, 718-720, 743, 761, 763, 785-786, 831-833, 887, 932-933, 1055, 1103-1105, 1128-1131, 1165-1166, 1209-1210, 1244-1245, 1261-1262, 1311-1312, 1373-1374, 1391, 1414-1416, 1417, 1432, 1438, 1446, 1467, 1509, 1557-1558, 1724, 1745, 1785, 1795, 1972, 2022, 2042, 2093-2094, 2107, 2121, 2127, 2137, 2197, 2305-2306

Veto messages—1017-1021, 2643-2652

METCALF, JANET S.—Representative Polk County

Amendments filed—339, 340, 542, 563, 1170, 1196, 1197, 1390, 1630, 1631, 2134, 2193, 2193-2194

Amendments offered—1196, 1197, 1657, 1700

Amendments withdrawn—1196, 1656

Bills introduced—184, 313, 326, 327, 328, 329, 330, 343, 344, 387, 432, 492, 504, 506, 574, 589, 688, 716

Committee appointments—25, 26, 2035

Reports—2084-2085

Resolutions offered—74, 658, 781

Subcommittee assignments—295, 464, 570, 625, 627, 865, 1007, 1204, 1525

MILEAGE, COMMITTEE ON—

Appointments to—18-19

Reports—42-44, 103, 1383

MILLER, TOM H.—Representative Cherokee-Clay-O'Brien Counties

Amendments filed—339, 340, 341, 563, 757, 1529, 1630, 2090, 2193-2194, 2311

Amendments withdrawn—796

Bills introduced—275, 313, 314, 326, 327, 328, 329, 330, 343, 344, 387, 432, 474, 492,
504, 574, 588, 589, 685, 688

Committee appointments—25, 26, 27

Leave of absence—391

Petitions presented—742

Resolutions offered—74, 683

Subcommittee assignments—177, 222, 464, 468, 569, 570, 624, 625, 626, 628, 863,
1006, 1203, 1204, 1386, 1716, 2003

MINORITY FLOOR LEADER, Delwyn Stromer—Representative Franklin-Hancock-Wright Counties

(See Stromer, Delwyn—Representative Franklin-Hancock-Wright Counties,
Minority Floor Leader)

MOTION TO OVERRIDE GOVERNOR'S ITEM VETO—

Filed:

House File 225—1695

House File 747—2277

Lost:

House File 225—1696

House File 747—2278

MOTIONS TO RECONSIDER—

Filed:

House File 35—709

House File 87—218

House File 210—488

House File 225—981

House File 308—645

House File 315—754, 755

House File 493—1095

House File 498—1200

House File 507, H-3470—1167

House File 547, H-3667B—1902

House File 549—2001

House File 570—882

House File 601—1369

House File 610—1122

House File 627—1095

House File 629—1200
House File 648—1048
House File 678—1407
House File 698—1096
House File 705—1369
House File 710—1167
House File 730—1240
House File 740—1307
House File 741—1240
House File 753, H-3647 to H-3634—1407
House Resolution 4—461
House Resolution 11—778
Senate File 9—1523
Senate File 27—1626
Senate File 32—778
Senate File 70—1523
Senate File 79—1370
Senate File 244—1579, 1626
Senate File 264—1662
Senate File 329—1627
Senate File 364, H-3826—1683
Senate File 364, H-3828—1683
Senate File 445—1627
Senate File 459—1714
Senate File 463—1627
Senate File 465—1627
Senate File 502—1370
Senate File 538—1628

Lost:

House File 493—2350
House File 498—1260
House File 570—1137-1138
House File 610—1260
House File 627—2350
House File 648—1164
House File 705—1405
House File 710—2350
Senate File 79—1406

Prevailed:

House File 35—728-729
House File 210—654
House File 225—993-994
House File 315—847
House File 547, H-3667B—2020
House File 629—1422
House File 741—1364-1365
Senate File 27—1660
Senate File 244—1669
Senate File 264—2148-2149
Senate File 465—1991
Senate File 502—1973

Ruled out of order:

House File 315—847
House File 629—1422
House File 648—1164
House File 705—1405
House File 741—1365
House File 753, H-3647 to H-3634—1463
Senate File 27—1660
Senate File 79—1406
Senate File 264—2149

Withdrawn:

House File 87—253
House File 308—665
House File 549—2012
House File 678—1424
House File 730—1424
House File 740—1401
House Resolution 4—510
Senate File 9—1567
Senate File 32—846-847
Senate File 70—1578
Senate File 244—1616
Senate File 329—1780
Senate File 364, H-3828—2129
Senate File 364, H-3826—2129
Senate File 445—1683
Senate File 459—2316
Senate File 463—1991
Senate File 538—1659

Motions to reconsider (from the floor):

House File 35, H-3205B—729
House File 183, H-3055—281
House File 210, H-3127—654
House File 225, H-3386 as amended—994
House File 476—1882
House File 476, H-3933—1882
House File 476, H-4063—1882
House File 514, H-3411—1221
House File 556, H-3559—1234
House File 556, H-3525—1234
House File 629, H-3436—1422
House File 643—1107
House File 705, H-3558—1318
House File 747, H-3952—1767
House File 773—2097
Senate File 27, H-3785—1660
Senate File 395, H-3597—1289
Senate File 395, H-3612B—1298
Senate File 434—1864
Senate File 434, H-3987A—1865
Senate File 465, H-3779—1991

Senate File 502, H-3577—1973
 Senate File 524, H-3818A—1721
 Senate File 547, H-3754—1748
 Senate File 565, H-4147—2111
 Senate File 565, H-4148—2111
 Senate File 565, H-4139—2254
 Senate File 577, H-4194—2243

Lost:

House File 773—2097
 Senate File 395, H-3597—1290
 Senate File 565, H-4147—2111
 Senate File 565, H-4148—2112
 Senate File 577, H-4194—2244

Prevailed:

House File 35, H-3205B—729
 House File 183, H-3055—281
 House File 210, H-3127—654
 House File 225, H-3386 as amended—995
 House File 476—1882
 House File 476, H-3933—1882
 House File 476, H-4063—1882
 House File 514, H-3411—1221
 House File 556, H-3559—1234
 House File 556, H-3525—1234
 House File 629, H-3436—1422
 House File 643—1108
 House File 705, H-3558—1318
 House File 747, H-3952—1768
 Senate File 27, H-3785—1660
 Senate File 395, H-3612B—1299
 Senate File 434—1864
 Senate File 434, H-3987A—1865
 Senate File 465, H-3779—1991
 Senate File 502, H-3577—1973
 Senate File 524, H-3818A—1721
 Senate File 547, H-3754—1748
 Senate File 565, H-4139—2255

Ruled out of order:

House File 747, H-3952—1768
 Senate File 547, H-3754—1748

MUHLBAUER, LOUIS J.—Representative Crawford-Shelby Counties

Amendments filed—271, 550, 554, 608, 648, 714, 1125, 1285, 1426, 1630, 1818,
 1991-1992, 2091, 2134, 2311
 Amendments offered—554, 1395, 1646
 Amendments withdrawn—1992, 2314
 Bills introduced—165, 184, 200, 213, 235, 275, 474, 500, 651, 785
 Committee appointments—24, 27, 664, 1638
 Leave of absence—1707, 1851
 Presided at sessions of the House—1736, 1767
 Resolutions offered—1371
 Subcommittee assignments—178, 298, 468, 566, 629, 733, 867, 1204, 1526, 1716

MULLINS, SUE B.—Representative Humboldt-Kossuth-Palo Alto-Pocahontas Counties

Amendments filed—271, 339, 340, 341, 503, 540-541, 550, 556-557, 671, 677, 757, 782, 973-974, 1098, 1125, 1309, 1372, 1426, 1455-1460, 1528, 1630, 1664, 1688, 1783, 1838, 2090, 2134, 2170, 2193-2194, 2311

Amendments offered—556, 619, 671, 791, 837, 1176, 1570, 1847, 2170, 2193

Amendments withdrawn—1178, 1568, 1736, 2017

Appointed to the Commission on Children, Youth and Families—2347

Bills introduced—51, 77, 158, 314, 328, 329, 432, 474, 475, 492, 500, 501, 506, 574-575, 785

Committee appointments—24, 25, 2021

Introduced to the House the Amazing Spider-Man—346

Leave of absence—103, 151, 430, 1178, 1914

Reports—2108-2109

Resolutions offered—74, 383

Subcommittee assignments—179, 181, 225, 226, 227, 295, 296, 297, 298, 299, 464, 465, 466, 565, 566, 567, 568, 569, 626, 627, 628, 629, 732, 734, 736, 867, 869, 1005, 1202, 1203, 1204, 1384, 1385, 1525, 1716

MUSICAL PRESENTATION, SPECIAL—

The Waverly-Shell Rock High School Chamber Choir—891

NATURAL RESOURCES AND OUTDOOR RECREATION, COMMITTEE ON—

Amendments filed—250

Amendments offered—263, 480

Appointed—26

Bills introduced—234, 315, 575, 609, 717, 828, 830

Recommendations—232, 249-250, 270, 338, 497, 586, 712-713, 780, 825-826, 905, 1388, 1442

Resolutions offered—383

Subcommittee assignments—178, 179, 223, 224, 296, 300, 466, 467, 468, 731, 732, 733, 735, 736, 1524, 1525

NOMINATIONS—

For Acting Chief Clerk—1

For Permanent Chief Clerk—12

For Speaker of the House—6

For Speaker Pro Tempore—14

For Temporary Speaker—1

NORLAND, LOWELL E.—Representative Cerro Gordo-Winnebago-Worth Counties, Majority Floor Leader

Amendments filed—503, 563, 1455-1460

Amendments offered—2041

Appointed to the Legislative Council—190

Bills introduced—152, 807, 1558, 1666, 1750

Bills referred to committees—1573-1574, 1976

Bills rereferred to committees—1523

Committee appointments—25

Committee schedule, change—247

Remarks by—6, 20, 2340-2341

Resolutions offered—13, 14, 607, 708-709

OATH OF OFFICE—

- By Acting Chief Clerk, Joseph O'Hern—1
- By Members of the House—4-6, 52
- By Permanent Chief Clerk, Joseph O'Hern—12
- By Temporary Speaker, Minnette Doderer—1

OBJECTIONS—

- Raised—263, 282, 333, 484, 531, 557, 621, 641, 847, 994, 1042, 1092, 1136, 1184, 1340, 1418, 1447, 1448, 1460, 1507, 1703, 1709, 1710, 1714, 1738, 1764, 1794, 1809, 1818, 1821, 1845, 2038, 2106, 2196, 2247, 2257, 2261

