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

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SEVENTY-THIRD GENERAL ASSEMBLY

1989 Regular Session

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

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ELECTIVE STATE OFFICERS

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DICK SCHLEGAL, <i>Judge</i>	Ottumwa

**MEMBERS OF THE SENATE
SEVENTY-THIRD GENERAL ASSEMBLY
1989 REGULAR SESSION**

LEONARD L. BOSWELL

Address Davis City
Age 55
Occupation Farmer/Small Businessman
Senatorial District 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union
Former Legislative Service 71, 72, 72X, 72XX

CHARLES H. BRUNER

Address Ames
Age 40
Senatorial District 37—Story
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

BOB CARR

Address Dubuque
Age 51
Occupation Securities Broker
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

C. JOSEPH COLEMAN

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

JOY CORNING

Address Cedar Falls
Age 56
Occupation Homemaker
Senatorial District 12—Black Hawk
Former Legislative Service 71, 72, 72X, 72XX

PAT DELUHERY

Address Davenport
Age 46
Occupation College Teacher
Senatorial District 21—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

WM. W. (BILL) DIELEMAN

Address Pella
Age 57
Occupation Weekly Newspaper Publisher
Senatorial District 35—Marion, Jasper, Polk, Warren
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

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

AddressSioux City
Age63
OccupationLawyer
Senatorial District.....2—Woodbury, Ida, Monona
Former Legislative Service57, 58, 61, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

RICHARD F. DRAKE

AddressMuscatine
Age61
OccupationGeneral Farming
Senatorial District.....28—Muscatine, Des Moines, Louisa, Washington
Former Legislative Service63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

EUGENE S. FRAISE

AddressFort Madison
Age56
OccupationFarmer/Legislator
Senatorial District31—Lee, Des Moines, Van Buren
Former Legislative Service71 (2nd), 72, 72X, 72XX

LINN FUHRMAN

AddressAurelia
Age44
OccupationFarmer
Senatorial District5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
Former Legislative Service72, 72X, 72XX

JULIA GENTLEMAN

AddressDes Moines
Age57
OccupationHousewife
Senatorial District41—Polk
Former Legislative Service66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

DONALD E. GETTINGS

AddressOttumwa
Age65
OccupationRetired—Deere & Co.
Senatorial District.....33—Wapello, Appanoose, Davis
Former Legislative Service67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

NORMAN J. GOODWIN

AddressDeWitt
Age76
OccupationRetired County Extension Director
Senatorial District.....19—Clinton, Cedar
Former Legislative Service68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

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MICHAEL E. GRONSTAL

Address Council Bluffs
Age 38
Senatorial District 50—Pottawattamie
Former Legislative Service 70, 71, 72, 72X, 72XX

MARK R. HAGERLA

Address West Burlington
Age 52
Occupation Grocer
Senatorial District 30—Des Moines, Henry
Former Legislative Service none

BEVERLY A. HANNON

Address Anamosa
Age 56
Occupation Homemaker/Student
Senatorial District 22—Jones, Cedar, Linn
Former Legislative Service 71, 72, 72X, 72XX

H. KAY HEDGE

Address Fremont
Age 60
Occupation Farmer
Senatorial District 32—Mahaska, Jefferson, Keokuk, Wapello
Former Legislative Service none

JACK W. HESTER

Address Honey Creek
Age 59
Occupation Farmer
Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

WALLY E. HORN

Address Cedar Rapids
Age 55
Occupation Teacher
Senatorial District 25—Linn
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

CALVIN O. HULTMAN

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

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

Address Toledo
Age 58
Occupation Farmer
Senatorial District 38—Tama, Benton, Black Hawk, Marshall
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

BILL HUTCHINS

Address Audubon
Age 57
Occupation Businessman
Senatorial District 48—Audubon, Carroll, Crawford, Shelby
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

JOHN W. JENSEN

Address Plainfield
Age 62
Occupation Farmer
Senatorial District 11—Bremer, Black Hawk, Butler, Grundy
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

JOHN P. KIBBIE

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

GEORGE R. KINLEY

Address Des Moines
Age 51
Occupation Owner-Golf Sales and Sporting Goods
Senatorial District 40—Polk
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

JIM LIND

Address Waterloo
Age 33
Occupation Service Station Owner/Operator
Senatorial District 13—Black Hawk
Former Legislature Service 71 (2nd), 72, 72X, 72XX

JEAN LLOYD-JONES

Address Iowa City
Age 59
Occupation Legislator
Senatorial District 23—Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

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TOM MANN, JR.

Address Des Moines
Age 39
Occupation Attorney
Senatorial District 43—Polk
Former Legislative Service 70, 71, 72, 72X, 72XX

ALVIN V. MILLER

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

LARRY MURPHY

Address Oelwein
Age 36
Occupation Printing Broker/Writer
Senatorial District 14—Fayette, Black Hawk, Buchanan, Chickasaw
Former Legislative Service 71, 72, 72X, 72XX

JACK NYSTROM

Address Boone
Age 55
Occupation Legislator
Senatorial District 44—Boone, Carroll, Greene, Story
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

WILLIAM D. PALMER

Address Des Moines
Age 53
Occupation Insurance Executive
Senatorial District 39—Polk
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

PAUL D. PATE

Address Marion
Age 30
Occupation President-Premier Group Corp.
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service none

JOHN A. PETERSON

Address Albia
Age 54
Occupation Livestock-Market Owner
Senatorial District 34—Monroe, Clark, Lucas, Warren, Wayne
Former Legislation Service 71 (2nd), 72, 72X, 72XX

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY xi
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BERL E. PRIEBE

Address Algona
 Age 70
 Occupation Farmer, Businessman
 Senatorial District 8—Kossuth, Hancock, Humboldt, Palo Alto, Pocahontas, Winnebago
 Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

WILMER RENSINK

Address Sioux Center
 Age 55
 Occupation Farmer
 Senatorial District 6—Sioux, Plymouth, Woodbury
 Former Legislative Service 70, 71, 72, 72X, 72XX

JACK RIFE

Address Moscow
 Age 45
 Occupation Farmer
 Senatorial District 29—Muscatine, Scott
 Former Legislative Service 70, 71, 72, 72X, 72XX

JAMES R. RIORDAN

Address Waukee
 Age 39
 Occupation Nursery/Garden Center Owner
 Senatorial District 45—Dallas, Adair, Guthrie, Madison
 Former Legislative Service 71 (2nd), 72, 72X, 72XX

RICHARD V. RUNNING

Address Cedar Rapids
 Age 42
 Occupation Statistical Quality Control Trainer
 Senatorial District 26—Linn
 Former Legislative Service 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

KENNETH D. SCOTT

Address Clear Lake
 Age 58
 Occupation Realtor, Farmer, Auctioneer
 Senatorial District 15—Cerro Gordo, Chickasaw, Floyd, Howard, Mitchell
 Former Legislative Service 64, 65, 66, 72, 72X, 72XX

JOHN SOORHOLTZ

Address Melbourne
 Age 58
 Occupation Farmer/Pork Producer
 Senatorial District 36—Marshall, Jasper
 Former Legislative Service 70 (2nd), 71, 72, 72X, 72XX

MEMBERS OF THE SENATE—73rd GENERAL ASSEMBLY
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AL STURGEON

Address Sioux City
Age 32
Occupation Legislator
Senatorial District 1—Woodbury
Former Legislative Service 69, 70, 71, 72, 72X, 72XX

ELAINE SZYMONIAK

Address Des Moines
Age 68
Occupation Retired-Vocational Rehabilitation
Senatorial District 42—Polk
Former Legislative Service none

RAY TAYLOR

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

DALE L. TIEDEN

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

MAGGIE TINSMAN

Address Bettendorf
Age 52
Occupation Legislator
Senatorial District 20—Scott
Former Legislative Service none

RICHARD VANDE HOEF

Address Harris
Age 63
Occupation Farmer
Senatorial District 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux
Former Legislative Service 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

RICHARD VARN

Address Solon
Age 30
Occupation Lawyer, Consultant
Senatorial District 54—Johnson, Iowa, Poweshiek
Former Legislative Service 70, 71, 72, 72X, 72XX

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

Address Dubuque
Age 33
Occupation Businessman—Private Investigator
Senatorial District 17—Dubuque, Jackson, Jones
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 9, 1989

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1989 Regular Session of the Seventy-third General Assembly convened at 10:05 a.m., and the Senate was called to order by Lieutenant Governor Jo Ann Zimmerman.

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

OPENING REMARKS BY LIEUTENANT GOVERNOR

Senators, staff, pages, and guests, welcome to the beginning of the Seventy-third General Assembly. I would like to extend a special welcome to the newly elected members of this body; Senator Hagerla from West Burlington, Senator Hedge from Fremont, Senator Pate from Marion, Senator Szymoniak from Des Moines, Senator Tinsman from Bettendorf, and to my former colleague from the House, Senator Running, who has served 8 dedicated years across the rotunda. I would also like to extend a special welcome to Senator Kibbie who is returning to this body where he once served. Welcome back Senator! All of you bring to this body a wealth of knowledge and experience. I challenge you and all the senators in this chamber to take the trust that has been placed in your hands by the people of this state, and use it in their best interest as well as for the well being of Iowa.

Congratulations to Senator Hutchins and Senator Hultman on your re-election as leaders in the Senate. It is always a special day when we convene in this beautiful historic building. It seems not very long ago I was gaveling the Seventy-second General Assembly to a close at 6:30 a.m. as the rising sun gleamed through these east windows. Much has happened since we departed. Our state suffered the second driest year in its history. We need to recognize the long lasting effect that this drought may have and then have the vision to make the decisions that will ease the impact of this disaster. We as Iowans have overcome adversity in the past, and I feel confident about our future.

Iowa's economy appears to be on the road to recovery. I am concerned that this recovery seems to be built on a foundation of federal payments for our agriculture products. Our life is still tied strongly to agriculture and we should not ignore this. We should be setting a strong foundation now in researching and producing new products from the very things we take for granted -- our raw agriculture products. In fact, I believe we can build a new stronger future by moving to become number one in the high technology of converting corn, beans, and livestock into other products. This means placing additional monies toward this end each year and sticking to such a goal. We live on the best black soil in the world; this is a strength we should not turn our backs upon.

We need to work together to rebuild rural Iowa. Rural Iowa is the key to stabilizing our population. People will stay where there are jobs. That is why we need to create the opportunities that will promote the growth of our communities. We must continue to help our communities with the basics such as the traditional infrastructure of water, sewers, and roads plus special efforts toward quality of life in rebuilding housing, assuring access to education, health care, and main street revitalization. I applaud Senator Hultman for his persistence in proposing a telecommunication linkage to rural Iowa. Many of us with a satellite dish in our backyards recognize the importance of bringing information directly into our homes and businesses. Senator Hultman's proposal will aid in revitalizing business and in providing basic services to rural Iowa. People will return when there are jobs.

I want to help insure that Iowans have access to health care. We need to tackle some very difficult issues surrounding our limited resources, the use of high technology health care, and the continuation of basic health services. Other states are grappling with the crippling effect of hospital closures, especially in rural areas. The presence of health care providers is a key element in rural economic development. We must be ready to try alternatives such as the Montana or Colorado models in which hospitals have been restructured as a triage center with limited stay. We must also maximize access to federal monies by structuring our health care system to take advantage of programs. This is especially important in developing programs to provide health care for older Iowans, and the youngest.

We need to ensure that our children have the opportunity to take advantage of Iowa's higher education system. We will not be able to do this if we cannot control the rising cost of tuition. We owe a college education to all our young people who want it, not just the ones who can afford it. We need to break down the barriers between the universities and the community college system. The community college/vocational-technical schools have come of age and will be an important link to implementing changes developed through university research.

Iowa's education system is second to none. We must continue to provide our children with the basics that are important for them to compete in the real world. The children of Iowa will thank us in the future for our commitment to building a better education.

Fundamental to education is the ability to read and write. Iowa should implement a one card access library system which would allow for the sharing of books with all the libraries in the state. I believe such a system in Iowa would enhance learning for children and adults and aid in our transition to greater diversity in our job market. This system would first require that all holdings in libraries be on computers. Some funding was built in this last year to begin implementing this project. With greater sharing available we can reduce the amount of property taxes devoted to libraries and still have great diversity of holdings available. This type of project will require on-going state and local funding and cooperation.

Last November, I chaired a conference concerning the issues of our changing workforce. The "Shaping the Workplace for the Year 2000" conference provided a forum for people from 7 midwestern states to wrestle with economic, educational and demographic trends, and to develop recommendations for the direction the workplace should take. What came out of this conference was that current forces affecting the workforce have existed for the past decade. As we approach a new decade, the bulk of labor force entrants will be made up of women, the elderly and minorities. One of the challenges that will face us as policy makers will be to shape a flexible workplace that uses our resources, our people and our products efficiently and equally. I hope that these ideas that we have generated here in the midwest will lead other states to explore these emerging issues.

As lieutenant governor I am making history in two ways. Two years ago I was sworn in as Iowa's first woman lieutenant governor. Now I also have the distinction of being the last lieutenant governor to serve as President of the Senate. The people of Iowa spoke in November when they approved constitutional amendments that would provide for a team election and moved the office of lieutenant governor to the executive branch. In my discussions with fellow lieutenant governors around the country, I have come to the conclusion that just because the governor and lieutenant governor run as a ticket, it does not mean that they have a good working relationship. Depending on that relationship, a governor could assign any range of duties to a lieutenant governor or none at all. With this in mind I would like to encourage the legislature to decide what the duties of future lieutenant governors should be. This would insure that duties exist and that an elected official's salary will not be wasted. I would like to offer my assistance to the legislature in the establishment of these duties. We should have lieutenant governors who serve at the pleasure of the people of Iowa and not at the pleasure of the governor.

I would like to renew my commitment to the Senate to serve you in the best possible way. I pledge to you fairness and objectivity as I preside over this body. We must all work together to build a sense of cooperation so that we may move through this session working for the people of Iowa and not our own political motivations. My office is always open to all senators.

It is our responsibility to restore hope for Iowans. We must act with courage and boldness. It is time to beat our swords into plowshares, to develop real leadership in bringing Iowa into the 21st century. It is time to stabilize our economy, time to use our resources - our land and our people - in developing new directions for Iowa. We can build from within - we have the strength and vitality to do

it. The legislature is an extension of all Iowans and we must work together as Iowans. Thank you.

OPENING REMARKS BY THE MAJORITY LEADER

Senator Hutchins addressed the Senate as follows:

Madam President, Ladies and Gentlemen of the Senate, Staff, Family, and Friends:

Welcome to one and all to the 73rd General Assembly. I want to make a special welcome to our new members, Senators-elect Kibbie, Running, Szymoniak, Hagerla, Hedge, Pate, Tinsman. I think you will all find service here a pleasure and your colleagues and leadership, of both parties, will make you feel welcome. I look forward to working with you.

Today, I'd like to take a few minutes to consider the legislative session ahead, and the challenges we face. This legislature will take Iowa into the decade of the 1990's. That presents us an opportunity, and should also cause us to stop to think for a moment about how we, together, can build a stronger future for our state.

In the 1970's, when I began my career here, the attitude was that Iowa was "recession proof", and that everything was--and would always be--just great. By the early 1980's, that mistaken view was completely reversed, and the prevailing view was that Iowa was in a "depression" from which there was no hope of recovery. In part due to actions taken by recent legislatures, this attitude of hopelessness was also proven to be incorrect. So, as we now begin a new legislature, and look ahead to a new decade, how should we proceed?

First, we must take a realistic look at our state. Communities which are regional commercial centers, or have a higher education institution are generally strong and healthy. Many other communities face continuing problems they find hard to overcome. I believe a major challenge for us in the weeks ahead will be to find ways to help bring needed growth to all Iowans, not just those in some places. We will have true economic recovery only when ALL Iowans have the opportunity to share in it.

Secondly, we must ask ourselves what are the needs that Iowans themselves have identified as the priority areas for our attention in the years to come? I believe there are at least four key areas in which Iowans expect us to focus our attention in order to build a strong Iowa in the 1990's: continued diversification of our economy; maintaining environmental safety and quality; continued improvement in Iowa education systems; and accessibility to reasonably-priced health care. While these are not all the needs or issues we face, I believe they are concerns shared by most Iowans as they think about the years ahead.

The challenge for us in the 73rd General Assembly will be to rise above our differences--urban/rural, Democrat/Republican, or whatever--to build a consensus on the issues that matter. I don't mean to imply that there is anything wrong with any legislator making proposals that are of particular interest or concern to their part of the state--that is a part of our job. What I do mean is that we should all remember that the legislative process is one of give and take and that the END goal we have is to strengthen ALL of Iowa. I simply suggest that we remember the title of our job is STATE Senator, and we should keep the "state" part in mind as we work on some of the divisive issues we will face in the weeks ahead.

If we all keep the end goal of strengthening ALL of Iowa in mind, and do our work diligently and with respect for one another, 110 days from now I am confident we will have begun to chart the course for a stronger Iowa in the 1990's.

Thank you very much.

REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

I would like to welcome all the newly elected senators to the Iowa Senate and welcome back the returning senators who were re-elected and also the carry-over senators.

I would concur with the previous two speakers on most things. The point I would like to make today is that we have a unique opportunity and great possibilities to do things for the State of Iowa. We are going to be looking at a number of major issues -- a complete rewrite of the school aid formula that can bring equity and better education to all the children and youth now and in the future. We are also looking at the road use tax formula and how that will be developed, continued or not continued the way it is, so that we can have a good transportation system, even better than we have now. We also will be looking at a lot of environmental issues, some of which we have created ourselves by previous legislation which we have to make work in an equitable way that will give us clean ground water and clean surface water.

We must also look at the prisons to determine what we will do with our prison population and how we handle that element of our society. As has been stated in the last two speeches, we also have to look, and I think very seriously look, at our health care delivery, particularly in our rural areas.

Now we have great potential and great possibility to do these things along with a number of other things for the people of the State of Iowa. We also have a great liability if we don't do them or if we do them wrong. We have a great sense of responsibility given to us in trust by the people of Iowa that we have to carry out. What's going to be our role as Republicans in the Iowa Senate. We want to be proactive--we want to help determine and develop the laws, work on the legislation, and be a very integral part of solutions to the things we are looking

at. We will be players as we have been in the past and, Senator Hutchins, we want to work with you. We will work with all of you in the Senate and hopefully with the House too.

As we go through the next two years, we have a legacy to leave. Now, if we don't do our things right and we let our political interferences get in our way and those running for Governor or higher office or others go off in one direction, there are some of us who hope the Senate can do it as a body to bring everything back and do it for the people of Iowa, not for the good of one person or one party. We need to work together so there is not chaos. At the end of this General Assembly when we look back, we can say we had a very stormy end or we have a much brighter future. That will be the legacy that we leave for Iowa in the future. I certainly hope we work together. I certainly hope we work for a brighter future for the State of Iowa.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murphy for the day on request of Senator Hutchins and Senator Gentleman for the day on request of Senator Hultman.

TEMPORARY SECRETARY

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

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

ADOPTION OF TEMPORARY RULES

Senator Hutchins moved that the rules of the Senate for the 1988 session of the Seventy-second General Assembly be adopted as the temporary rules for the Senate for the Seventy-third General Assembly.

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

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

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

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

The Senate resumed session, President Zimmerman presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MADAM PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary of State duly elected to and entitled to seats in the Senate of the Seventy-third General Assembly:

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

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, ELAINE BAXTER, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 8, 1988, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the third day of January, 1989:

DISTRICTS

- Second Donald V. Doyle
- Fourth Richard Vande Hoef
- Sixth John P. Kibbie
- Eighth Berl E. Priebe
- Tenth Alvin V. Miller
- Twelfth Joy Corning
- Fourteenth Larry Murphy
- Sixteenth Dale L. Tieden
- Eighteenth Bob Carr
- Twentieth Maggie Tinsman
- Twenty-second Beverly A. Hannon
- Twenty-fourth Paul D. Pate
- Twenty-sixth Richard V. Running

Twenty-eighth.....	Richard F. Drake
Thirtieth.....	Mark Hagerla
Thirty-second.....	H. Kay Hedge
Thirty-fourth.....	John A. Peterson
Thirty-sixth.....	John E. Soorholtz
Thirty-eighth.....	Emil J. Husak
Fortieth.....	George R. Kinley
Forty-second.....	Elaine Szymoniak
Forty-fourth.....	Jack Nystrom
Forty-sixth.....	Leonard L. Boswell
Forty-eighth.....	Bill Hutchins
Fiftieth.....	Michael E. Gronstal

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 4, 1986, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1987:

DISTRICTS

First.....	Al Sturgeon
Third.....	Wilmer Rensink
Fifth.....	Linn Fuhrman
Seventh.....	C. Joseph Coleman
Ninth.....	Ray Taylor
Eleventh.....	John W. Jensen
Thirteenth.....	Jim Lind
Fifteenth.....	Kenneth D. Scott
Seventeenth.....	Joe J. Welsh
Nineteenth.....	Norman J. Goodwin
Twenty-first.....	Patrick Deluhery
Twenty-third.....	Jean Lloyd-Jones
Twenty-fifth.....	Wally E. Horn
Twenty-seventh.....	Richard J. Varn
Twenty-ninth.....	Jack Rife
Thirty-first.....	Eugene Fraise
Thirty-third.....	Don Gettings
Thirty-fifth.....	William Dieleman
Thirty-seventh.....	Charles Bruner
Thirty-ninth.....	William D. Palmer
Forty-first.....	Julia B. Gentleman
Forty-third.....	Tom Mann, Jr.
Forty-fifth.....	James R. Riordan
Forty-seventh.....	Calvin O. Hultman
Forty-ninth.....	Jack W. Hester

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 3rd Day of January, 1989.