OFFICERS AND EMPLOYEES—

- Elected Joseph O'Hern acting Chief Clerk—1
- Elected Joseph O'Hern permanent Chief Clerk—12
- Elected the Honorable Donald D. Avenson, Speaker of the House—6-8
- Elected the Honorable John H. Connors, Speaker pro tempore—14-17
- Elected the Honorable Minnette Doderer, Temporary Speaker—1
- Employees appointed—21-22
- Pages—22
- Pay grades and steps, list of—143-148, 427, 558-559, 924, 1835
- Resignations—46, 48, 427
- Resolutions relating to:
 - House Resolution 1—17-18 adopted
 - House Resolution 2—18 adopted
 - Senate Concurrent Resolution 2—78, 99, 100, 110-121 adopted
- Special presentation to House Pages—665-666, 2136
- Took oath of office—1, 4-6, 52

O'KANE, JAMES D.—Representative **Woodbury** County

- Amendments filed—271, 553-554, 554-555, 555, 659, 884, 973-974, 987, 1034, 1052, 1125, 1126, 1170, 1294-1296, 1372, 1389, 1426, 1455-1460, 1499, 1528, 1580, 1630, 1783, 1816-1818, 1889-1890, 2091, 2311
- Amendments offered—278, 555, 668, 1045, 1143, 1144, 1582, 1599, 1618, 1806, 1889, 2172
- Amendments withdrawn—1621
- Bills introduced—184, 201, 213, 245, 275, 431, 505, 507, 589, 637, 687, 688, 716, 784, 808, 936
- Committee appointments—26, 27, 187, 1368, 2316
- Leave of absence—326, 693
- Petitions presented—783, 804, 1127
- Presided at sessions of the House—995, 1318
- Reports—1468-1489
- Subcommittee assignments—222, 223, 463, 569, 570, 624, 626, 628, 629, 731, 734, 735, 863, 864, 865, 866, 867, 868, 869, 1004, 1005, 1006, 1202, 1204, 1384, 1385, 2004

OLLIE, C. ARTHUR—Representative **Clinton** County

- Amendments filed—271, 424-425, 503, 884, 968-970, 996, 1098, 1372, 1455-1460, 1528, 1997-1998
- Amendments offered—1222, 1531, 1997, 2285
- Amendments withdrawn—2286
- Appointed to the Title XX Statewide Advisory Committee—2348

Bills introduced—77, 140, 165, 201, 275, 501, 506, 805, 936

Committee appointments—25, 26, 2120

Presided at sessions of the House—1758, 2141

Reports—2122

Subcommittee assignments—178, 179, 180, 181, 295, 296, 297, 465, 566, 567, 568, 569,
570, 625, 626, 627, 731, 732, 734, 736, 869, 1005, 1007, 1203, 1204, 1384, 1385,
1386

OSTERBERG, DAVID—Representative Cedar-Linn Counties

Amendments filed—244, 271, 339, 340, 536-538, 550, 972, 1052, 1088-1089, 1089, 1108,
1125, 1309, 1372, 1389, 1412, 1455-1460, 1630, 1688, 1718, 1905, 1964, 2031,
2062-2063, 2091, 2200, 2311

Amendments offered—281, 362, 363, 369, 536, 1088, 1089, 1135, 1963, 2062, 2259,
2314

Amendments withdrawn—1089, 1221, 1419, 1511, 1964, 2063, 2112, 2149, 2314

Bills introduced—152, 153, 184, 272, 327, 492, 576, 651, 661, 790

Committee appointments—24, 25, 27, 2021

Leave of absence—430, 876

Presented to the House Andre' Robero, rotary exchange student from Brazil—981

Presided at sessions of the House—1260, 2073

Reports—2108-2109

Resolutions offered—713

Subcommittee assignments—180, 222, 223, 225, 226, 464, 465, 566, 570, 628, 629, 733,
734, 736, 864, 865, 869, 1007, 1202, 1385, 2003

OXLEY, MYRON B. (MIKE)—Representative Linn County

Amendments filed—1125, 1783

Amendments offered—478

Bills introduced—212, 275, 431, 783

Committee appointments—26, 27

Subcommittee assignments—180, 222, 223, 225, 295, 300, 464, 465, 568, 624, 626, 863,
1007, 1203, 1716

PAGES—

Appointment of—22

Presentation to the Food Bank of Iowa—1312

Resolutions relating to:

House Resolution 2—18 adopted

Senate Concurrent Resolution 2—78, 99, 100, 110-121 adopted

Special presentation to—665-666, 2136

PARKER, EDWARD G.—Representative Jasper-Marion-Polk-Warren Counties

Amendments filed—271, 339, 503, 684, 968-970, 971, 996, 997-998, 1052, 1099, 1126,
1293, 1309, 1412, 1528, 1580, 1623, 1630, 1631, 1634, 1784, 2134, 2200, 2226-2238

Amendments offered—696, 968, 996, 997, 1293, 1419, 1599, 1660, 2223, 2226, 2238

Amendments withdrawn—410, 2292

Appointed to the Administrative Rules Review Committee—46

Bills introduced—77, 165, 193, 194, 200, 201, 214, 246, 275, 386, 588, 785, 807, 830, 878,
936

Committee appointments—25, 26, 27, 2165

Leave of absence—312, 326

Reports—2270-2271

Subcommittee assignments—177, 178, 179, 180, 222, 226, 298, 463, 464, 565, 567, 624,
731, 732, 734, 735, 863, 1004, 1007, 1008, 1202, 1203, 1204, 1384, 1385, 1386,
1525, 1716, 2003

PAULIN, DONALD J.—Representative **Plymouth-Woodbury** Counties

Amendments filed—384, 490, 498, 540-541, 542, 562, 1125, 1420, 1421, 1426, 1427,
1443, 1528, 1580, 1623, 1717, 2062, 2119, 2193-2194

Amendments offered—598, 787, 1420, 1421, 1602, 1623, 2062

Amendments withdrawn—788, 1623, 1760

Bills introduced—76, 165, 275, 326, 327, 328, 329, 343, 492, 504, 506, 574, 590, 685, 687,
688, 830, 878

Committee appointments—8, 25, 26, 2021, 2027

Leave of absence—876

Presented to the House foreign exchange student Ben Machens of West
Germany—1123

Presided at sessions of the House—619, 1248

Reports—2057-2059, 2108-2109

Resolutions offered—74

Subcommittee assignments—180, 226, 467, 731, 734, 1007, 1008, 1385

PAVICH, EMIL S.—Representative **Pottawattamie** County

Amendments filed—503, 659, 1630, 1784, 1816-1818, 2091

Amendments offered—896, 1807

Bills introduced—153, 193, 212, 217, 261, 275, 342, 473, 492, 506, 667, 687, 688, 805,
808, 809, 936

Committee appointments—2, 27, 690, 2036

Petitions presented—430

Presided at sessions of the House—1616

Reports—2-4, 2077-2080

Resolutions offered—690, 1717

Subcommittee assignments—178, 180, 223, 224, 463, 464, 465, 467, 468, 567, 568, 569,
625, 626, 627, 732, 733, 735, 866, 867, 868, 1004, 1005, 1006, 1008, 1202, 1203,
1204, 1387

PEICK, DORIS A.—Representative **Linn** County

Amendments filed—271, 562, 1372, 1389, 1500, 1630, 1688, 1783, 2090

Amendments offered—1021, 1879, 2179

Amendments withdrawn—2178

Bills introduced—77, 212, 260, 275, 315, 431, 433, 475, 500, 589, 637, 651, 661, 685, 687,
716, 783, 804, 806, 829, 878

Committee appointments—2, 25, 26

Presided at sessions of the House—1815

Reports—2-4

Resolutions offered—383, 658, 1717, 2005

Rulings made—1818

Subcommittee assignments—179, 295, 296, 297, 465, 466, 566, 567, 568, 569, 626, 627,
629, 732, 734, 736, 863, 867, 869, 1005, 1006, 1007, 1202, 1203, 1384, 1385

PELLETT, WENDELL C.—Representative **Cass-Harrison-Pottawattamie-Shelby** Counties

Amendments filed—340, 341, 384, 540-541, 542, 546-548, 550, 563, 714, 741, 1285,
1372, 1389, 1412, 1435-1436, 1437, 1646, 1882-1883, 2090, 2193-2194, 2211

Amendments offered—771, 1435

Appointed to the Commission on Interstate Cooperation—2347-2348

Bills introduced—272, 275, 314, 327, 328, 329, 343, 492, 504, 574, 575, 638, 662, 685

Committee appointments—24, 26, 27, 1638

Leave of absence—532, 574, 876

Petitions presented—1373

Presented to the House the Honorable William Darrington, former member of the House—1628

Resolutions offered—74, 587

Subcommittee assignments—178, 224, 296, 300, 463, 465, 467, 566, 731, 866, 868, 1525

PERSONNEL COMMITTEE—

(See Officers and Employees and/or Rules and Administration, Committee On)

PETERSON, MICHAEL K.—Representative Audubon-Carroll-Shelby Counties

Amendments filed—271, 364, 1285, 1455-1460, 1580, 1630, 1828, 2091, 2311

Amendments offered—364, 1249, 1828

Bills introduced—141, 500, 687

Committee appointments—25, 27, 55, 664, 2264

Escorted to the Speaker's station and presented to the House Iowa's Junior Miss for 1985, Jayne Danner—160-161

Petitions presented—504, 804, 1413

Reports—2329-2331

Resolutions offered—664

Subcommittee assignments—178, 222, 223, 224, 225, 226, 227, 299, 300, 464, 466, 467, 567, 568, 569, 570, 626, 731, 736, 737, 864, 866, 867, 868, 869, 1006, 1007, 1202, 1385, 1525, 1716, 2349

PETITIONS—

(Also see individual listings)

Filed—50, 75, 151, 164, 192, 198, 211, 233, 259, 312, 385, 430, 472, 491, 499, 504, 588, 609, 742, 783, 804, 885, 907, 931, 988, 1016, 1053, 1100, 1127, 1208, 1244, 1373, 1391, 1413, 1431, 1445, 1581, 1665

PIONEER LAWMAKERS ASSOCIATION OF IOWA—

Address by former Governor Robert D. Fulton—1639-1642

Program by—1638-1642

Resolution relating to, HCR 18—607, 708-709 adopted

The Honorable John Connors welcomed the Pioneer Lawmakers on behalf of the House—1639

PLATT, DONALD R.—Representative Louisa-Muscatine Counties

Amendments filed—150, 157, 258, 540-541, 542, 1294-1296, 1296, 1296-1297, 1528, 1630, 1816-1818, 1818, 1830-1831, 2062, 2091, 2134, 2311

Amendments offered—2153

Bills introduced—245, 246, 273, 275, 327, 328, 329, 330, 343, 492, 504, 583, 685, 686, 688, 783, 790, 807, 932, 936

Committee appointments—26, 27, 41

Leave of absence—828, 1514

Resolutions offered—74, 1169

Subcommittee assignments—178, 223, 569, 624, 628, 735, 863, 866, 867, 868, 869, 1006, 1525