ELAINE BAXTER, Secretary of State

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

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

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

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

51. DES MOINES REGISTER, Jon Roos, Tom Fogarty
52. THE ASSOCIATED PRESS, Thomas Seery
53. WOI-TV, Jeff Nowakowski
54. WHO-TV/WHO RADIO, Scott Pope, Dane Placko
55. UNITED PRESS INTERNATIONAL, John Peterson, Jackie King
56. IOWA LEGISLATIVE NEWS SERVICE, Jo Von Stein
57. KRNT/Q-102 RADIO, Dale Woolery, Robin Shepard
58. CEDAR RAPIDS GAZETTE, Ken Sullivan
59. LEE NEWSPAPERS, Scott Grau
60. IOWA NEWSPAPER ASSOCIATION, Harrison Weber
- 61.
62. WATERLOO COURIER, Eric Woolson
63. DUBUQUE TELEGRAPH HERALD, John Kirsch
64. KCCI-TV, Chris Lidstad

GENERAL ASSIGNMENT

AFSCME PRIDE NEWS: Larry Scarpino
 AMES DAILY TRIBUNE: Brian Steffen, Art Cullen, Finn Bullers, Caralee Johnson, Mike Welton
 THE ASSOCIATED PRESS: Tom Seery, John Gaps, Jeff Davis, David Speer, Kevin Miyazaki, Charles Neibergall, Todd Endorf
 CEDAR RAPIDS GAZETTE: Bill Brewer
 THE DES MOINES REGISTER: Tom Fogarty, David Yepsen, Jonathan Roos
 IOWA LEGISLATIVE NEWS SERVICE: Nan Stillians, Nan Hagen
 IOWA NEWSPAPER ASSOCIATION: Harrison Weber
 IOWA RADIO NETWORK: Brian Weber, C. Ross Martin
 KASI/KCCQ RADIO: Rich Fellingham, Tom McDonnell
 KCCI-TV: Michele Parker, Todd Nagel, Sue Mason, Steve Oswalt, Dana Cardin, John McLaughlin
 KIOA-KDWZ: Polly Carver

KRNT/Q-102 RADIO: Dale Woolery, Robin Shepard, Julie Johnston, Mick Trier, Jennifer Marnowski, Laura Sauser, Lisa Haines, Mike Whitesell
KTTV-TV: John Grosvenor
RADIO IOWA: O. Kay Henderson, Todd Kimm, Bob Pyle, Dennis Sutterer
SHOPPER-NEWS NETWORK: Rick Hawbaker, Scott Koeneman
SIoux CITY JOURNAL: David Opfermann
TELEGRAPH HERALD: John Kirsch
TRIBUNE RADIO NETWORKS: Dave Braga
UNITED PRESS INTERNATIONAL: John Peterson, Jackie King
WHO-AM: Kevin Teale
WHO-TV: Eileen Wixted, Kevin Waetke, Brian Greif
WOI-AM: Jim Wishner, Joyce Russell
WOI-TV: Rick Fuller, Galen Svanas, Clyde Rail, John Clough, Lynn Longo, Steve Karlin, Susan Buehler, Diane Daniels, Anne White

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hutchins moved that a committee of five be appointed to notify the Governor that the Senate was organized and ready to receive any communication he might be ready to transmit.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Coleman, Chair; Riordan, Scott, Soorholtz and Rife.

COMMITTEE TO NOTIFY THE HOUSE

Senator Hutchins moved that a committee of five be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Varn, Chair; Hannon, Miller, Hester and Lind.

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

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

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

Secretary of the Senate John F. Dwyer

Administrative

Executive Secretary to the Secretary Lori Bristol
 Assistant Secretary of the Senate/Finance Mary Ann Abbott
 Recording Clerk Cee Jay Stoneking
 Records and Supply Clerk Mary Buban
 Secretary to the Secretary Annette Nichols

Indexing

Chief Indexer Caryll Wilbur
 Assistant Indexer Nancy Gibson

Journal

Assistant Secretary of the Senate C.J. Kelly
 Assistant Journal Editor Julie Elder
 Recording Clerk Pam Rauch

Legal Counsel

Legal Counsel Ann Ver Heul
 Assistant Secretary of the Senate Cynthia A. Clingan
 Assistant Finance Officer Linda Laurenzo
 Assistant to the Legal Counsel Kimberly Cosner

Majority Caucus

Administrative Assistant to Majority Leader Greg Nichols
 Caucus Staff Director Dennis Harbaugh
 Research Analyst Steve Conway
 Research Analyst Randy Bauer
 Research Analyst William Haigh
 Research Analyst Evelyn Hawthorne
 Research Analyst Theresa Kehoe
 Research Analyst Debbie O'Leary
 Caucus Secretary Mary Bustad

Minority Caucus

Administrative Assistant to Minority Leader Judy Vinchattle
 Caucus Staff Director Paula Dierenfeld
 Research Analyst Jim Boose
 Research Analyst David Hudson
 Research Analyst Carolann Jensen
 Research Analyst Suzanne Johnson
 Caucus Secretary Marcy Jolly

Sergeant-at-arms

Sergeant-at-arms	Alfred Klocke
Assistant Sergeant-at-arms	William Krieg
Assistant Sergeant-at-arms	Lynn Brandt
Chief Doorkeeper	Ray J. Prosperi
Doorkeeper	Svend A. Christensen
Doorkeeper	Catherine L. DeHeck
Doorkeeper	Robert T. Doyle
Doorkeeper	Domenic P. Morrow
Doorkeeper	E.A. Samuelson

Services

Bill Clerk	Rodney Bergren
Switchboard Operator	Mary Leonard
Switchboard Operator	Fredda Wright
Postmaster	Eleanor Hesselning

BILL HUTCHINS, Chair

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

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

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Zimmerman announced that Brett J. Toresdahl and Danita Edwards had been appointed Administrative Assistants to the Lieutenant Governor.

COMMITTEE FROM THE HOUSE

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

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Varn reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted and the committee discharged.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Hutchins placed in nomination the name of Senator Thomas Mann, Jr. of Polk County as a candidate for the office of President pro tempore of the Senate for the Seventy-third General Assembly.

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

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

President Zimmerman requested Senators Kinley, Hutchins and Horn to escort Senator Mann to the rostrum.

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

Senator Mann addressed the Senate with brief remarks.

APPOINTMENT OF SENATE SECRETARIES

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

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

- ALEXANDER, Suzi.....HANNON, Beverly
- ANDERSON, JoyceGENTLEMAN, Julia
- BAUERLY, B.A.FUHRMAN, Linn
- BOUCHER, Candy.....RIORDAN, James R.
- COVERDALE, JeanneCARR, Bob

DAVIS, Vicki	RIFE, Jack
DOYLE, Katie	GETTINGS, Donald E.
EICHHORN, Connie	PALMER, William D.
ELICK, David	VARN, Richard J.
ELMITT, Alyce	LIND, Jim
FEENEY, Kenneth	PATE, Paul D.
FRAISE, Faye	FRAISE, Eugene S.
GANNON, Kathleen	LLOYD-JONES, Jean
GASS, Mary Ann	SZYMONIAK, Elaine
HANOVER, Jo Ann	GRONSTAL, Michael E.
HARRISON, Barbara	GOODWIN, Norman J.
HEDGE, Alleen	HEDGE, H. Kay
HILLMAN, Kathy	HUTCHINS, Bill
HOFMANN, Mary Pat	TINSMAN, Maggie
HUSAK, Dorothy	HUSAK, Emil J.
HUYSER, Brenda	DIELEMAN, William W.
JENSEN, Myrtle	JENSEN, John W.
KENNEDY, Mary	MANN, Thomas Jr.
KING, Pat	HAGERLA, Mark R.
KRAMER, Charles	WELSH, Joe
KRIEG, Jon	STURGEON, Al
KURTZ, Fran	PRIEBE, Berl E.
LESTER, Marianne	PETERSON, John A.
MILLER, Frances	MILLER, Alvin
MORRIS, K'Ann	DOYLE, Donald V.
NIELAND, Mary	MURPHY, Larry
O'CONNELL, Mary Anne	RUNNING, Richard V.
OSTER, George	BRUNER, Charles
PEER, Mary Ann	DELUHERY, Pat
RENSINK, Marilyn	RENSINK, Wilmer
JAY, Judy	COLEMAN, C. Joseph
RYDELL, Gerry	TAYLOR, Ray
SAF, Flo	TIEDEN, Dale
SAMUELSON, Beverly	SOORHOLTZ, John E.
SANTI, Kay	NYSTROM, Jack
SCHECHTMAN, Mari	KIBBIE, John P.
SCHROEDEL, Hazel	SCOTT, Kenneth
SIMON, Julie	HORN, Wally E.
SOENER, Betty	DRAKE, Richard F.
VANDE HOEF, Harriet	VANDE HOEF, Richard P.
WASKER, Elizabeth	HESTER, Jack W.
WIMMER, Margaret	BOSWELL, Leonard L.
WISE, Betty	HULTMAN, Calvin O.
ZEIGLER, Carol	CORNING, Joy C.

BILL HUTCHINS, Chair

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

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

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

The report was accepted and the committee discharged.

APPOINTMENT OF PAGES

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

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1989 Session of the Seventy-third General Assembly:

Dana Berriman, Colfax
Bill Boudewyns, Lieutenant Governor's Page, Des Moines
Tina Crawford, Hillsboro
Karin Disterhaupt, Glenwood
Keri Farrell, Secretary of the Senate's Page, Des Moines
Bill Jones, Spirit Lake
Tracy Kelly, Sioux City
Rachel Knight, Bonaparte
Sherry Krier, Audubon
Layne Martin, Central City
Tim Mohrfeld, West Point
Nikki Paustian, Gladbrook
Kati Robb, Waterloo
Tina Smith, Humboldt
Chris Taylor, Shell Rock
Ben Wagner, Waterloo
Chris Wirtjes, Harlan

BILL HUTCHINS, Chair

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

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

COMMITTEE ON MILEAGE

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Gettings, Chair; Sturgeon, Drake and Taylor.

COMMITTEE ON CHAPLAINS

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

SELECTION OF SEATS

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

Senator Hutchins moved that the holdover and reelected senators be granted the privilege of selecting new seats in order of continuous seniority from unassigned seats; that any senator having a handicap be allowed to select from the unassigned seats; that the former member of the Senate be granted the privilege of selecting his seat from the unassigned seats, that the former member of the House of Representatives be granted the privilege of selecting his seat from the unassigned seats, and that newly elected senators select their seats from the unassigned seats, the order of selection based on their names being drawn by lot by the Secretary of the Senate and that first, the majority floor leader and the minority floor leader be permitted to select their seats.

The motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent to select a seat for Senator Gentleman in her absence.

Senator Hutchins asked and received unanimous consent to select a seat for Senator Murphy in his absence.

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

<u>NAME</u>	<u>SEAT NO.</u>
Boswell of Decatur	19
Bruner of Story	23
Carr of Dubuque	21
Coleman of Webster	13
Corning of Black Hawk	24
Deluhery of Scott	47
Dieleman of Marion	29
Doyle of Woodbury	15
Drake of Muscatine	40
Fraise of Lee	11
Fuhrman of Buena Vista	34
Gentleman of Polk	44
Gettings of Wapello	5
Goodwin of Clinton	42
Gronstal of Pottawattamie	9
Hagerla of Des Moines	14
Hannon of Jones	1
Hedge of Mahaska	32
Hester of Pottawattamie	6
Horn of Linn	45
Hultman of Montgomery	46
Husak of Tama	7
Hutchins of Audubon	49
Jensen of Bremer	28
Kibbie of Palo Alto	3
Kinley of Polk	43
Lind of Black Hawk	10
Lloyd-Jones of Johnson	17
Mann of Polk	31
Miller of Cerro Gordo	39
Murphy of Fayette	25
Nystrom of Boone	38
Palmer of Polk	41
Pate of Linn	12
Peterson of Monroe	16
Priebe of Kossuth	37
Rensink of Sioux	4
Rife of Muscatine	8
Riordan of Dallas	33
Running of Linn	2
Scott of Cerro Gordo	35

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

INTRODUCTION OF BILLS

Senate File 1, by Priebe and Soorholtz, a bill for an act relating to expenses incurred for attending meetings out of state.