POINTS OF ORDER RAISED—

- House File 100—Representative Stromer—236
- House File 183—Representative Stromer—282
- House File 183—Representative Stromer—283
- House File 225, H-3107—Representative Connolly—357
- House File 225, H-3097—Representative Connolly—374
- House File 225, H-3143—Representative Hanson—422
- House File 319, H-3338—Representative Beatty—902
- House File 377, H-3162—Representative Stromer—530
- House File 377, invoked Rule 32, refer to Ways & Means— Representative Stromer—531
- House File 377, H-3171—Representative Jochum—546
- House File 377, H-3162—Representative Stromer—557
- House File 451, H-3255—Representative Arnould—669
- House File 451, invoked Rule 32—Representative Stromer—679
- House File 549, H-3353—Representative Shoultz—821
- House File 570, conference committee report, Representative Van Maanen—2272
- House File 570, conference committee report, Joint Rule 13.3— Representative Welden—2272
- House File 627, invoked Rule 32, refer to Approp.— Representative Stromer—1092
- House File 642, H-3941—Representative De Groot—1777
- House File 643, invoked Rule 32, refer to Ways & Means— Representative Stromer—1093
- House File 684, H-3503—Representative Lonergan—1160
- House File 696, H-4093—Representative Holveck—1982
- House File 702, H-4068—Representative Sullivan—1946
- House File 727, H-3629—Representative Sherzan—1340
- House File 733, invoked Rule 32—Representative Skow—1363
- House File 737, H-3564—Representative Paulin—1418
- House File 746, H-3633—Representative Lonergan—1397
- House File 747, H-3813—Representative Haverland—1761
- House File 747, H-3952—Representative Buhr—1761
- House File 747, H-3943—Representative Pöncy—1764
- House File 753, H-3655—Representative Carpenter—1381
- House File 753, H-3751—Representative Bennett—1460
- House File 780, H-4246—Representative Swearingen—2304
- Senate Concurrent Resolution 34, H-4005—Representative Running—1794
- Senate Concurrent Resolution 34, H-4010—Representative Groth—1810
- Senate File 85, H-3576—Representative Rosenberg—1507
- Senate File 213, H-3735—Representative Carter—1518
- Senate File 269, H-3346—Representative Renaud—815
- Senate File 290, H-3819—Representative Fey—1697
- Senate File 385, invoked Rule 32—Representative Stromer—1643
- Senate File 395, H-3618—Representative Parker—1304
- Senate File 424, H-3951—Representative Hammond—1877
- Senate File 450, H-3789—Representative Parker—1625
- Senate File 459, H-3688—Representative Cochran—1708
- Senate File 547, H-3754, motion to reconsider—Representative Sherzan—1748

Senate File 547, H-3754—Representative Stromer—1749
 Senate File 552, H-4028—Representative Miller—1832
 Senate File 562, H-4025—Representative De Groot—1818
 Senate File 562, H-4026—Representative Jochum—1821
 Senate File 565, H-4160—Representative Fey—2106
 Senate File 565, H-4184—Representative Fey—2117
 Senate File 565, H-4131B—Representative Van Camp—2256
 Senate File 565, H-4186—Representative Fey—2261
 Senate File 577, H-4178—Representative Parker—2242
 Senate File 577, H-4204—Representative Parker—2243
 Senate File 577, H-4249—Representative Parker—2247

Point no longer before the body:

House File 753, H-3655—1381

PONCY, CHARLES N.—Representative Wapello County

Amendments filed—587, 972, 1309, 1372, 1744, 2311

Amendments offered—1763

Bills introduced—159, 275, 506, 583, 806, 878

Committee appointments—24, 25, 26, 1638

Leave of absence—1839

Resolutions offered—383, 607

Subcommittee assignments—178, 223, 295, 296, 297, 299, 626, 627, 628, 629, 732, 735, 865, 1005, 1007

PRESIDENT OF THE UNITED STATES, CONGRESS AND/OR FEDERAL AGENCIES—

Resolutions relating to:

House Concurrent Resolution 4, Iowa's economic crisis—74

House Concurrent Resolution 5, request federal legislation for an adequate farm program—137, 154 adopted

House Concurrent Resolution 6, Iowa's economic crisis (formerly HCR 4)—137, 154 adopted

House Concurrent Resolution 11, POW/MIA issue—383

House Concurrent Resolution 12, support the National Crisis Action Rally—509-510 adopted

House Concurrent Resolution 13, reimbursement of rural hospitals by medicare—581, 712, 736

House Concurrent Resolution 14, request federal action to advance price support payment to farmers, financing spring planting activities—587, 629, 682

House Concurrent Resolution 15, resolve issue of POW's & MIA's, 2,483 Americans, Indochina—607

House Concurrent Resolution 20, governor's efforts, informing federal government, new industry to Iowa—683

House Concurrent Resolution 21, abolish the U.S. small business administration—713, 984, 2000 adopted

House Concurrent Resolution 26, establish U.S. Institute of Peace in Iowa—1124, 1999 adopted

House Concurrent Resolution 29, request & urge the Congress of U.S. take actions to assist farmers—1443, 2000 adopted

House Concurrent Resolution 34, sale of Conrail—1717, 2012 adopted

House Resolution 10, request Ia. congressional delegation provide wildlife food plots under federal 1985 farm program—383, 823 adopted
 Senate Concurrent Resolution 4, Iowa ag. financial crisis, hearings, fed., state & local—142, 150, 157, 175 adopted
 Senate Concurrent Resolution 25, opposition to certain proposed federal reductions by g.a.—1058, 1124, 1388, 2110 adopted

PRESS, MEMBERS OF—

Assignment of seats in press gallery—155
 General assignment (members entitled to access to the House chamber)—156

PRINTING DIVISION OF GENERAL SERVICES—

Resolution relating to:
 Journals, bills, etc. furnished county auditors; also Iowa's congressional delegation, SCR 1—49, 103 adopted

PROFESSIONAL AND OCCUPATIONAL REGULATION, COMMISSION ON—

Communication from—1308

PROOF OF PUBLICATION—

House File 181—218
 House File 575—924
 House File 762—1684
 Senate File 490—1439
 Senate File 507—2131

QUORUM CALLS—

174, 346, 389, 509, 1261, 1450, 1618, 1679, 1703, 1723, 1849, 2015, 2129, 2166, 2219

REGENTS, BOARD OF—

Communication—Report—Ten-Year Building Program—177
 Resolutions relating to:
 House Concurrent Resolution 25—884, 1384
 House Concurrent Resolution 30—1528, 1716, 1836
 House Concurrent Resolution 41—2030, 2031, 2090, 2091, 2138- 2142 adopted—2209, 2274-2275 adopted as amended. Vetoed by Governor 5-28-85.

RENAUD, DENNIS L.—Representative Polk County

Amendments filed—503, 684, 1309, 1372, 1630, 1783, 1816-1818, 2091, 2116-2117
 Amendments offered—814, 991, 1248, 1451, 2177
 Appointed to the Communications Review Commission—2347
 Bills introduced—199, 275, 432, 474, 500, 651, 716
 Committee appointments—25, 26, 27
 Petitions presented—312
 Presided at sessions of the House—377, 1677, 1848
 Resolutions offered—1717
 Subcommittee assignments—178, 222, 295, 296, 297, 298, 299, 300, 463, 467, 468, 565, 567, 569, 570, 571, 626, 627, 628, 629, 731, 732, 733, 734, 735, 736, 863, 864, 865, 866, 867, 868, 869, 1005, 1006, 1007, 1008, 1202, 1203, 1204, 1384, 1386, 1525, 1526, 2003

RENKEN, ROBERT H. — Representative Butler-Grundy Counties

Amendments filed — 341, 383, 563, 930, 1285, 1286, 1372, 1630, 1818

Amendments offered — 481

Amendments withdrawn — 777, 1680

Appointed to the Iowa Advisory Commission on Intergovernmental Relations — 47

Bills introduced — 184, 200, 251, 275, 313, 326, 327, 328, 329, 387, 499, 574, 685, 716, 808, 865, 878

Committee appointments — 26, 27, 761, 2035

Presided at sessions of the House — 1222, 2174, 2261

Reports — 2124-2125

Resolutions offered — 74, 383, 607

Subcommittee assignments — 135, 180, 223, 225, 226, 295, 297, 298, 300, 464, 465, 467, 567, 568, 570, 571, 628, 732, 733, 734, 863, 864, 865, 866, 869, 1007, 1202, 1203, 1204, 1384, 1385, 1386, 1387, 1716, 2003

RENSINK, WILMER — Representative Plymouth-Sioux Counties

Amendments filed — 271, 339, 341, 563, 1285, 1426, 1529, 1663, 1744

Amendments offered — 1754

Bills introduced — 184, 200, 273, 274, 275, 313, 314, 326, 327, 328, 329, 343, 344, 432, 433, 474, 492, 504, 574, 583, 589, 685, 686, 688, 1007

Committee appointments — 24, 26

Leave of absence — 892, 972

Petitions presented — 385, 1445

Resolutions offered — 74, 587

Subcommittee assignments — 224, 295, 298, 466, 565, 629, 731, 865, 869, 1386

REPORTS —

(See Communications and/or individual headings)

RESIGNATIONS —

(See also Officers and Employees)

Employees — 46, 427

The Honorable Ned F. Chido — 48

RESOLUTIONS —

(See also Legislative Index Volume)

Filed:

House Concurrent Resolution 4 — 74

House Concurrent Resolution 5 — 137

House Concurrent Resolution 6 — 137

House Concurrent Resolution 7 — 191

House Concurrent Resolution 8 — 232

House Concurrent Resolution 9 — 232

House Concurrent Resolution 10 — 382

House Concurrent Resolution 11 — 383

House Concurrent Resolution 13 — 581

House Concurrent Resolution 14 — 587

House Concurrent Resolution 15 — 607

House Concurrent Resolution 16 — 607

House Concurrent Resolution 17 — 607

House Concurrent Resolution 18 — 607

House Concurrent Resolution 19—658
House Concurrent Resolution 20—683
House Concurrent Resolution 21—713
House Concurrent Resolution 22—781
House Concurrent Resolution 23—802
House Concurrent Resolution 24—802
House Concurrent Resolution 25—884
House Concurrent Resolution 26—1124
House Concurrent Resolution 27—1169
House Concurrent Resolution 28—1371
House Concurrent Resolution 29—1443
House Concurrent Resolution 30—1528
House Concurrent Resolution 31—1580
House Concurrent Resolution 32—1580
House Concurrent Resolution 33—1717
House Concurrent Resolution 34—1717
House Concurrent Resolution 35—1837
House Concurrent Resolution 36—2005
House Concurrent Resolution 37—2005
House Concurrent Resolution 38—2005
House Concurrent Resolution 39—2005
House Concurrent Resolution 40—2005
House Concurrent Resolution 41—2030
House Concurrent Resolution 42—2134
House Concurrent Resolution 44—2199-2200
House Concurrent Resolution 45—2349
House Resolution 3—49
House Resolution 4—74
House Resolution 5—197
House Resolution 6—209
House Resolution 7—383
House Resolution 8—383
House Resolution 9—383
House Resolution 10—383
House Resolution 11—713
House Resolution 12—781
Senate Concurrent Resolution 1—49
Senate Concurrent Resolution 2—99
Senate Concurrent Resolution 3—100
Senate Concurrent Resolution 4—150
Senate Concurrent Resolution 6—257
Senate Concurrent Resolution 7—209
Senate Concurrent Resolution 8—209
Senate Concurrent Resolution 9—581
Senate Concurrent Resolution 10—244
Senate Concurrent Resolution 11—383
Senate Concurrent Resolution 12—383
Senate Concurrent Resolution 13—756
Senate Concurrent Resolution 14—608
Senate Concurrent Resolution 17—659
Senate Concurrent Resolution 18—986

Senate Concurrent Resolution 19—757
 Senate Concurrent Resolution 21—714
 Senate Concurrent Resolution 25—1124
 Senate Concurrent Resolution 26—1412
 Senate Concurrent Resolution 27—1124
 Senate Concurrent Resolution 28—1169
 Senate Concurrent Resolution 30—1242
 Senate Concurrent Resolution 32—1371
 Senate Concurrent Resolution 34—1426
 Senate Concurrent Resolution 37—1446
 Senate Concurrent Resolution 40—1837
 Senate Concurrent Resolution 49—2200
 Senate Concurrent Resolution 51—2200
 Senate Concurrent Resolution 52—2310

Resolutions adopted, not otherwise printed in the journal—2613- 2628

ROSENBERG, RALPH—Representative Story County

Amendments filed—271, 339, 384, 423-424, 424-425, 601-602, 670-671, 673, 973-974, 987, 1126, 1170, 1242, 1243, 1309, 1371, 1380-1381, 1381-1382, 1444, 1580, 1663, 1744, 1792-1793, 1828, 2134, 2248-2249, 2311, 2314
 Amendments offered—362, 423, 424, 670, 673, 694, 1025, 1043, 1330, 1380, 1417, 1547, 1788, 1792, 1842, 2153, 2248
 Amendments withdrawn—363, 1254, 1381
 Bills introduced—184, 194, 195, 200, 216, 218, 234, 235, 246, 276, 315, 473, 500, 575, 636, 688, 790, 830, 886
 Committee appointments—25, 27, 40, 104, 2316
 Presided at session of the House—794, 1401, 1543
 Resolutions offered—713
 Subcommittee assignments—222, 223, 225, 226, 227, 299, 300, 463, 466, 467, 567, 568, 625, 736, 867, 869, 1202, 1384, 1385, 1386, 2003

ROYER, WILLIAM D.(Bill)—Representative Fremont-Mills-Page Counties

Amendments filed—150, 157, 339, 341, 540-541, 542, 563, 930, 987, 1125, 1285, 1529, 1818, 1838, 1897, 2134, 2193-2194
 Amendments offered—746, 1187, 1897
 Appointed to the Boundary Commission—2347
 Bills introduced—153, 251, 273, 275, 328, 329, 430, 574, 653, 685, 808
 Committee appointments—25, 26, 27, 2026-2027
 Leave of absence—312
 Petitions presented—259, 385, 1413
 Reports—2065-2067
 Resolutions offered—74
 Subcommittee assignments—179, 180, 223, 295, 300, 463, 465, 466, 566, 628, 629, 733, 735, 864, 867, 868, 1006

RULES—

Motions to suspend:

House File 377, H-3162—557
 House File 451, H-3255—669
 House File 549, H-3353—821
 House File 727, H-3629—1340

House File 737, H-3564 as amended — 1418
House File 747, H-3952 — 1761
House File 747, H-3943 — 1764
House File 753, H-3751 — 1460
House File 771 — 1845
Senate Concurrent Resolution 34, H-4005 — 1809
Senate File 85, H-3576 — 1507
Senate File 213, H-3735 — 1518
Senate File 424, H-3951 — 1877
Senate File 562, H-4025 — 1818
Senate File 562, H-4026 — 1821
Senate File 565 — 2038
Senate File 565, H-4160 — 2106
Senate File 565, H-4131B — 2257
Senate File 565, H-4186 — 2261
Senate File 577, H-4249 — 2247

Rule 57 (committee notice and agenda):

House File 393 — 935

Lost:

House File 451, H-3255 — 669
House File 549, H-3353 — 821
House File 727, H-3629 — 1341
House File 747, H-3943 — 1765
Senate Concurrent Resolution 34, H-4005 — 1810
Senate File 85, H-3576 — 1508
Senate File 213, H-3735 — 1518
Senate File 424, H-3951 — 1877
Senate File 562, H-4025 — 1818
Senate File 562, H-4026 — 1821
Senate File 565, H-4106 — 2106
Senate File 565, H-4186 — 2261
Senate File 577, H-4249 — 2247

Prevailed:

House File 377, H-3162 — 558
House File 737, H-3564 as amended — 1418
House File 747, H-3952 — 1761
House File 753, H-3751 — 1461
House File 771 — 1846
Senate File 565 — 2038
Senate File 565, H-4131B — 2257

Pursuant to Rule 31.7 (first reading, commitment and amendment):

Senate File 268 — 1497
Senate File 308 — 1411

Pursuant to Rule 31.8 (first reading, commitment and amendment):

Senate File 385, H-3853 & H-3854 — 1644
Senate File 455, H-3858 — 1652

Pursuant to Rule 60 (withdrawal of bills or nullification resolutions from committee):

House File 393, motions to withdraw from committee lost — 934-935

Rules invoked:

Rule 32 (commitment of appropriation and revenue bills):

House File 183 — 282
House File 377 — 531

House File 451—679
 House File 627—1092
 House File 643—1093
 House File 733—1363
 Senate File 385—1643

Rule 33 (finance committee):

House File 100—236
 House File 183—283

Rule 75 (duty of voting):

House File 35—705
 House File 225, H-3400 to H-3386—972
 House File 225—979, 993, 1000, 1695
 House File 393—934
 House File 451, H-3246—673
 House File 451, H-3237—678
 House File 547, H-3383 as amended—1175
 House File 547, H-3563B to H-3469B—1227
 House File 547, H-3460C—1738
 House File 547, H-3667B—1885
 House File 627—1092
 House File 629—1185, 1423
 House File 629, motion to reconsider—1422
 House File 643, H-3963—1901
 House File 705, motion to reconsider—1405
 House File 747, H-3957—1755
 House File 747, H-3774—1756
 House File 747, H-3952—1762
 House File 747, H-3947—1765
 House File 747, H-3952—1767
 House File 753, H-3647—1380
 House File 769—1966
 House File 771, H-4053—1852
 Senate Concurrent Resolution 34—1810
 Senate File 32—777
 Senate File 85, H-3576, motion to suspend rules—1508
 Senate File 213, H-3735, motion to suspend rules—1518
 Senate File 224—1611
 Senate File 364, H-3889A—1675
 Senate File 364, H-3889B—1676
 Senate File 364, H-3889D—1678
 Senate File 364, H-3832—1701
 Senate File 364, H-3829—2034
 Senate File 364—2129
 Senate File 385, H-3800—1636
 Senate File 385—1643
 Senate File 395, H-3597—1284
 Senate File 395, H-3606—1285
 Senate File 395, H-3608—1292
 Senate File 395, H-3612B—1296
 Senate File 395—1306
 Senate File 565, H-4148—2056, 2112

Senate File 565, H-4193—2253

Senate File 565, H-4139—2255

Senate File 565—2261

Rule 76 (duty of voting):

House File 225, H-3088—368

House File 225, H-3110—394

House File 225, H-3114—422

House File 225—425

Rule 76 (limitation on right to vote):

House File 315, H-3361 to H-3329—848

Out of order:

Rule 32 (commitment of appropriations and revenue bills):

House File 733—1363

Senate File 385—1643

Rules suspended:

Appropriations committee meeting—1401

Committee schedule—247

Daily debate calendar—1382, 1960

Economic Development committee meeting—1513

House Concurrent Resolution 43—2167

House File 76—764

House File 507—1421

House File 547—1172, 1723

House File 554—1424

House File 642, H-3941—1777

House File 747—1723, 1752

House File 766—1911

House File 773—2096

House File 775—2168

House File 777—2166

House File 780—2302

House File 780, H-4246—2304

House File 781—2337

Human Resources committee meeting—1109

Senate File 110—1911

Senate File 156—2177

Senate File 224—1522, 1611

Senate File 271—1723

Senate File 309—2177

Senate File 326—1522

Senate File 349—2171

Senate File 364—1671, 2127

Senate File 374—1676

Senate File 385—1633

Senate File 395—1263

Senate File 398—1611

Senate File 450—1633

Senate File 452—1676

Senate File 475—1723

Senate File 547—1676

Senate File 552—1814

- Senate File 560—2171
- Senate File 562—1814
- Senate File 568—2289
- Senate File 570—2202
- Senate File 574—2171
- Senate File 575—2282
- Senate File 577—2223
- Senate File 578—2183
- Senate File 579—2264
- Senate File 583—2323
- Senate File 584—2220
- Senate File 586—2181
- Senate File 588—2177
- Senate File 589—2333
- State Government committee meeting—1509
- Rule 25 (consideration of resolutions):
 - House Concurrent Resolution 42—2142
 - Senate Concurrent Resolution 37—1446-1447
- Rule 31.8 (first reading, commitment and amendment):
 - Filing of amendments—1424
 - House File 225, filing of amendments—335
 - House File 570, H-3360—834
 - House File 684, H-3526—1162
 - Senate File 395, filing of amendments—1262
- Rule 32 (commitment of appropriation and revenue bills):
 - House File 183—282-283
 - House File 377—531-532
 - House File 451—679
 - House File 627—1092
 - House File 643—1094
- Rule 33 (finance committee):
 - House File 100—236
 - House File 183—283
- Rule 34 (debate calendars):
 - Daily debate calendar—904, 1071
 - House File 181—1041
 - House File 268—1041
 - House File 422—1041
 - House File 554—1433
 - House File 616—1041
 - House File 618—1041
 - Weekly debate calendar—565
- Rule 35 (debate calendars):
 - House File 183—278
 - House File 205—333-334
 - Senate File 163—262-263
- Rule 57 (committee notice and agenda):
 - Agriculture committee meeting, notice & agenda—980
 - Appropriations committee meeting, notice & agenda—1741, 1913, 2001, 2021-2022, 2165, 2316
 - Committee meetings, notice & agenda—578, 2107

Judiciary & Law Enforcement committee meeting, notice & agenda—980, 2101

Local Government committee meeting, notice & agenda—980

State Government committee meeting, notice & agenda—1416, 2218

Ways & Means committee meeting—1135

Ways & Means committee meeting, notice & agenda—1219, 1913, 2001, 2021-2022, 2165, 2316