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

Senate File 2, by Sturgeon, a bill for an act relating to the compensation of personal representatives, assistants to personal representatives, and other fiduciaries, providing for review of the compensation under the probate code, and providing an effective date and an applicability provision.

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

Senate File 3, by Taylor, a bill for an act prohibiting the outdoor advertising of cigarettes and tobacco products.

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

Senate File 4, by Taylor, a bill for an act prohibiting outdoor advertising of tobacco products.

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

Senate File 5, by Taylor, a bill for an act relating to the protection of human life, including the protection of unborn children and the prohibition of abortion and related actions affecting unborn children, providing penalties, and providing an effective date.

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

Senate File 6, by Taylor, a bill for an act relating to the dissolution of the Eldora Cemetery Society, Incorporated and the disposition of its property, and providing effective dates.

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

Senate File 7, by Taylor, a bill for an act providing that the costs of advertising cigarettes are not deductible business expenses for corporations under the state corporate income tax and providing an effective date and an applicability provision.

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

Senate File 8, by Rife, a bill for an act providing for open enrollment, with notification of intent to enroll on the first day of school.

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

Senate File 9, by Priebe, a bill for an act relating to transportation services provided to school pupils.

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

Senate File 10, by Priebe, a bill for an act requiring the natural resources commission to adopt a rule to allow handicapped individuals to use a crossbow.

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

Senate File 11, by Running, a bill for an act relating to expense reimbursement for representatives to the older Iowans legislature.

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

Senate File 12, by Running, a bill for an act relating to medical assistance eligibility of certain recipients and providing an effective date.

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

Senate File 13, by Sturgeon, a bill for an act to require commercial establishments which hold a license or permit for the consumption of alcoholic beverages or beer on the premises to maintain a test machine for use by the establishment's patrons for breath analysis of blood alcohol content.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:01 p.m., until 3:45 p.m.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate:

AGRICULTURE—15 Members

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

APPROPRIATIONS—21 Members

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

BUSINESS AND LABOR RELATIONS—10 Members

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

COMMERCE—15 Members

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

EDUCATION—17 Members

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

*Vice Chair

**Ranking Member

ENVIRONMENT AND ENERGY UTILITIES—10 Members

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

HUMAN RESOURCES—12 Members

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

JUDICIARY—15 Members

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

LOCAL GOVERNMENT—10 Members

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

NATURAL RESOURCES—12 Members

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

RULES AND ADMINISTRATION—6 Members

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

SMALL BUSINESS AND ECONOMIC DEVELOPMENT—12 Members

Boswell, Chair	Kibbie	Pate	Scott
Hannon*	Lind	Peterson	Szymoniak
Hagerla**	Miller	Rife	Vande Hoef

*Vice Chair

**Ranking Member

STATE GOVERNMENT—15 Members

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

TRANSPORTATION—10 Members

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

WAYS AND MEANS—15 Members

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

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION

Gronstal, Chair	Jensen**	Soorholtz
Dieleman*	Mann	

AGRICULTURE/NATURAL RESOURCES

Riordan, Chair	Hester**	Tieden
Priebe*	Scott	

CLAIMS

Kinley, Chair	Drake**	Hultman
Welsh*	Doyle	

ECONOMIC DEVELOPMENT AND IOWA PLAN

Boswell, Chair	Rife**	Szymoniak
Kibbie*	Hagerla	

*Vice Chair

**Ranking Member

EDUCATION

Varn, Chair	Rensink**	Nystrom
Horn*	Murphy	

HEALTH AND HUMAN RIGHTS

Sturgeon, Chair	Tinsman**	Hannon
Miller*	Gentleman	

HUMAN SERVICES

Bruner, Chair	Corning**	Fuhrman
Lloyd-Jones*	Deluhery	

JUSTICE SYSTEM

Fraise, Chair	Vande Hoef**	Taylor
Doyle*	Carr	

REGULATION

Running, Chair	Hedge**	Palmer
Peterson*	Goodwin	

TRANSPORTATION AND SAFETY

Gettings, Chair	Lind**	Pate
Coleman*	Husak	

APPOINTMENTS TO SENATE ETHICS COMMITTEE

Appointed by Senator Hutchins, Majority Leader

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

Taylor**	Drake
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*Vice Chair

**Ranking Member

SENATORS AND THEIR RESPECTIVE COMMITTEES

Boswell, Leonard L.	Agriculture Appropriations, Vice Chair Education Small Business and Economic Development, Chair Economic Development and Iowa Plan Appropriations Subcommittee, Chair
Bruner, Charles	Appropriations Education Human Resources, Vice Chair Ways and Means Human Services Appropriations Subcommittee, Chair
Carr, Bob	Environment and Energy Utilities Human Resources Judiciary State Government, Chair Justice System Appropriations Subcommittee
Coleman, C. Joseph	Agriculture Judiciary State Government Transportation, Chair Transportation and Safety Appropriations Subcommittee, Vice Chair
Corning, Joy C.	Appropriations Education Human Resources, Ranking Member Human Services Appropriations Subcommittee, Ranking Member
Deluhery, Patrick J.	Commerce, Vice Chair Education Environment and Energy Utilities, Chair Judiciary Human Services Appropriations Subcommittee
Dieleman, William W. "Bill"	Education State Government Transportation Ways and Means, Chair Administration Appropriations Subcommittee, Vice Chair

Doyle, Donald V.	Judiciary, Chair Natural Resources Transportation Claims Appropriations Subcommittee Justice System Appropriations Subcommittee, Vice Chair
Drake, Richard F.	Ethics Judiciary State Government Transportation, Ranking Member Ways and Means Claims Appropriations Subcommittee, Ranking Member
Fraise, Eugene	Agriculture Appropriations Local Government State Government Ways and Means Justice System Appropriations Subcommittee, Chair
Fuhrman, Linn	Agriculture Business and Labor Relations, Ranking Member Judiciary Ways and Means Human Services Appropriations Subcommittee
Gentleman, Julia	Human Resources Judiciary, Ranking Member State Government Ways and Means Health and Human Rights Appropriations Subcommittee
Gettings, Donald E.	Appropriations Business and Labor Relations Ethics Rules and Administration, Vice Chair Transportation Transportation and Safety Appropriations Subcommittee, Chair
Goodwin, Norman J.	Appropriations Local Government Natural Resources, Ranking Member Transportation Regulation Appropriations Subcommittee

Gronstal, Michael E. Appropriations
Commerce
Environment and Energy Utilities, Vice Chair
Judiciary
State Government
Administration Appropriations Subcommittee, Chair

Hagerla, Mark R. Human Resources
Judiciary
Small Business and Economic Development,
 Ranking Member
Economic Development and Iowa Plan Appropriations
 Subcommittee

Hannon, Beverly A. Commerce
Human Resources, Chair
Small Business and Economic Development,
 Vice Chair
State Government
Health and Human Rights Appropriations
 Subcommittee

Hedge, H. Kay Agriculture
Education
Environment and Energy Utilities
Natural Resources
Regulation Appropriations Subcommittee,
 Ranking Member

Hester, Jack W. Agriculture
Judiciary
Natural Resources
Ways and Means, Ranking Member
Agriculture and Natural Resources Appropriations
 Subcommittee, Ranking Member

Horn, Wally E. Education, Vice Chair
Human Resources
Judiciary
State Government
Education Appropriations Subcommittee,
 Vice Chair

Hultman, Calvin O. Business and Labor Relations
Rules and Administration, Ranking Member
Ways and Means
Claims Appropriations Subcommittee

Husak, Emil J. Agriculture
Appropriations

	<ul style="list-style-type: none"> Ethics, Vice Chair Natural Resources Ways and Means, Vice Chair Transportation and Safety Appropriations Subcommittee
Hutchins, Bill	Rules and Administration, Chair
Jensen, John W.	<ul style="list-style-type: none"> Appropriations Commerce, Ranking Member Local Government Rules and Administration Transportation Administration Appropriations Subcommittee, Ranking Member
Kibbie, John P.	<ul style="list-style-type: none"> Education Natural Resources, Vice Chair Small Business and Economic Development Ways and Means Economic Development and Iowa Plan Appropriations Subcommittee, Vice Chair
Kinley, George R.	<ul style="list-style-type: none"> Commerce Ethics, Chair Local Government Rules and Administration Claims Appropriations Subcommittee, Chair
Lind, Jim	<ul style="list-style-type: none"> Appropriations Commerce Education Small Business and Economic Development Transportation and Safety Appropriations Subcommittee, Ranking Member
Lloyd-Jones, Jean	<ul style="list-style-type: none"> Appropriations Education Rules and Administration State Government, Vice Chair Transportation Human Services Appropriations Subcommittee, Vice Chair
Mann, Tom Jr.	<ul style="list-style-type: none"> Business and Labor Relations Commerce Judiciary, Vice Chair Natural Resources Administration Appropriations Subcommittee

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

Rife, Jack	Commerce Environment and Energy Utilities Small Business and Economic Development State Government Economic Development and Iowa Plan Appropriations Subcommittee, Ranking Member
Riordan, James R.	Agriculture, Vice Chair Appropriations Human Resources Ways and Means Agriculture and Natural Resources Appropriations Subcommittee, Chair
Running, Richard V.	Appropriations Business and Labor Relations Commerce State Government Regulation Appropriations Subcommittee, Chair
Scott, Kenneth D.	Agriculture Natural Resources, Chair Small Business and Economic Development Transportation, Vice Chair Agriculture/Natural Resources Appropriations Subcommittee
Soorholtz, John E.	Agriculture, Ranking Member Environment and Energy Utilities State Government Ways and Means Administration Appropriations Subcommittee
Sturgeon, Al	Appropriations Business and Labor Relations, Vice Chair Environment and Energy Utilities Human Resources Health and Human Rights Appropriations Subcommittee, Chair
Szymoniak, Elaine	Education Local Government, Vice Chair Small Business and Economic Development Ways and Means Economic Development and Iowa Plan Appropriations Subcommittee
Taylor, Ray	Business and Labor Relations Education, Ranking Member Ethics, Ranking Member

	Human Resources Judiciary Justice System Appropriations Subcommittee
Tieden, Dale L.	Appropriations, Ranking Member Commerce Education Natural Resources Agriculture/Natural Resources Appropriations Subcommittee
Tinsman, Maggie	Appropriations Education Human Resources Local Government Health and Human Rights Appropriations Subcommittee, Ranking Member
Vande Hoef, Richard	Agriculture Business and Labor Relations Local Government, Ranking Member Small Business and Economic Development State Government Justice System Appropriations Subcommittee, Ranking Member
Varn, Richard J.	Appropriations Education Environment and Energy Utilities Judiciary Education Appropriations Subcommittee, Chair
Welsh, Joe J.	Appropriations, Chair Commerce Judiciary Claims Appropriations Subcommittee, Vice Chair

IN THE SUPREME COURT OF IOWA

APPOINTMENT OF MEMBERS OF THE ETHICS COMMITTEE IN THE
SENATE OF THE 73rd IOWA GENERAL ASSEMBLY BY THE CHIEF
JUSTICE OF THE SUPREME COURT OF IOWA

TO THE SENATE OF THE 73rd IOWA GENERAL ASSEMBLY:

Pursuant to the provisions of section 68B.10, The Code, the undersigned, Chief Justice of the Supreme Court of Iowa, hereby appoints Lucas J. DeKoster of Hull and Lylea Dodson-Critelli of Des Moines, neither of whom is an employee of the General Assembly, as members of the Ethics Committee in the Senate.

Dated this 27th day of December, 1988.

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

The original and a true copy of this order have been filed with the Secretary of the Senate of the Iowa General Assembly on this 28th day of December, 1988.

JOHN F. DWYER
Secretary of the Senate

AFTERNOON SESSION

The Senate reconvened at 3:48 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 9, 1989, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a resolution calling for a joint convention of the House and Senate on Tuesday, January 10, 1989, at 6:30 p.m., and inviting Governor Branstad to deliver his condition of the state message at this joint convention.

House Concurrent Resolution 2, a resolution calling for a joint convention of the House and Senate on Wednesday, January 11, 1989, at 10:00 a.m., and inviting Chief Justice McGiverin to deliver his condition of the judicial department message at this joint convention.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 1, by committee on Rules and Administration, a concurrent resolution relating to distribution of printed legislative materials.

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

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

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

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

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

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 1, a concurrent resolution relating to distribution of printed legislative materials.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

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

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

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

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTIONS

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

Senate Concurrent Resolution 1

On motion of Senator Horn, Senate Concurrent Resolution 1, a concurrent resolution relating to distribution of printed legislative materials, was taken up for consideration.

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

House Concurrent Resolution 1

On motion of Senator Horn, House Concurrent Resolution 1, a resolution providing for a joint convention of the two houses on Tuesday, January 10, 1989, at 6:30 p.m. and inviting Governor Branstad to deliver his condition of the state message at this joint convention, was taken up for consideration.

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

House Concurrent Resolution 2

On motion of Senator Horn, House Concurrent Resolution 1, a resolution providing for a joint convention of the two houses on Wednesday, January 11, 1989, at 10:00 a.m. and inviting Chief Justice McGiverin to present his message of the condition of the judicial department at this convention, was taken up for consideration.

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

APPENDIX

ANNOUNCEMENT BY THE MAJORITY LEADER

Senator Hutchins announced the following statutory appointments made during the 1988 interim:

HEALTH DATA COMMISSION (August 3, 1988)

Senator Jack Rife, Moscow, term expires June 30, 1989.

COMMISSION ON THE STATUS OF WOMEN (EX OFFICIO NONVOTING MEMBERS) (August 3, 1988)

Senator Jean Lloyd-Jones, Iowa City, term expires June 30, 1992
Senator David Readinger, Des Moines, term expires June 30, 1990.

COMMISSION ON COMPENSATION FOR ELECTED PUBLIC OFFICIALS (Code 2A.1) (November 4, 1988)

Rebecca Reynolds-Knight, Bonaparte, term expires June 30, 1993.

CERTIFICATES OF RECOGNITION

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

J. Avert Cook, Anamosa — For celebrating his 100th birthday. Senator Hannon. (September 2, 1988)

George and Nelda VonSprecken, Wyoming — For celebrating their 50th wedding anniversary. Senator Hannon. (September 7, 1988)

First United Methodist Church, Arthur — For celebration of its centennial. Senator Doyle (September 18, 1988)

Mr. and Mrs. Ed Kroeger, Mount Vernon — For celebrating their 50th wedding anniversary. Senator Hannon. (September, 1988)

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 6, the committee on rules and administration submits the following increases and reclassifications:

Executive Sec. to the Secretary	Lori Bristol	23-2 to 23-3	effective 6/24/88
Assistance Finance Officer	Linda Laurenzo	21-2	effective 6/24/88
Assistant Journal Editor	Julie Elder	21-3 to 21-4	effective 6/24/88
Indexing Assistant	Nancy Gibson	18-2 to 18-3	effective 6/24/88
Journal Recording Clerk	Pam Rauch	20-1 to 20-2	effective 6/24/88
Sr. Administrative Assistant to Majority Leader	Greg Nichols	35-5	effective 6/24/88
Sr. Administrative Assistant to Minority Leader	Judy Vinchattle	35-4	effective 6/24/88
Sr. Caucus Staff Director	Dennis Harbaugh	36-2	effective 6/24/88
Sr. Caucus Staff Director	Paula Dierenfeld	36-2	effective 6/24/88
Executive Sec. to Majority Leader	Kathy Hillman	23-5 to 23-6	effective 6/24/88
Administrative Secretary to Minority Leader	Betty Wise	21-4 to 21-5	effective 1/09/89
Legislative Research Analyst III	Mary Gannon	33-1	effective 6/24/88
Legislative Research Analyst II to III	Debbie O'Leary	30-3 to 30-4	effective 6/24/88
Legislative Research Analyst II	Bill Haigh	33-1	effective 12/23/88
Legislative Research Analyst I to II	Steve Conway	30-1	effective 6/24/88
Legislative Research Analyst I to II	Theresa Kehoe	27-2 to 27-3	effective 6/24/88
Caucus Secretary	Mary Bustad	30-1	effective 9/19/88
Legislative Research Analyst III	Jim Boose	21-3 to 21-4	effective 6/24/88
Legislative Research Analyst I to II	David Hudson	33-1	effective 6/24/88
Legislative Research Analyst I to II	Suzanne Johnson	27-2 to 27-3	effective 8/01/88
Legislative Research Analyst I to II	Carolann Jensen	30-1	effective 6/24/88
Caucus Secretary	Marcy Jolly	27-2 to 27-3	effective 8/22/88
Legislative Research Analyst I	Randy Bauer	30-1	effective 3/18/89
		21-2 to 21-3	effective 6/24/88
		27-1 P-FT	effective 8/22/88

BILL HUTCHINS, Chair

REPORT OF THE COMMITTEE ON MILEAGE

MADAM PRESIDENT: Pursuant to Sec. 2.10, Code 1987, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-third General Assembly:

NAME	ROUND TRIP MILES
Lieutenant Governor Jo Ann Zimmerman.....	30
Boswell, Leonard L.	160
Bruner, Charles	76
Carr, Bob	410

Coleman, C. Joseph	236
Corning, Joy C.	220
Deluhery, Patrick J.	338
Dieleman, Wm. W. (Bill)	102
Doyle, Donald V.	426
Drake, Richard F.	306
Fraise, Eugene S.	369
Fuhrman, Linn	360
Gentleman, Julia	none
Gettings, Donald E.	190
Goodwin, Norman J.	364
Gronstal, Michael E.	270
Hagerla, Mark R.	360
Hannon, Beverly A.	310
Hedge, H. Kay	152
Hester, Jack W.	250
Horn, Wally E.	250
Hultman, Calvin O.	238
Husak, Emil J.	150
Hutchins, Bill	170
Jensen, John W.	290
Kibbie, John P.	344
Kinley, George R.	16
Lind, Jim	240
Lloyd-Jones, Jean	224
Mann, Tom Jr.	none
Miller, Alvin V.	230
Murphy, Larry	300
Nystrom, Jack	100
Palmer, William D.	24
Pate, Paul D.	272
Peterson, John A.	128
Priebe, Berl E.	280
Rensink, Wilmer	460
Rife, Jack	298
Riordan, James R.	26
Running, Richard V.	260
Scott, Kenneth D.	218
Soorholtz, John E.	72
Sturgeon, Al	420
Szymoniak, Elaine	none
Taylor, Ray	160
Tieden, Dale L.	370
Tinsman, Margaret N.	360
Vande Hoef, Richard	440
Varn, Richard J.	244
Welsh, Joe J.	400

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	1	State Government
S. F.	2	Judiciary
S. F.	3	Transportation
S. F.	4	Transportation
S. F.	5	Human Resources
S. F.	6	Local Government
S. F.	7	Ways & Means
S. F.	8	Education
S. F.	9	Education
S. F.	10	Natural Resources
S. F.	11	State Government
S. F.	12	Human Resources
S. F.	13	State Government

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 1 was adopted by the Senate on January 9, 1989.

EMIL J. HUSAK

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate chamber:

The Honorable Forrest V. Schwengels, former member of the Senate from Jefferson County.

The Honorable Tom Tauke from Iowa, member of the United States House of Representatives.

Scott Maasen from Johnston and Rachel Daack from Dubuque, Lieutenant Governors from Boys and Girls State.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:08 p.m., until 9:00 a.m., Tuesday, January 10, 1989.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 10, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Marvin Arnpriester, pastor of the United Methodist Church, Carroll, Iowa.

The Journal of Monday, January 9, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the day on request of Senator Hutchins.

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

The Senate resumed session, President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

ADOPTION OF RESOLUTIONS (Regular Calendar)

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

Senate Concurrent Resolution 2

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

Senator Kinley moved the adoption of Senate Concurrent Resolution 2.

A non record roll call was taken.

The ayes were 44, nays 6.

The motion prevailed and Senate Concurrent Resolution 2 was adopted.

Senate Resolution 1

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

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

The Senate resumed session, President Zimmerman presiding.

IMMEDIATELY MESSAGED

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

BUSINESS PENDING

Senate Resolution 1

The Senate resumed consideration of Senate Resolution 1.

Senator Lind offered amendment S—3001 filed by him from the floor to page 44 of the resolution and moved its adoption.

Amendment S—3001 was adopted by a voice vote.

Senator Lloyd-Jones moved the adoption of Senate Resolution 1 as amended.

A non record roll call was taken.

The ayes were 44, nays 6.

The motion prevailed and Senate Resolution 1 was adopted as amended.

INTRODUCTION OF BILLS

Senate File 14, by Sturgeon, a bill for an act relating to the employment of manicurists, authorizing beauty salons to employ manicurists who are not licensed cosmetologists, and providing an exception to licensing requirements for manicurists employed by beauty salons or barbershops.

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

Senate File 15, by Sturgeon, a bill for an act relating to state purchasing by providing for the inclusion of a bidder's safety record in defining bidder competence.

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

Senate File 16, by Sturgeon, a bill for an act requiring physicians to accept the reasonable charge for certain services determined by the United States secretary of health and human services when treating a beneficiary of health insurance under Title XVIII of the Social Security Act.

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

Senate File 17, by Gronstal, a bill for an act requiring a notice of each special assessment installment that is due and providing an applicability date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:20 a.m., until 6:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 9, 1989, 2:25 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Rife, Soorholtz and Varn.

Members Absent: Carr and Sturgeon.

Committee Business: Assigned LSB 4096 to a subcommittee.

Adjourned: 2:35 p.m.