Ways & Means committee meeting, postponed—1246

Rule 58 (committee notice and agenda):

Small Business and Commerce committee meeting, notice & agenda—143

Rule 73.g (final disposition-reconsideration):

House File 493—2350

House File 601—2350

House File 627—2350

House File 698—2350

House File 710—2350

House Resolution 11—2350

Rule 74 (manner of voting):

Senate File 395, allow members of the Ways & Means subcommittee currently meeting to vote—1246

Rule 74.b (manner of voting):

Conference committee members vote on any questions until adjournment today—1392

Under provisions of Rule 76 (limitation on right to vote):

House File 377—564

RULES AND ADMINISTRATION, COMMITTEE ON—

Amendments filed—100, 134

Amendments offered—134

Appointed—26

Employees of the House—21-22

Recommendations—74, 100

Reports—44-46, 143-148, 427, 558-559, 924, 1835

Resolutions offered—74

Resolutions relating to:

House Resolution 4—74, 137, 138, 150, 157, 163, 182, 258, 433-461 adopted, 461, 510

House Resolution 7—383, 854-856 adopted

House Resolution 8—383, 856-859 adopted

Temporary rules adopted—20

RUNNING, RICHARD V.—Representative Linn County, Assistant Majority Floor Leader

Amendments filed—341, 972, 1124, 1125, 1170, 1372, 1580, 1664, 1783, 1962, 2091, 2310

Amendments offered—1753, 1857

Bills introduced—50, 101, 141, 152, 202, 212, 213, 246, 274, 275, 313, 500, 506, 637, 687, 760, 785, 790, 806, 809, 877, 878, 936, 1100

Committee appointments—25, 26

Leave of absence—233

Petitions presented—1391

Presided at sessions of the House—535, 745, 1868, 1976

Resolutions offered—383, 607, 1717

Subcommittee assignments—223, 224, 225, 294, 295, 296, 297, 298, 467, 570, 571, 625, 626, 628, 629, 731, 732, 733, 734, 735, 736, 863, 865, 866, 867, 868, 869, 1005, 1007, 1008, 1203, 1205, 1384, 1386, 1387, 1525, 1526, 2003

SCHNEKLOTH, HUGO—Representative Scott County

Amendments filed—311, 325, 339, 340, 341, 378-379, 542, 545-546, 552, 563, 648, 659, 770, 803, 906, 1015, 1051, 1052, 1098, 1126, 1294-1296, 1297, 1318, 1319, 1389, 1412, 1630, 1664, 1687, 1783, 2090, 2091

Amendments offered—378, 379, 545, 552, 770, 1342, 1568, 1702, 1736, 2174

Amendments withdrawn—1136, 1318, 1621, 1884

Appointed to the Legislative Fiscal Committee—190

Bills introduced—76, 102, 185, 186, 199, 201, 260, 275, 313, 327, 328, 329, 475, 501, 504, 574, 576, 638, 685, 686, 715, 936

Committee appointments—25, 26, 27, 1368, 2316

Leave of absence—742, 1577

Petitions presented—1016

Reports—1468-1489

Resolutions offered—74, 587, 683

Subcommittee assignments—177, 178, 179, 180, 222, 223, 226, 227, 295, 298, 299, 300, 464, 466, 467, 565, 567, 568, 624, 625, 732, 733, 734, 735, 736, 863, 867, 868, 869, 1004, 1007, 1202, 1203, 1204, 1384, 1385, 1386, 1525, 2003

SEATS—

Assignment of seats in press gallery—155

Assignment of, to members—23-24

General assignment (members entitled to access to the House chamber)—156

Special order—18, 23-24

SECRETARY OF STATE, Mary Jane Odell—

Communications from—41, 1123, 1308, 1382-1383, 1408, 1684, 1742, 2345-2346

SEVENTY-FIRST GENERAL ASSEMBLY—

(See House Concurrent Resolutions, House Resolutions, and Senate Concurrent Resolutions listed in Legislative Index Volume)

SHERZAN, GARY—Representative Polk County

Amendments filed—659, 714, 741, 782, 803, 875, 997-998, 1098, 1170, 1242, 1308, 1309, 1372, 1389, 1455-1460, 1717, 1744, 1783, 1829-1830, 2091, 2303-2304

Amendments offered—679, 848, 919, 1119, 1321, 1375, 1671, 1747, 1747-1748, 1829, 1869

Amendments withdrawn—1754, 2128

Bills introduced—159, 160, 166, 235, 236, 275, 473, 575, 637, 716, 790, 878

Committee appointments—12, 24, 26, 167, 2035, 2196

Leave of absence—233, 609, 876, 1068, 1770

Presided at sessions of the House—1216, 2193

Reports—2081-2082, 2319-2322

Resolutions offered—383, 607, 802

Subcommittee assignments—225, 295, 565, 863, 869, 1004, 1005, 1008, 1526

SHONING, DON—Representative **Woodbury County**

Amendments filed—150, 157, 340, 341, 490, 542, 972, 1051, 1170, 1528, 2193-2194

Amendments withdrawn—1085

Bills introduced—184, 313, 314, 326, 327, 328, 329, 330, 342, 343, 344, 432, 474, 492, 504, 589, 652, 661, 685, 688, 808, 936

Committee appointments—25, 26, 27

Leave of absence—840

Petitions presented—385

Resolutions offered—74

Subcommittee assignments—180, 222, 224, 225, 226, 227, 294, 296, 297, 299, 300, 465, 466, 467, 567, 568, 569, 570, 627, 733, 734, 864, 1004, 1008, 1203, 1204, 1387

SHOULTZ, DON—Representative **Black Hawk County**

Amendments filed—210, 271, 490, 782, 1372, 1455-1460, 1528, 1630, 1744, 1783, 2031, 2090, 2311

Amendments offered—1060, 1601, 1753

Amendments withdrawn—1697

Bills introduced—52, 77, 78, 273, 275, 506, 575, 576, 637, 638, 760, 785, 807

Committee appointments—25

Leave of absence—72, 1016

Presided at sessions of the House—422, 1083

Resolutions offered—209, 383, 713

Subcommittee assignments—224, 227, 296, 299, 465, 468, 566, 568, 569, 570, 625, 628, 864, 1006, 1525

SIEGRIST, BRENT J.—Representative **Pottawattamie County**

Amendments filed—339, 542, 1125, 1630, 1688, 2219

Amendments offered—1503, 2219

Bills introduced—432, 504, 506, 637, 809, 936

Committee appointments—12, 25, 27, 690

Resolutions offered—74

Subcommittee assignments—135, 222, 223, 224, 225, 226, 227, 296, 297, 299, 300, 463, 465, 466, 467, 468, 566, 567, 568, 570, 625, 627, 733, 734, 735, 736, 737, 864, 865, 866, 868, 1007, 1008, 1203, 1204, 1384, 1385, 1386, 1387, 1716, 2003, 2349

SKOW, BOB—Representative **Adair-Dallas-Guthrie-Madison Counties**

Amendments filed—341, 393-394, 550, 714, 1015, 1099, 1125, 1169, 1234-1235, 1285, 1290, 1390, 1784, 1818, 2091

Amendments offered—392, 393, 394, 764, 1150, 1230, 2162, 2163

Amendments withdrawn—1151, 1234

Bills introduced—51, 77, 140, 141, 151, 152, 153, 158, 159, 165, 184, 200, 202, 251, 260, 275, 474, 500, 651, 785, 807, 877, 878

Committee appointments—24, 25, 26, 166

Leave of absence—110, 472, 574, 1100, 2201

Presented to the House foreign exchange student Chris Reichert from West Germany—1167

Presented to the House the Honorable Kenneth Robinson, former member of the House—292

Presided at sessions of the House—998

Subcommittee assignments—222, 224, 294, 295, 296, 468, 566, 569, 625, 628, 733, 866, 1007, 1386, 1526

SMALL BUSINESS AND COMMERCE, COMMITTEE ON—

Amendments filed—210, 271, 659, 987, 1499, 1528, 1529

Amendments offered—478, 745, 1190, 1655, 1869

Appointed—26

Bills introduced—505, 575, 593, 610, 611, 652, 686, 715, 758, 908-909, 936, 937, 988, 989, 1017, 1101, 1102

Recommendations—209, 271, 497-498, 586, 658, 713, 826, 906, 983-984, 1388, 1498, 1527

Subcommittee assignments—177, 178, 179, 222, 223, 224, 294, 295, 299, 464, 565, 567, 624, 625, 627, 731, 732, 734, 735, 1004, 1005, 1006, 1202, 1203, 1384, 1385, 1386, 1525

SPEAKER OF THE HOUSE—Donald D. Avenson, Representative Chickasaw-Fayette Counties

Addressed the House—8-12, 2339-2340

Announcements, Senate bills passed on file—859, 2150

Appointed to the Legislative Council—190

Appointments announced:

Administrative Rules Review—46, 489

Advisory Commission on Intergovernmental Relations—47, 2347

Aging, Commission On—46, 2346

Boundary Commission—47, 2347

Capitol Planning Commission—2346

Children, Youth and Families, Commission On—46, 2347

Communications Review Commission—2347

Compensation, Expenses and Salaries for Elected Officials, Commission On—47

Confidential Records Council—2347

Development Commission—47

Energy Policy Council—924-925

Interstate Cooperation, Commission On—2347-2348

Legislative Council—190

Legislative Fiscal Committee—190, 292

Low-Level Radioactive Waste Management Advisory Committee—2354

Medical Assistance Advisory Council—2348

State Functional Classification Review Board—2348

Title XX Statewide Advisory Committee—2348

Water Resource Information System Advisory Committee—2348

Bills referred to committees—333

Bills rereferred to committees—155, 202, 380, 584, 645, 709

Bills signed by—580, 623, 823, 882, 1049, 1096, 1307, 1424-1425, 1628, 1903, 2001, 2086-2087, 2130, 2197, 2354

Committee appointments—1368

Committees appointed by—18, 55, 103, 166, 1638, 2354-2355, 2355

Communications received—48, 2355-2357

Conference committees appointed—154, 1368, 2021, 2026-2027, 2027, 2035, 2036, 2120, 2165, 2196, 2264, 2316

Elected Speaker of the House—6-8

Final adjournment—2357

Final adjournment, 1985 Regular Session of the Seventy-First General Assembly, Senate Concurrent Resolution 50—2345 adopted

Memorial committees appointed—142, 186-187, 664, 690, 691, 761

Memorial services committee appointed—1068

Petitions presented—50

Presentation of—8-12

Presentation of visitors—292-293, 323, 489, 624, 755, 779, 1003-1004, 1049-1050, 1096-1097, 1123-1124, 1201, 1241, 1308, 1370-1371, 1383, 1439-1440, 1492, 1524, 1579, 1628-1629, 1662-1663, 1685, 1715-1716, 1782, 1835-1836, 1904-1905, 2001-2002, 2029, 2088, 2131-2132, 2198, 2307-2308, 2348

Presented to the House the Honorable Paul Copenhaver, former member of the House—1241

Presided at sessions of the House—20, 50, 54, 72, 75, 101, 104, 110, 139, 151, 158, 160, 164, 166, 174, 183, 192, 195, 198, 202, 211, 216, 233, 245, 251, 259, 263, 265, 267, 272, 284, 291, 312, 316, 326, 333, 342, 346, 362, 368, 373, 378, 385, 389, 390, 391, 418, 423, 430, 459, 472, 485, 494, 499, 504, 509, 530, 534, 535, 548, 555, 558, 563, 574, 582, 588, 592, 593, 600, 609, 612, 619, 623, 636, 642, 643, 649, 660, 665, 666, 675, 679, 685, 693, 706, 715, 722, 742, 753, 758, 763, 766, 768, 777, 783, 789, 791, 796, 804, 811, 828, 834, 847, 876, 882, 885, 891, 907, 931, 936, 968, 971, 980, 988, 992, 996, 1000, 1016, 1041, 1053, 1060, 1068, 1083, 1085, 1090, 1100, 1109, 1116, 1127, 1150, 1159, 1171, 1173, 1178, 1186, 1213, 1219, 1229, 1239, 1244, 1246, 1248, 1253, 1261, 1285, 1304, 1310, 1312, 1315, 1320, 1335, 1364, 1366, 1379, 1381, 1413, 1416, 1418, 1424-1425, 1431, 1432, 1445, 1449, 1461, 1501, 1510, 1513, 1523, 1530, 1551, 1558, 1567, 1574, 1581, 1609, 1610, 1613, 1618, 1632, 1637, 1642, 1643, 1654, 1659, 1665, 1671, 1675, 1676, 1679, 1681, 1689, 1695, 1697, 1702, 1703, 1706, 1719, 1723, 1738, 1740, 1745, 1748, 1750, 1756, 1759, 1768, 1769, 1780, 1785, 1795, 1799, 1819, 1828, 1839, 1846, 1849, 1850, 1856, 1871, 1885, 1900, 1906, 1913, 1916, 1927, 1960, 1966, 1975, 1981, 2001, 2006, 2011, 2019, 2021, 2022, 2027, 2032, 2036, 2039, 2043, 2057, 2064, 2076, 2093, 2104, 2107, 2119, 2124, 2126, 2136, 2147, 2148, 2153, 2164, 2165, 2179, 2193, 2194, 2201, 2210, 2218, 2223, 2243, 2244, 2247, 2254, 2258, 2261, 2262, 2272, 2282, 2312, 2317, 2328, 2329, 2337, 2341, 2353

Remarks by—8-12, 2339-2340

Reports—1468-1489

Resolutions relating to:

House Concurrent Resolution 1—13 adopted

House Concurrent Resolution 3—14 adopted

House Concurrent Resolution 17—607-608 adopted

House Concurrent Resolution 18—607, 708-709 adopted

House Resolution 2—18 adopted

Senate Concurrent Resolution 2—78, 99, 100, 110-121 adopted

Rulings made—374, 422, 530, 669, 815, 821, 902, 1160, 1304, 1625, 1643, 1708, 1748, 1749, 1761, 1764, 1794, 1810, 1821, 1832, 1877, 1946, 1982, 2106, 2196, 2256, 2261, 2272, 2304

Special presentation to House Pages—665-666, 2136

Standing committees appointed—24-27

SPEAKER PRO TEMPORE, John Connors—Representative Polk County
(See Connors, John—Representative Polk County, Speaker Pro Tempore)

SPEAR, CLAY—Representative Des Moines-Lee Counties

Amendments filed—100, 138, 191, 197, 244, 258, 291, 490, 503, 562, 581, 587, 684, 714, 782, 812, 875, 906, 930, 972, 987, 1015, 1044, 1051, 1052, 1098, 1124, 1169, 1242, 1309, 1372, 1412, 1630, 1688, 1848, 2031, 2091

Amendments offered—288, 290, 458, 593, 594, 595, 596, 703, 707, 811, 812, 899, 1061,
 1090, 1139, 1146, 1147, 1182, 1392, 1396, 1399, 1422, 1510
 Amendments withdrawn—287, 879, 880, 1044, 1538, 1763
 Bills introduced—51, 75, 77, 78, 101, 102, 103, 153, 165, 185, 193, 234, 342, 806, 936
 Committee appointments—25, 26, 27, 2035
 Presided at sessions of the House—1681
 Reports—2081-2082
 Resolutions offered—383
 Subcommittee assignments—135, 177, 178, 179, 180, 225, 299, 300, 465, 466, 468, 469,
 567, 568, 569, 571, 627, 734, 863, 867, 868, 1205, 1386

SPECIAL COMMITTEES—

(See Committees, Special)

SPECIAL ORDER—

Assignments of seats—18, 23-24

SPECIAL PRESENTATION—

Bryant Elementary School, Boone, donated money to the kidney foundation from
 sale of bottle caps and pull tabs—2143
 Colleen Melloy Piekenbrock, Joyce Hughes and Erin O'Connell, a group of
 puppeteers from Dubuque called "The Kids on the Block"—1913
 International visitors participating in the Council of International
 Programs—2107-2108
 Iowa's Easter Seal Ambassador, 1985, Jamie Barker—332-333
 Iowa's Junior Miss for 1985, Jayne Danner—160-161
 Iowa's Muscular Dystrophy Poster Child, 1985, Jennifer Mahoney—320
 Gwen Connolly, national champion of the American Legion National Oratorical
 Contest—1706
 Melissa Tyler, Disneyland's 1985 Ambassador to the World accompanied by
 "Mickey Mouse"—2138
 Queen of the 1985 Pella Tulip Festival, Geselle Mulder—2036
 Six athletes and two coaches who participated in the Third International Winter
 Special Olympics Games, representing Iowa—1787-1788
 Six members of the Diet of Yamanashi Prefecture of Japan—2202-2203
 The Amazing Spider-Man—346
 The Honorable Gerard Collins, a member of the Fianna Fail Party, Irish House of
 Parliament—790-791
 To House Pages—665-666, 2136
 United Nation diplomats—623
 Waverly-Shell Rock High School Chamber Choir—891
 Winner of an essay contest sponsored by the Commission on the Status of Women as
 part of Women's Historical Week—638-639

SPONSORS (bills and amendments)—

Added:

House File 14—Representatives Corey & Sturgeon—134
 House File 24—Representative Metcalf—148
 House File 52—Representative Peick—187
 House File 59—Representative Muhlbauer—161
 House File 70—Representative Gruhn—175

House File 70—Representative Rensink—195
 House File 92—Representative Ollie—195
 House File 103—Representative Swearingen—195
 House File 137—Representative Halvorson of Clayton—218
 House File 229—Representative Hermann—323
 House File 275—Representative Van Maanen—380
 House File 494—Representative Running—709

STANDING COMMITTEES—

Appointed—24-27
 Chairmen appointed—24-27
 Committee assignments—28-40

STATE APPEAL BOARD

(Richard D. Johnson, Chairman)
 Claims approved—83-97
 Claims disapproved—79-82, 176-177, 578-579, 861, 1491, 1492
 Communications from, stating claims filed with—78-82, 176-177, 578-579, 860-861, 1491-1492

STATE FUNCTIONAL CLASSIFICATION REVIEW BOARD—

Appointment to—2348

STATE GOVERNMENT, COMMITTEE ON—

Amendments filed—384, 1207, 1412, 1443
 Amendments offered—1239, 1510, 1539, 1574
 Appointed—27
 Bills introduced—577, 636, 758, 759, 876, 885, 989, 990, 1100, 1101, 1103, 1128, 1164, 1178
 Recommendations—209, 382, 562, 607, 683, 802, 929, 1014, 1207, 1411, 1442, 1498-1499, 1527, 2308-2309
 Resolutions offered—1124
 Subcommittee assignments—135, 178, 179, 180, 224, 225, 226, 295, 296, 297, 298, 299, 300, 464, 465, 467, 468, 469, 566, 567, 568, 569, 570, 571, 626, 627, 628, 731, 732, 733, 734, 735, 736, 863, 864, 865, 866, 867, 869, 874, 1004, 1005, 1006, 1007, 1202, 1203, 1204, 1205, 1385, 1386, 1387, 1525

STATE OF THE STATE MESSAGE—

Delivered by Governor Terry E. Branstad—56-61
 Resolution relating to, HCR 1-13 adopted

STROMER, DELWYN—Representative Franklin-Hancock-Wright Counties, Minority Floor Leader

Amendments filed—137, 341, 542, 543-544, 563, 757, 765, 775, 782, 793-794, 1287, 1309, 1580, 1631, 1663, 1705, 1717, 1744, 1784, 1838, 1905, 1981, 2091
 Amendments offered—460, 543, 765, 768, 775, 793, 1287, 1299, 1613, 1682, 1705, 1867, 1914, 1981, 2114
 Amendments withdrawn—563, 1914, 1915, 2114, 2128
 Announced appointment to the Iowa Development Commission—47
 Appointed to the Legislative Council—190
 Bills introduced—326, 327, 328, 329, 343, 344, 387, 432, 474, 475, 492, 504, 574, 582, 685, 688, 784, 805, 807, 830, 1558, 1666, 1750

Committee appointments—26, 142, 1368
 Remarks by—7-8, 19-20, 2341
 Reports—1468-1489
 Resolutions offered—13, 14, 74, 607, 683, 708-709
 Special presentation to House Pages—665-666, 2136

STUDY BILL COMMITTEE ASSIGNMENTS—

Agriculture—149, 256, 323, 502, 503, 605, 755, 824, 862, 904, 1004, 1371
 Economic Development—73, 248, 380, 799, 861, 862, 904
 Education—48, 149, 162, 195, 203, 205, 207, 242, 268, 325, 489, 646, 647, 730, 799
 Energy and Environmental Protection—73, 99, 188, 189, 204, 205, 207, 221, 242, 323, 325, 490, 496, 798, 824, 884
 Human Resources—162, 188, 189, 196, 205, 207, 208, 219, 220, 239, 240, 243, 249, 255, 256, 268, 293, 324, 380, 462, 463, 490, 495, 580, 756, 798, 799, 824, 862
 Judiciary and Law Enforcement—72, 73, 156, 161, 162, 189, 196, 205, 208, 220, 240, 241, 243, 254, 256, 269, 323, 324, 336, 380, 381, 429, 462, 495, 496, 503, 580, 584, 585, 656, 681, 731, 799, 862, 883, 981, 982
 Labor and Industrial Relations—204, 268, 429, 711, 883, 925
 Local Government—73, 190, 240, 255, 268, 269, 293, 324, 336, 428, 429, 490, 496, 584, 605, 606, 681, 682, 711, 798, 862, 883, 925,
 Natural Resources and Outdoor Recreation—187, 188, 207, 239, 256, 257, 293, 495, 606, 779, 798
 Small Business and Commerce—156, 189, 203, 221, 240, 242, 243, 325, 336, 462, 495, 580, 584, 756, 798, 863, 883
 State Government—99, 203, 204, 205, 207, 240, 293, 294, 336, 381, 462, 490, 496, 584, 585, 681, 755, 779, 797, 799, 883, 884, 925
 Transportation—150, 188, 189, 294, 462, 647, 656, 681, 799
 Ways and Means—203, 219, 254, 255, 293, 324, 336, 579, 580, 604, 647, 656, 755, 798, 1097, 1201, 1202, 1492-1493, 1629, 2003