JUDICIARY

Convened: January 9, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Carr, Coleman, Deluhery, Fuhrman, Gronstal, Drake, Horn, Hagerla, Hester, Varn and Welsh.

Members Absent: Mann, Vice Chair; Gentleman, Ranking Member and Taylor (all excused).

Committee Business: Adopted committee rules.

Adjourned: 1:45 p.m.

LOCAL GOVERNMENT

Convened: January 9, 1989, 1:41 p.m.

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

Members Absent: Kinley, Priebe, Murphy (excused) and Tinsman.

Committee Business: Adopted committee rules.

Adjourned: 1:45 p.m.

RULES AND ADMINISTRATION

Convened: January 9, 1989, 12:00 noon.

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

Members Absent: none.

Committee Business: Approved committee resolutions relating to the joint rules, permanent rules of the Senate and distribution of printed legislative materials; approved employment of Legislative Research Analyst.

Adjourned: 12:30 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 3

TRANSPORTATION: Coleman, Chair; Doyle and Drake

Senate File 4

TRANSPORTATION: Coleman, Chair; Doyle and Drake

LSB 4096

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

SSB 3

EDUCATION: Horn, Chair; Bruner and Corning

SSB 4

EDUCATION: Varn, Chair; Lloyd-Jones and Rensink

SSB 5

EDUCATION: Murphy, Chair; Horn and Lind

SSB 6

EDUCATION: Deluhery, Chair; Bruner and Tinsman

SSB 7

EDUCATION: Murphy, Chair; Lloyd-Jones and Rensink

STUDY BILLS RECEIVED

SSB 1 Natural Resources

Increasing selected fishing and hunting license and stamp fees, providing an effective date, and providing for the Act's applicability.

SSB 2 Natural Resources

Providing for nonresident hunting licenses for deer and wild turkey.

SSB 3 Education

Relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax.

SSB 4 Education

Relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended.

SSB 5 Education

To provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date.

SSB 6 Education

Relating to the compulsory attendance and truancy laws and providing penalties.

SSB 7 Education

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

SSB 8 Natural Resources

Relating to the protection of meandered streams and sovereign lakes, and subjecting violators to an existing penalty.

SSB 9 Transportation

Regarding the application process for federal airport funds and mandating that governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval.

SSB 10 Transportation

Relating to the allowable length of stinger-steered automobile transporters and certain semitrailers when operated on highways designated by the state transportation commission.

SSB 11 Human Resources

Relating to the regulation of major medical equipment.

SSB 12 Human Resources

Relating to the reporting of terminations of pregnancy and making penalties applicable.

COMMITTEE REPORT**ENVIRONMENT AND ENERGY UTILITIES**

Final Bill Action: SENATE FILE 24, a bill for an act relating to the expansion of the suspension period of certain provisions of the federal Resource Conservation and Recovery Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz and Sturgeon. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	14	Human Resources
S. F.	15	State Government
S. F.	16	Human Resources
S. F.	17	Local Government
S. F.	18	Judiciary
S. F.	19	Natural Resources
S. F.	20	Judiciary
S. F.	21	Appropriations
S. F.	22	Environment & Energy Utilities
S. F.	23	Local Government

AMENDMENT FILED

S—3001

S. R. 1

Jim Lind

EVENING SESSION

The Senate reconvened at 6:10 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 18, by Corning, a bill for an act relating to the time period within which an information or indictment for sexual abuse with a child under the age of twelve shall be found.

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

Senate File 19, by Hester, a bill for an act requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow.

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

Senate File 20, by Hester, a bill for an act relating to prohibiting the rental of hard core pornographic material and providing a penalty.

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

Senate File 21, by Hultman, a bill for an act relating to standing appropriations by defining the term and requiring prior legislative approval for a standing appropriation.

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

Senate File 22, by Boswell, a bill for an act relating to redemption of refused metal beverage containers and providing a penalty.

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

Senate File 23, by Peterson, a bill for an act relating to city development by revising requirements for approval of a proposal for the annexation or severance of territory.

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

Senate File 24, by committee on Environment and Energy Utilities, a bill for an act relating to the expansion of the suspension period of certain provisions of the federal Resource Conservation and Recovery Act.

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

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 1, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

The joint convention convened at 6:20 p.m., President Zimmerman presiding.

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

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

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

The motion prevailed by a voice vote and the President appointed as such committee Senators Boswell, Fraise and Nystrom, on the part of the Senate, and Representatives Mertz, Brand and D. Hanson, on the part of the House.

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

The following guests were escorted into the House chamber:

Elaine Baxter, Secretary of State; Dale Cochran, Secretary of Agriculture; Michael Fitzgerald, Treasurer of State and Tom Miller, Attorney General.

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

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

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

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

A year ago, I stood before you and proclaimed that 1987 was the best year of the 80's in Iowa. I was wrong. 1988 was even better. It was a record-setting year, a year when Iowa did more than just turn the corner. 1988 was a year when Iowans made it unmistakably clear: we are back and we are primed for growth.

Consider just a few facts:

*Number of Iowans working — all time high.

*Unemployment rate — lowest since 1979.

*Manufacturing job growth — two and one half times the Midwest average and five times the U.S. rate.

*Land values — up 20 percent, despite the worst drought of my lifetime.

*Population — after decades of moving out, people are now moving back to Iowa.

Even the national media discovered something more in Iowa than just the caucuses. Last month, NEWSWEEK magazine extolled our virtues with a story headlined, "The Heartland is Hot."

Yes, we have come back strong in Iowa, even as we faced the searing drought of 1988. And, yes, I am convinced that the Midwest — and particularly Iowa — with our sound work ethic; strong education system, and solid reputation for family values and friendly people, will become a more and more attractive place to work and raise a family.

It is fair to ask, how did we get here? How have we come to this point? The answer is simple. We have learned a lesson in the 80's. We learned that we can no longer afford to be complacent and reliant on just one industry — agriculture — to carry the load. We learned that to keep the best of our past, we had to change the way we do some things — be more aggressive, more competitive in the race for new jobs.

For the past six years, during even the darkest days of the farm crisis, we have focused on economic development, on strengthening and diversifying Iowa's economy. Our dedication to that task is paying off.

We must not forget that our economic rebirth is happening now, not because of what we did yesterday, but because of what we have been doing for the last six years. We have been consistently and steadily working from a sound strategic plan for growth and diversification.

That plan includes:

- *Building on our strengths in agriculture and education;
- *Focusing our resources with a goal of creating a transportation network to serve our state in the 21st Century;
- *Improving our tax and business climate;
- *Investing in areas of greatest growth potential; and,
- *Finally, for the first time in the history of the state, marketing our state.

But state action alone was not the whole story. While sound federal farm and international monetary policy helped too, there is more to Iowa's economic resurgence than that. It is in the communities. Development in Iowa happens at the community level. In cities and towns as varied as Des Moines and Davenport; Waterloo and Council Bluffs; Osceola and Mount Pleasant; Spencer and Red Oak, growth is happening because of local leaders. We here in this chamber gave them the tools but they made development work in Iowa. Today, I would like to salute the leaders of Iowa's communities for making this state ready to grow again.

Despite our dramatic progress, we cannot let up. National and International trends are with us today. But what happens if they turn against us tomorrow? Are we ready? Have we diversified enough? Have we laid a solid enough foundation upon which we can build a strong economy for a new decade or new century? I believe there is more yet to be done.

We cannot afford to return to the complacency of the 70's, lest we wish to revisit the crisis of the early and mid-80's.

Today, I am reminded of something Will Rogers once said, "Even if you're on the right track, you can still get run over if you just stand still." It seems to me Will Rogers was speaking for Iowa when he said that.

Let us all resolve today that we will not stand still. We will stay the course, keep the focus on economic development, and move forward to build the kind of Iowa we all want for our children and grandchildren.

We have made dramatic progress in a short time and, of course, it is customary to measure progress by looking back. But I think we have a new challenge before us: to compare Iowa, not with where we have been, but with where we want to go. I want to look ahead. I want to share my vision of Iowa on the threshold of a new decade and a new century.

I want Iowa to be a place that people come to, not leave from. I want this to be a state that provides opportunities for its citizens and attracts new people with jobs and an outstanding quality of life.

About a year ago, the Census Bureau came out with dire predictions that by the year 2010, Iowa would have 450,000 fewer people than today. Indeed, the Census Bureau's statistical methods would have nary a soul left in Iowa by the following century. We challenged their projections at the time. And, by the end of the year, the Census Bureau admitted they were off base. They even acknowledged that people are beginning to come back to the Heartland.

The point is this: we can mold our own future. We can and we are reversing a century long tradition of out-migration. If we want Iowa to grow, we can make it happen. Our challenge is to bring people back and jobs are what will do that — jobs and a great quality of life. I want Iowa to become a magnet to pull people home — home to the Heartland where tradition and family and security all still mean something.

I want an Iowa where our citizens have the choice to live on farms or to get good jobs in small or large communities; where our children get the best education in the nation; where our elders are a respected and active part of the community; where families are strong and safe on the streets or in their homes and where we all can benefit from a clean environment.

I recently received a letter from Randy and Jayne Welch of Hamden, Connecticut. They both grew up and went to college in Iowa and left here for a job in New York City in 1985. Randy is tired of his two and one-half hour commute to work from their apartment. They write that:

"We are now in the process of trying to return to Iowa. The thought of leaving the subway trains, crime rates and the outrageous cost of living behind is a pleasant one. We are excited about the prospect of returning to a meaningful career in the pleasant surrounding of our home state."

There are many people like Randy and Jayne Welch. They want to come back to a place they still call home — to Iowa. Let us resolve today to never, never stop our efforts to help those homecomings happen.

So, the fabric of our future in Iowa must be woven together with the threads from five critical areas: Economic Development, Education, the Family, Public Safety, and the Environment. If we address each this year and in the coming years, we can achieve that delicate balance of a strong economy coupled with a top quality of life.

Economic development must and will remain at the top of my priority list. I am reminded of an old sports adage, "Stick with what got you there." Well, our focus on economic development for the past six years has helped made today's recovery a reality. So let us stick with it.

Our plan needs to continue building on our strengths. In agriculture, this means a significant investment in research so we can find new ways to add value to our basic commodities. Iowa currently ranks last among 11 Midwestern states in per capita state funding for ag research. That is a shame. By 1992, I want Iowa to be among the leaders in ag research. We can achieve this goal by committing additional resources to an ag research program, and I suggest we start today to get that job done.

Our resources — now and in the future — should be focused on the community. We know that not every Iowan has enjoyed the fruits of economic recovery. There are those in rural Iowa who are still feeling the pain of the farm crisis or the effects of the drought.

There are those who would have us believe that the Iowa of the future will be dominated by a few regional growth centers. Is that what we want or do we want to show the nation how even the smallest communities can grow with strong local leadership, with state support and encouragement? I happen to think that we can be a model for rural development, because I have already seen local citizens pulling together to build successful small communities.

In order to help more small communities, I am proposing a Rural Enterprise Fund that will provide seed money for local development organizations, support for rural incubators, more rural housing, and funds that will expand the Main Street Program to communities under 5000.

More and more states are recognizing that telecommunications systems are the highways of the 21st Century. A good telecommunications system can make rural Iowa a logical choice for a business location or expansion. It can also help our schools prepare students to compete in a world economy.

I am recommending that we make a commitment to the Iowa Educational Telecommunications Network, a two-way video communications system that will ultimately serve the entire state.

We also must continue to target investments in growth areas that will help us diversify Iowa's economy. We have already invested \$27.5 million in strategic research. Now we must develop a working partnership among the business, academic and government communities to make sure this research moves from the lab to the workplace. I am convinced Iowa can leapfrog other states in the race to create high tech jobs if we establish an Iowa Science and Technology Foundation.

Over 2000 jobs have been created in Iowa by the insurance industry since we began that effort in the fall of 1987. Quality Iowa companies like The Principal Group are expanding and others, like Liberty Mutual of Boston, are placing new operations in Iowa.

We believe we can have a similar success rate with pharmaceuticals. We already have the only College of Pharmacy in the country that has an FDA-approved pharmaceutical lab. That lab is at the University of Iowa. Pharmaceutical manufacturing fits right in with our strategy to invest in biotechnology and we have made a good start with Eastman Kodak locating its first pharmaceutical manufacturing facility in Cedar Rapids. Another major firm is seriously considering locating in the university's industrial research park. That would set the stage for expansion of the pharmaceutical industry in Iowa.

Finally, let us never forget to tell our story, the Iowa story. Last year, we made a good start and take a look at the results:

- *more than 4,000 business responses in just the first six months;
and

- *requests for tourism information are up 210 percent since the campaign began.

Remember last year when I said I was tired of waking up to Missouri? This year, thanks to your help, Governor Ashcroft and people throughout the Midwest will be waking up to Iowa.

Clearly, we must continue to build on our current promotional program to keep Iowa out in front of business decision-makers and tourists. To do this, I am proposing we increase our commitment to marketing Iowa by \$3.5 million. This is consistent with recommendations made by the Iowa Tourism Council and the marketing plan developed by the Iowa Department of Economic Development and the Iowa Business Council.

Education is a cornerstone of our economic development strategy. It is at the top of the list when we talk about quality of life. Our goal should not waiver: Keep Iowa's education system number one in the country.

Iowa's three-phased Educational Excellence Program has been a source of important support and encouragement for our teachers. As a result of Phase III, there are great things happening in school districts across Iowa.

As I visit schools, I have seen all kinds of innovative approaches to teaching and learning . . . like performance-based pay systems developed in cooperation between teachers and administrators, improved curriculum, and even things like customized vocabulary drills for students.

I also would like to suggest that we acknowledge the many principals and superintendents who helped make Phase III a success.

Let us consider for a moment the challenges we face in preparing Iowa students to compete in the world economy. First, there is the issue of the new skills that will be required for jobs and the use of sophisticated technology.

Secondly, what do we do to prevent young children today from being the drug addicts and drop outs of tomorrow? I would remind you that already, 10 percent of Iowa's very young children are considered at risk of falling through the cracks in our society.

If we are to compete in the 21st Century, we cannot afford to let that happen. We will need every possible school child to become a productive member of our workforce. With this in mind, we face a special year in the history of K/12 education in Iowa. We are charged with rewriting the school aid formula. It is a time when we can truly build an education system for the 21st Century for the entire State of Iowa.

Entire state is key here. A viable education system for the State of Iowa will not be built on short term goals, that is, how my district is going to gain or lose next year. Rather our success will be measured by how we prepare our children — how well we provide Iowa's children with the choices and resources that give them the finest education possible.

This is an awesome responsibility and one that I hope each one of us here tonight in these chambers will come to accept in a spirit of cooperation. We must work throughout the session to approve the very best plan that will benefit every child in Iowa.

At the state universities, the focus should be on improving undergraduate education, increasing faculty salaries, and investing in research that will create jobs for Iowa's future. At the community colleges, the direction should be training and retraining our workforce. And the independent colleges and universities must continue to be able to serve Iowans with a quality and affordable educational alternative. The budget I will present to you on Friday will reflect each of these goals for higher education.

A solid family structure is at the heart of our good quality of life. Iowa is recognized as a place where community, neighborhood and family still count for something. But in recent years, the foundation of our families has been shaken. A few startling statistics bring into sharp focus the new realities for Iowa's families. The number of single parents in Iowa has doubled since 1970. Across the country, 65 percent of all mothers with children under 18 work. Iowa ranks first in the

nation with population over 85. And, the experts tell us to expect more of the same.

Last year, we began our welfare reform program — PROJECT PROMISE — and it has already become a model for the nation. In the last 18 months, 5,300 Iowa families have successfully moved from dependency on welfare to independence and jobs.

I met Bonnie Peiffer during a PROJECT PROMISE trip to Iowa City this fall. Through the program, Bonnie has been able to get off welfare and into a job as a nurse at the University Hospitals. She told me:

“PROMISE makes it possible to work and feel better about yourself. The adjustment from welfare recipient to work has not been that difficult, and believe it or not, my nursing schedule does work out with the kids.”

Now, we must keep up the effort with:

- *Child and foster care assistance;
- *New initiatives to prevent and deal with child abuse;
- *Help the elderly stay in their homes as long as they can; and,
- *Catastrophic health insurance for the elderly.

The stresses facing our families too often result in drug or alcohol abuse and it is taking a huge toll on society. Over 50 percent of all young people in trouble with the law are drug abusers. I wish I could stand before you and say we are exempt from the problem in Iowa, but we are not.

Illegal drugs are available in every county in Iowa. Deaths from cocaine and crack are now commonplace. The state medical examiner recently reported to me that he sees an average of two deaths a week resulting from drug abuse.

It is a deadly epidemic. It has to be arrested. We must fight drug and alcohol abuse on all fronts. We must provide education about the danger of drugs for our children; we must toughen our penalties for drug offenses; we need more narcotics enforcement agents and lab technicians and we need to focus all community institutions — business, churches, law enforcement, human services, education — all on one goal: Drug free schools, drug free communities, a drug free Iowa.

Our families have a right to be safe on the streets and secure in their homes. A low crime rate is one measure of a good quality of life. Frankly, that quality is threatened by the lack of prison space.

We have run out of space and earlier and earlier releases have led to more and more repeat offenders. We have room for 2,900 prisoners but today more than 3,000 inmates are in our system.

For every new prison admission, the parole board must consider the early release of another convict. Iowa's most serious offenders are currently serving just a quarter of their sentences. After years and years of this, it is time to call a halt.

Recognizing the need for more prison beds last year, you authorized the Department of Corrections to develop a plan to meet this critical need. The department has responded by submitting a sound plan that not only adds 386 beds, but also it improves the entire corrections system.

Now we need your approval to get started with the construction and remodeling. Every day of delay jeopardizes the safety of our citizens.

Iowa means "Beautiful Land" and I want to keep it that way. Iowa has been at the forefront of protecting our environment. Ten years ago we moved to stem soil erosion and we passed the bottle bill to reduce littering of our countryside. We also just celebrated our tenth anniversary of ethanol marketing in Iowa. And, now cities like Denver and Phoenix are looking at ethanol as a way to reduce their critical air pollution problems. With your help, Iowa has become a nationally recognized leader in groundwater protection.

Today, questions like what do we do with our garbage and how safe is my drinking water are becoming commonplace, even here in Iowa.

Iowa should greet the 21st Century with the most environmentally informed citizenry, with the cleanest air, richest soil, and safest water supply in the nation. That ought to be our goal.

We know the volume of plastic waste has more than doubled over the past 20 years. And, our scientists tell us that some plastics take up to 400 years to degrade. Now this is both a problem and an opportunity for Iowa. And, I am suggesting we make it an opportunity.

We should use nothing but degradable garbage bags in Iowa by the year 1991. And, nondegradable disposable plastic foams should become history in our state by 1995. And, since bio-degradable plastic bags are partially made from cornstarch, we will be adding value to an important basic commodity — corn. In fact, we could create a market for an additional 500 million bushels of corn if the country follows us to bio-degradable. It is a win, win situation for Iowa.

In 1850, trees covered 18 percent of Iowa, but today only 4 percent of the state is forest land. I think it is time to create a forest renewal program for Iowa that provides incentives to plant trees on CRP and other acres. We should also get our Department of Transportation to plant more trees along our roadways. Our goal is to re-forest 30,000 acres by the Year 2000.

Biodegradables, groundwater protection and re-forestation, all are part of our plan to make Iowa the leader in environmental quality and in quality of life.

It is an intriguing vista out there, as I stand here and survey the future. We begin a new session and prepare for a new decade, recognizing that a new century will soon be in sight.

We should take stock of where we are and ask ourselves some basic questions. Do we want Iowa to grow? Do we want our children and our grandchildren to have better schools and more opportunities? Do we want to protect the family in our changing society? Do we want safe, drug-free communities? Do we want a clean and healthy environment?

If you say yes, then I ask you to join me by saying yes to putting aside partisan and regional differences and make a commitment to focus on the future.

We have worked together on tough issues. I think we have done a credible job. We have got some tough issues ahead of us, but we can handle them. I, for one, am excited about our prospects. I think we have a good foundation in place to make our vision of the future a reality.

We want Iowa to be the state of the future and we have the future of the state in our hands. Let us move ahead with courage, conviction and commitment.

Thank you.

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

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

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

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 7:10 p.m., until 9:00 a.m., Wednesday, January 11, 1989.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 11, 1989

The Senate met in regular session at 9:02 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Peter Pintus, Chaplain of Powell III at Iowa Methodist Medical Center, Des Moines, Iowa.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the day on request of Senator Horn.

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

The Senate resumed session, President Zimmerman presiding.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 2, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:42 a.m., President Zimmerman presiding.

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

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

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Deluhery and Vande Hoef, on the part of the Senate, and Representatives Wise and Trent, on the part of the House.

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Mann, Doyle and Hagerla, on the part of the Senate, and Representatives Hibbard, Beatty and Roger Halvorson, on the part of the House.

Elaine Baxter, Secretary of State; Michael Fitzgerald, Treasurer of State; Dale Cochran, Secretary of Agriculture and Tom Miller, Attorney General, were escorted into the House chamber.

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

The Justices of the Supreme Court, the Chief Judge and Judges of the Court of Appeals, and Chief Judges of the eight Iowa Judicial Districts were escorted into the House chamber.

Mrs. Joan McGiverin, Paul McGiverin and Betty Smith were escorted into the House chamber.

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

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

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

It is my privilege to accept the invitation of the General Assembly to report to you and to the citizens of Iowa on the Condition of the Iowa Judiciary. The purpose of this message is to inform Iowans about the state of our court system and to provide you, the leaders of our state government, with information which will assist you in discharging your responsibilities for providing resources and approving legislation for the effective operation of our court system. In this endeavor, there is a necessary partnership between us.

Last year, we Iowans celebrated the 150-year anniversary of our territorial government. The judicial branch commemorated this anniversary by looking back upon 150 years of justice—150 years of leading the nation in protecting the rights of our citizens. Let us briefly consider some of these decisions:

- In 1839, 24 years prior to the signing of the emancipation proclamation, the Iowa Supreme Court, in its first case, determined that freedom in this state extended to everyone and when a slave was brought here that person thereby became free;

- In 1868, the court ruled that a child could not be refused admission to a common school "because of his or her color, nationality, religion or the like";

- In 1869, our court became the first in the nation to admit a woman to the practice of law; and

- In 1873, the court ruled that racial discrimination in public accommodations violated the constitutional right to equal protection of the laws.