STUDY BILLS SUBCOMMITTEE ASSIGNMENTS—

Assignments—135-136, 181-182, 227-231, 301-310, 469-471, 571-573, 630-633, 737-738, 870, 1008-1010, 1205, 1387, 1526, 1717, 2004
 Corrected assignment—870

STUDY COMMITTEES—

(Also see Legislative Council)

Resolutions relating to:

- House Concurrent Resolution 7, teachers' compensation—191, 294
- House Concurrent Resolution 16, implementation of comparable worth in state employment—607
- House Concurrent Resolution 23, review long-term care needs for chronically mentally ill individuals—802
- House Concurrent Resolution 28, open meetings law—1371
- House Concurrent Resolution 32, school finance—1580
- House Concurrent Resolution 39, create interim study com. consisting of members of the House and Senate standing com. on transportation—2005
- House Concurrent Resolution 40, public retirement systems—2005
- House Concurrent Resolution 42, OMVUI and recreation—2134, 2142, 2143 adopted

- House Concurrent Resolution 44, gasohol exemptions—2199
- Senate Concurrent Resolution 7, collective bargaining process for educators—199, 209, 270, 604 adopted
- Senate Concurrent Resolution 26, DPI study nonapproved schools & home instruction—1374, 1412, 1494, 1499
- Senate Concurrent Resolution 27, judicial resources, identified needs & allocation mechanism—1058, 1124, 1205, 1496
- Senate Concurrent Resolution 40, final report of the tax study com. —1787, 1837, 2004
- Senate Concurrent Resolution 49, school finance—2165, 2200

STUELAND, VICTOR (VIC)—Representative Cedar-Clinton Counties

- Amendments filed—339, 340, 341, 542, 1125, 1529
- Bills introduced—184, 275, 314, 327, 328, 329, 343, 344, 432, 474, 492, 504, 574, 589, 638, 685, 686, 687, 688, 808, 936
- Committee appointments—24, 26
- Leave of absence—326, 1514, 1719
- Presented to the House Miss Clinton County, Patti Rastrelli—292
- Resolutions offered—74, 587
- Subcommittee assignments—295, 468, 566, 628, 732, 735, 866, 1204

STURGEON, ALLAN (AL)—Representative **Woodbury** County

- Amendments filed—271, 539-540, 562, 659, 782, 1080-1081, 1426, 1528, 1630, 1663, 1664, 1744, 2091, 2311
- Amendments offered—539, 642, 820
- Bills introduced—77, 164, 165, 184, 185, 193, 199, 201, 217, 234, 275, 500, 637, 651, 784, 804
- Committee appointments—25, 26
- Leave of absence—1244, 1785
- Presented to the House Margø Chesebro, received the "Teacher of the Year" award—1685
- Presided at sessions of the House—1595
- Resolutions offered—581
- Subcommittee assignments—178, 179, 180, 181, 224, 225, 226, 227, 295, 298, 299, 464, 465, 466, 565, 568, 569, 626, 627, 628, 629, 734, 864, 866, 1006, 1007, 1204

SUBCOMMITTEE APPOINTMENTS—

- Appropriations—27-28

SUBCOMMITTEE ASSIGNMENTS—

- Assignments—135, 177-181, 222-227, 294-300, 463-469, 565-571, 624-630, 863-869, 1004-1008, 1202-1205, 1383-1387, 1524-1526, 1716, 2003-2004, 2349
- Reassigned—222, 298, 629, 863

SULLIVAN, WILLIAM R.—Representative Lee-Van Buren Counties

- Amendments filed—648, 1170, 1285, 1630, 1830-1831, 1848, 2062, 2063, 2090, 2311
- Amendments offered—2104
- Appointed to the Commission on Interstate Cooperation—2347-2348
- Bills introduced—77, 78, 275, 651, 687, 716, 784, 806, 886, 887, 936
- Committee appointments—24, 26, 27
- Leave of absence—693, 1208, 1330, 1699, 1839
- Petitions presented—50, 385, 1100

Presided at sessions of the House—284, 1567, 1917

Resolutions offered—383, 607

Subcommittee assignments—178, 180, 223, 295, 296, 300, 465, 466, 567, 626, 629, 732,
865, 868, 869, 1008, 1383, 1384, 1524

SUPREME COURT OF IOWA—

(Chief Justice of the Supreme Court, W. W. Reynoldson)

Delivered the Condition of the Judicial Department's Message—105-110

Ethics committee appointed by—40, 41

Resolution relating to the condition of the Judicial Department's Message,
HCR 2—13 adopted

SUPERINTENDENT OF PRINTING—

(See Printing Division of General Services)

SWARTZ, THOMAS E.(TOM)—Representative **Marshall** County

Amendments filed—271, 339, 340, 360, 376-377, 384, 418-422, 503, 659, 684, 803, 875,
884, 973-974, 1002, 1015, 1052, 1080-1081, 1099, 1125, 1126, 1159, 1230-1231,
1243, 1300-1304, 1309, 1389, 1390, 1412, 1575-1576, 1580, 1630, 1644, 1717, 1718,
2030, 2031, 2134, 2206-2207, 2207, 2226-2238, 2310

Amendments offered—360, 374, 390, 418, 893, 918, 1002, 1079, 1080, 1116, 1150, 1152,
1159, 1160, 1161, 1162, 1230, 1300-1304, 1319, 1364, 1575, 1655, 1657, 1658, 1725,
1738, 2203, 2206, 2207

Amendments withdrawn—377, 1658, 2207, 2285, 2292

Bills introduced—52, 153, 201, 217, 274, 275, 475, 590, 609, 611, 829, 908

Committee appointments—12, 24, 25, 26, 2165

Leave of absence—722, 742, 885, 1100

Presided at sessions of the House—317

Reports—2270-2271

Subcommittee assignments—177, 178, 179, 224, 464, 565, 567, 624, 625, 732, 734, 735,
1004, 1006, 1202, 1383, 1384, 1385, 1386, 1525, 1716, 2031

SWEARINGEN, GEORGE R.—Representative Jefferson-**Keokuk**-Wapello Counties

Amendments filed—137, 150, 339, 340, 341, 542, 1372, 1377-1379, 1444, 2062

Bills introduced—261, 275, 328, 329, 330, 342, 343, 433, 473, 500, 504, 506, 574, 685

Committee appointments—25, 26, 27

Leave of absence—593, 1930

Petitions presented—885, 988

Resolutions offered—74, 2005

Subcommittee assignments—177, 178, 224, 295, 299, 300, 464, 570, 571, 625, 626, 627,
628, 733, 734, 865, 1005, 1006, 1008, 1203, 1385, 1387, 1525

TABOR, DAVID M.—Representative Dubuque-**Jackson** Counties

Amendments filed—503, 549-550, 741, 1098, 1125, 1309, 1372, 1389, 1390, 1830-1831,
1831-1832, 1863, 1882-1883, 2017-2018

Amendments offered—549, 1172, 1223, 1403, 1404, 1433, 1512, 1830, 1831, 1863, 1882,
2017, 2323

Amendments withdrawn—1882, 2015, 2017, 2018

Bills introduced—275, 475, 887, 892

Committee appointments—25, 27, 2316

Leave of absence—574, 1530, 1581

- Presided at sessions of the House—391, 542, 703, 1184, 1321, 1379, 2162
 Resolutions offered—1717
 Rulings made—546
 Subcommittee assignments—222, 223, 224, 225, 226, 227, 299, 300, 465, 466, 467, 565,
 566, 567, 568, 569, 570, 733, 736, 737, 863, 867, 869, 1005, 1006, 1007, 1202, 1203,
 1204, 1385, 2003
 Took oath of office—52
- TEAFORD, JANE**—Representative **Black Hawk** County
 Amendments filed—340, 503, 659, 1372, 1455-1460, 1528, 1580, 1630, 1687, 1718, 2090,
 2153, 2311
 Amendments offered—674, 675, 1653, 1721, 1915
 Amendments withdrawn—1653, 1721
 Bills introduced—184, 251, 273, 275, 342, 506, 637, 760
 Committee appointments—25, 26, 27, 167, 2035
 Reports—2124-2125
 Resolutions offered—383, 658
 Subcommittee assignments—135, 179, 180, 181, 225, 226, 227, 297, 298, 299, 300, 464,
 465, 466, 467, 565, 568, 569, 570, 571, 626, 628, 629, 732, 736, 864, 865, 869, 1004,
 1204, 1385, 1386, 1387
- TEMPORARY OFFICERS**—
 Elected—1
 Took oath of office—1
- TITLE XX STATEWIDE ADVISORY COMMITTEE**—
 Appointments to—2348
- TORRENCE, JANIS I.**—Representative **Muscatine**-**Scott** Counties
 Amendments filed—137, 250, 339, 340, 341, 540-541, 542, 1631, 1818, 2193-2194
 Bills introduced—77, 140, 218, 251, 275, 313, 327, 328, 329, 386, 430, 432, 433, 474, 492,
 504, 506, 685, 688, 936
 Committee appointments—2, 25, 26
 Leave of absence—1632
 Reports—2-4
 Resolutions offered—74
 Subcommittee assignments—178, 180, 181, 225, 295, 296, 300, 466, 567, 569, 627, 866,
 1203, 1525
- TRANSPORTATION, COMMITTEE ON**—
 Amendments filed—338, 659, 781, 782, 827, 986, 1443
 Amendments offered—749, 896, 1040, 1066, 1451, 1548
 Appointed—27
 Bills introduced—386, 499, 660, 716, 783, 808, 989
 Recommendations—197, 338, 498, 587, 658, 713, 780-781, 826, 906, 985-986, 1168,
 1388, 1443
 Resolutions offered—197, 383
 Subcommittee assignments—178, 179, 223, 224, 463, 464, 468, 565, 567, 571, 625, 626,
 731, 732, 733, 735, 736, 863, 864, 865, 866, 867, 868, 869, 1006, 1008, 1204, 1525

UNANIMOUS CONSENT—

House File 70—276

House File 76—764

VAN CAMP, MICHAEL J.—Representative Scott County

Amendments filed—258, 271, 288, 341, 544, 635, 906, 1015, 1098, 1099, 1169, 1207,
1231-1232, 1290, 1296, 1389, 1426, 1499, 1630, 1664, 1812-1813, 2005, 2091, 2134,
2193-2194, 2311

Amendments offered—279, 288, 544, 640, 918, 1039, 1290, 1331, 1418, 1625, 1812,
2105, 2241, 2257

Amendments withdrawn—461

Appointed to the Commission on the Aging—2346

Bills introduced—185, 193, 273, 275, 314, 327, 328, 329, 330, 430, 474, 492, 574, 637,
638, 685, 688, 829, 878, 936

Committee appointments—25, 27

Leave of absence—143, 472, 1719

Petitions presented—198

Resolutions offered—74, 383, 607

Subcommittee assignments—178, 180, 223, 226, 466, 567, 571, 626, 628, 629, 732,
1006, 1007, 1525

VAN MAANEN, HAROLD—Representative Keokuk-Mahaska-Wapello Counties

Amendments filed—339, 340, 341, 648, 1285, 1299, 1372, 1800, 1821, 1832, 1838,
1848-1849, 1851, 1853, 2193-2194

Amendments offered—372, 1299, 1848, 1851, 1853

Amendments withdrawn—1853

Appointed to the Commission on the Aging—46

Bills introduced—139, 141, 152, 192, 199, 235, 273, 275, 343, 504, 685

Committee appointments—24, 27

Leave of absence—574

Petitions presented—931

Resolutions offered—74, 587, 1371,

Subcommittee assignments—135, 177, 224, 225, 300, 465, 566, 569, 625, 627, 733, 864,
866, 867, 1004, 1005, 1006, 1202, 1204, 1386, 1387, 1526

VARN, RICHARD J.—Representative Iowa-Johnson Counties

Amendments filed—271, 325, 341, 384, 608, 930, 1015, 1072, 1125, 1309, 1389, 1412,
1528, 1630, 1631, 1663, 1672-1675, 1688, 1754-1755, 1773-1774, 1783, 1838, 2090,
2091, 2092, 2134, 2142, 2193, 2200

Amendments offered—263, 280, 411, 619, 1140, 1513, 1773, 2193, 2260

Amendments withdrawn—425, 2128

Appointed to the Confidential Records Council—2347

Bills introduced—77, 184, 217, 275, 313, 473, 500, 653, 760, 783

Committee appointments—12, 24, 25, 26, 691, 2120, 2196

Petitions presented—931

Presided at sessions of the House—764, 1284, 1739

Reports—2122, 2319-2322

Resolutions offered—690, 884, 1528

Subcommittee assignments—178, 224, 295, 296, 467, 565, 566, 570, 629, 731, 733, 736,
1004, 1007, 1383, 1384, 1525, 1716

VISITORS—

Presentation of—267-268, 292-293, 323, 428, 489, 604, 624, 710, 730, 755, 779, 797, 981, 1003-1004, 1049-1050, 1096, 1123-1124, 1167, 1201, 1241, 1308, 1370-1371, 1383, 1408, 1439-1440, 1492, 1524, 1579, 1628-1629, 1662-1663, 1684-1685, 1782, 1835-1836, 1904-1905, 2001-2002, 2029, 2088, 2131-2132, 2198, 2307-2308, 2348

VOTES (Roll Call)—

Non-record—174, 263, 280, 281, 283, 319, 346, 362, 364, 368, 370, 379, 389, 394, 454, 458, 461, 484, 509, 510, 539, 552, 557, 563, 669, 670, 672, 676, 679, 705, 707, 728, 729, 765, 767, 768, 770, 821, 847, 900, 918, 996, 998, 999, 1039, 1042, 1081, 1086, 1092, 1094, 1108, 1121, 1136, 1147, 1159, 1173, 1174, 1178, 1197, 1227, 1232, 1234, 1248, 1260, 1261, 1284, 1289, 1296, 1298, 1299, 1305, 1306, 1331, 1340, 1364, 1368, 1379, 1382, 1405, 1406, 1418, 1420, 1422, 1447, 1450, 1489, 1507, 1508, 1518, 1539, 1544, 1550, 1572, 1618, 1626, 1669, 1675, 1677, 1678, 1679, 1680, 1681, 1682, 1700, 1702, 1703, 1709, 1710, 1714, 1723, 1738, 1739, 1741, 1753, 1754, 1755, 1758, 1759, 1761, 1763, 1768, 1769, 1777-1778, 1778, 1794, 1813, 1818, 1821, 1828, 1846, 1849, 1864, 1871, 1877, 1878, 1882, 1885, 1941, 1973, 1991, 2015, 2017, 2020, 2097, 2103, 2106, 2111, 2119, 2129, 2141, 2142, 2147, 2158, 2162, 2166, 2168, 2196, 2206, 2219, 2247, 2250, 2257, 2259, 2261, 2275, 2313, 2315

Record—279, 281, 282, 283, 290, 317-318, 333-334, 357-358, 361, 364-365, 365-366, 367-368, 370-371, 371-372, 372-373, 391-392, 405-406, 422-423, 455, 459-460, 460-461, 531, 534, 535-536, 541, 542-543, 544-545, 548-549, 550-551, 552-553, 557-558, 667-668, 673-674, 678, 765-766, 770-771, 771-772, 773-774, 774-775, 776, 792-793, 795, 848-849, 934-935, 935-936, 970-971, 972-973, 978, 993-994, 994-995, 997, 999, 1082-1083, 1087-1088, 1091-1092, 1116-1117, 1138, 1146, 1151-1152, 1175-1176, 1197-1198, 1225-1226, 1227-1228, 1285-1286, 1287-1288, 1289-1290, 1291, 1292, 1299-1300, 1380, 1447-1448, 1448-1449, 1460-1461, 1461-1462, 1568-1569, 1570-1571, 1611-1612, 1614-1615, 1636-1637, 1678-1679, 1701, 1740-1741, 1756-1757, 1758-1759, 1761-1762, 1764-1765, 1765-1766, 1767-1768, 1800-1801, 1809-1810, 1810-1811, 1818-1819, 1822, 1823, 1826-1827, 1850, 1851-1852, 1885-1886, 1901, 2034, 2056-2057, 2061-2062, 2064, 2073-2074, 2099, 2104, 2111-2112, 2115-2116, 2118-2119, 2145-2146, 2163-2164, 2178, 2243-2244, 2253-2254, 2254-2255, 2255-2256, 2258-2259, 2272-2273, 2275, 2300-2301

WATER RESOURCES INFORMATION SYSTEM ADVISORY COMMITTEE—

Appointment to—2348

WAYS AND MEANS, COMMITTEE ON—

Amendments filed—1169, 1838, 2090, 2134

Amendments offered—1262, 1963, 2050, 2158, 2210, 2317, 2323

Appointed—27

Bills introduced—494, 760, 1016, 1017, 1164, 1200, 1632, 1665-1666, 1689, 1833, 1834, 2036

Recommendations—498, 683, 740-741, 986, 1169, 1207, 1629, 1686-1687, 1836-1837, 2004-2005, 2088-2089, 2133, 2199

Reports—1262, 2038, 2323

Subcommittee assignments—222, 223, 224, 225, 463, 464, 465, 624, 625, 626, 733, 734, 736, 863, 1004, 1005, 1006, 1007, 1202, 1203, 1204, 1205, 1716, 2003, 2004

- WELDEN, RICHARD W.**—Representative Franklin-Hardin-Hamilton Counties
 Amendments filed—340, 341, 503, 535, 540-541, 550, 659, 675-676, 757, 1051, 1052, 1087, 1124, 1125, 1158, 1162, 1372, 1463, 1528, 1580, 1631, 1688, 1717, 1744, 1755, 1824, 1838, 1848-1849, 1851, 1853, 2061, 2090, 2134
 Amendments offered—540, 675, 677, 679, 1086, 1087, 1158, 1162, 1680, 1754, 1755, 1765, 1824, 1872, 1970, 2061, 2142
 Amendments withdrawn—1065, 2141, 2151
 Appointed to the Legislative Council—190
 Appointed to the Legislative Fiscal Committee—190
 Bills introduced—50, 151, 234, 274, 275, 314, 329, 331, 474, 506, 609, 685, 785, 808
 Committee appointments—24, 25, 26, 56, 142, 1638, 2355
 Leave of absence—472, 1178
 Petitions presented—499, 931
 Presented to the House foreign exchange student, Jan Harder from West Germany—1308
 Resolutions offered—74
 Subcommittee assignments—223, 295, 467, 566, 731, 735, 1383, 1384
- WOODS, JACK E.**—Representative Polk County
 Amendments filed—182, 271, 339, 340, 376-377, 608, 659, 684, 987, 1126, 1580, 1630, 1783, 1816-1818, 1819-1821, 1851, 1905, 2090, 2091
 Amendments offered—376, 457, 1031, 1118, 1228, 1548, 1647, 1816, 1819, 1851, 1941, 2115
 Amendments withdrawn—377
 Appointed to the State Functional Classification Review Board—2348
 Bills introduced—77, 199, 202, 261, 275, 314, 475, 492, 576, 651, 652, 785, 807, 878, 936
 Committee appointments—25, 26, 27, 690
 Leave of absence—1219, 2036, 2093
 Resolutions offered—1717, 2005
 Subcommittee assignments—178, 222, 223, 224, 296, 297, 298, 299, 300, 467, 468, 565, 567, 569, 570, 626, 627, 629, 732, 733, 734, 735, 736, 864, 865, 866, 867, 868, 1005, 1008, 1099, 1202, 1204, 1205, 1384, 1386, 1525, 1526
- ZIMMERMAN, JO ANN**—Representative Dallas County
 Amendments filed—244, 258, 271, 490, 503, 562, 608, 782, 802, 827, 1120, 1124, 1125, 1372, 1390, 1455-1460, 1528, 1718, 1744, 2092, 2134, 2311
 Amendments offered—285, 287, 289, 318, 753, 1120, 1121, 1179, 1396, 1755, 2144, 2146
 Amendments withdrawn—319, 834, 1756, 1884, 2128
 Appointed to the Health Data Commission—47
 Bills introduced—77, 184, 213, 275, 313, 499, 717
 Committee appointments—18-19, 24, 25
 Presented to the House Charles and Ruth Wright of Hampton-on-Lucy, near Warwick, England—428
 Presented to the House foreign exchange student Espen Anderson from Fredrikstad, Norway—1201
 Presented winners of an essay contest sponsored by the Commission on the Status of Women as part of Women's History Week—638-639
 Reports—42-44, 1383
 Resolutions offered—658
 Subcommittee assignments—177, 179, 225, 296, 297, 300, 465, 565, 566, 567, 568, 569, 570, 626, 627, 732, 733, 734, 736, 869, 1005, 1006, 1008, 1202, 1203, 1384, 1385