There also have been many other hallmarks of justice in Iowa over the years that are too numerous to mention.

The celebration of this anniversary is behind us now, but not forgotten. Today, we must look ahead to the next century and chart a course for the future of justice and our justice system.

I would like to take this opportunity to highlight some issues which we face today and which will continue to challenge us in the future. Some of the issues involve protecting our children, reducing delays in processing cases through our courts and managing the courts more efficiently.

Protecting and enforcing the rights of individuals are the most important functions of our court system. Of all the individuals involved in court proceedings, none are more important than our children. Because they represent our future, the law has a tradition of zealously guarding and protecting children's interests.

Sadly, more and more children are entering the court system as victims of abuse and neglect, or as delinquents. Recent figures are alarming. The number of juvenile petitions filed in 1988 jumped nine percent.

The increase in juvenile hearings is even more dramatic. Since the juvenile code was revised in 1978, the number of juvenile hearings has increased almost 200 percent.

Because of these increases, judges, juvenile court officers and other professionals have less and less time to spend on each child's case. More resources need to be directed toward the juvenile court system so that children involved in juvenile proceedings receive more attention.

We recommended the addition of more juvenile court officers and juvenile court staff. Juvenile court officers assist the court by investigating cases, reporting their findings to the court, and keeping track of children who are under the supervision of the court. In essence, a juvenile court officer acts as another set of eyes and ears for the court.

Some children involved in juvenile court proceedings in two judicial districts receive special attention because of our court appointed special advocate program, popularly known as CASA. A CASA is a volunteer who freely gives the time and energy necessary to become a trained advocate for an abused or neglected child. Because the CASA volunteer's case load is very limited compared to the case load of lawyers and social service workers involved in these juvenile cases, the CASA volunteer can furnish the court with extra insight into how a foster placement or other special custodial arrangement is working.

The CASA program has been operating since 1986. Last year the national center for state courts favorably evaluated Iowa's CASA program. We recommend that this program be expanded to more communities so that troubled children across the state can be helped in this special way.

In another area of the law, the interests of children unfortunately have sometimes been outweighed by the economic interests of others. I am speaking about children who are the subject of support orders. The inadequacy of child support, ordered and collected, has been cited as one of the significant factors in contributing to the rising number of children living in poverty.

In Iowa, the enforcement of support orders, always a matter of high priority, has improved greatly over the last two decades. However, inadequacy of some support orders and the absence of systematic updating procedures for child support awards, remain to be addressed.

In response to concerns raised about this issue, the supreme court recently established a task force to explore child support guidelines and explore procedures for modifying support awards. The task force is currently studying methods for expediting the setting of support orders and may complete this work in time for the legislature to consider it yet this session.

Recently passed federal legislation, which seeks to strengthen child support enforcement, will undoubtedly increase the workload of the court system. Beginning in 1993, all support orders in cases involving aid for dependent children must be reviewed every three years. The bill also requires that child support guidelines be reviewed every four years and be properly applied by the courts. We expect that our task force will have recommendations to help Iowa reasonably comply with these requirements.

Last session, the legislature returned the responsibility of child support collections to the clerks of district court and mandated that the system be automated by July 1, 1990. We are complying with that legislation. The resources needed to complete the task are set forth in the judicial department's budget request for fiscal year 1990.

Another area of great concern is the status of our court dockets. The case load has increased substantially since I left the district court trial bench in 1978. That year there were over 74,000 civil and criminal cases filed in the district court. Last year, we had almost 98,000 filings. This is about a thirty-one percent jump in filings in the ten-year period. We have experienced this increase even though the population of Iowa decreased three percent during the same period.

In 1988, nearly every type of case filing at the trial court level increased. Although the number of civil cases decreased about three percent last year, criminal cases rose more than ten percent. Small claims, simple misdemeanors and probate matters have all increased during 1988. And, as I indicated earlier, there were a record number of juvenile matters requiring the attention of the courts last year.

The increase in filings, coupled with limited resources, has resulted in delays in some areas of the state in processing cases. Our judicial system was designed to provide citizens with prompt, inexpensive and fair resolution of disputes. But so long as our courts are unable to protect or enforce people's rights because of delay, we cannot say people have proper access to justice.

Even though the Iowa courts process cases much quicker than many states, delays do exist and we are burdened with the overall public perception that our courts are too slow. Delays must be eliminated to restore the public's confidence in the fairness and the utility of our court system.

Additional judges and support staff would have a positive effect on reducing backlogs and delay. We recommend that the legislature fully implement the statutory judgeship formula. The formula, which gives equal weight to population and filings, was revised in 1986. Under present application of the formula, 105

district court judges are authorized. However, the actual number is statutorily limited to 100.

In addition to the district court judgeships, we also recommend funding for three more district associate judges — one position that is required by the statutory formula and two in substitution for six part-time magistrate positions. Although district associate judges have limited jurisdiction, they handle the bulk of the indictable criminal cases in Iowa. Many of them also handle juvenile cases.

The judicial system also relies on many other people who help process cases. Some of our clerk of court offices are as much as two weeks behind in their filings and we recommend additional staff for these offices.

The burden on our system has also been felt at the appellate level. When I was appointed to the supreme court in 1978, there were 1,490 filings; in 1988, there were 1,900 filings — an increase of 28 percent. We are disposing of more cases each year. However, at the same time, the number of pending appellate cases has increased significantly.

This increase has dramatically affected the workload of the court of appeals. We are currently studying this problem and in the near future you can expect some proposals which should help move cases through the appellate courts more quickly.

At this point, I want to mention three matters which I raised last year. First, I want to thank all of you for your efforts in improving the level of judicial compensation. The quality of our justice hinges on the quality of our judges. Fair compensation helps to attract the best qualified persons to the bench and to retain our best judges. We strongly urge that you continue to support the salary increases recommended by the Iowa State Bar Association commission on judicial compensation and approve their suggested levels for the next fiscal year.

Secondly, we requested last year that you repeal the statutory cap on the salaries of the clerks of court and their deputies. Because of the cap, comparable worth cannot be implemented for many clerks and deputies. This cap needs to be removed so that the compensation of clerks and their deputies is determined in the same manner as all other state employees.

Last year I also spoke with you about the Iowa court information system, which we call ICIS. An effective information system is an essential tool for planning and implementing a case delay reduction program. For a well functioning court system, the court must monitor its performance and determine the degree of improvement attained or needed. A full automation of communications is a must for an efficient and accountable court system.

As many of you know, the judicial department has developed a master plan for an automated court information system that would meet the statewide needs of our courts. This system will benefit our state:

- By facilitating the prompt processing of cases;

- By enabling fast and accurate production and retrieval of statistical and management information;
- By providing for automation of personnel and financial information within the department;
- By reducing our reliance on labor intensive manual procedures; and
- By increasing the recovery of uncollected court costs, fines and surcharges.

Currently the state is paying for the use of twenty different county computer systems in court operations. These systems are costly and inefficient. Because they vary from county to county, their usefulness is extremely limited. Once the ICIS project is complete, it will cost no more to maintain in all 99 counties than the amount we now pay for limited computer service in only a few counties.

We have already begun implementing the plan for an automated court system, and this next fiscal year is a critical one for that project.

I have discussed some of the issues we face today and some of the issues we must tackle if we are to move Iowa's court system into the twenty-first century. We must take steps to protect and enforce the rights of our children, to reduce unnecessary delays in processing cases, and to manage our courts more efficiently. These are some of our greatest challenges.

So what is the state of the judiciary?

The state of the judiciary in Iowa is best reflected in the hard working people of our court system. Our people are asked everyday to respond to the needs of Iowans — to protect and enforce our rights. And they do it! They deserve our thanks and more importantly, they deserve our help.

Let us make a commitment to work together to provide that help and to prepare for the future of justice in Iowa.

Thank you.

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

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

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

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

INTRODUCTION OF BILLS

Senate File 25, by Taylor, a bill for an act providing for nonresident hunting licenses for deer and wild turkey.

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

Senate File 26, by Priebe, a bill for an act authorizing the imposition of an additional county hospital levy consisting of a combination individual income surtax and property tax levy.

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

Senate File 27, by Priebe, a bill for an act exempting from the local sales and services tax the gross receipts from the sale of property or the furnishing of services by the state.

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

Senate File 28, by Taylor, a bill for an act establishing the crime of assault against a peace officer and providing a penalty.

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

RECESS

On motion of Senator Husak, the Senate recessed at 10:34 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 10, 1989, 2:15 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Kinley, Lind, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh.

Members Absent: Hannon and Mann.

Committee Business: Adopted committee rules.

Adjourned: 2:20 p.m.

EDUCATION

Convened: January 10, 1989, 8:34 a.m.

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

Members Absent: Murphy, Chair; Taylor and Varn (all excused).

Committee Business: Adopted committee rules and assigned study bills to subcommittees.

Adjourned: 8:40 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 10, 1989, 1:25 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Carr, Rife, Soorholtz and Sturgeon.

Members Absent: Varn.

Committee Business: Approved LSB 4096 as a committee bill.

Adjourned: 1:30 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 10, 1989, 1:40 p.m.

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

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 2:05 p.m.

WAYS AND MEANS

Convened: January 10, 1989, 3:00 p.m.

Members Present: Dieleman, Chair; Hester, Ranking Member; Bruner, Fraise, Fuhrman, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Husak, Vice Chair (excused); Drake, Gentleman, Hultman, Kibbie and Murphy (excused).

Committee Business: Organizational meeting and adoption of committee rules.

Adjourned: 3:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 1

STATE GOVERNMENT: Coleman, Chair; Soorholtz and Gronstal

Senate File 5

HUMAN RESOURCES: Taylor, Chair; Hannon and Bruner

Senate File 10

NATURAL RESOURCES: Priebe, Chair; Mann and Goodwin

Senate File 11

STATE GOVERNMENT: Dieleman, Chair; Running and Drake

Senate File 12

HUMAN RESOURCES: Sturgeon, Chair; Horn and Tinsman

Senate File 13

STATE GOVERNMENT: Horn, Chair; Carr and Rife

Senate File 14

HUMAN RESOURCES: Sturgeon, Chair; Carr and Tinsman

Senate File 15

STATE GOVERNMENT: Gronstal, Chair; Hannon and Soorholtz

Senate File 16

HUMAN RESOURCES: Sturgeon, Chair; Horn and Corning

Senate File 19

NATURAL RESOURCES: Priebe, Chair; Mann and Goodwin

SSB 1

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

SSB 2

NATURAL RESOURCES: Kibbie, Chair; Tieden and Peterson

SSB 8

NATURAL RESOURCES: Priebe, Chair; Kibbie and Rensink

SSB 9

TRANSPORTATION: Lloyd-Jones, Chair; Doyle and Jensen

SSB 10

TRANSPORTATION: Gettings, Chair; Scott and Goodwin

SSB 11

HUMAN RESOURCES: Carr, Chair; Murphy and Hagerla

SSB 12

HUMAN RESOURCES: Hannon, Chair; Riordan and Gentleman

SSB 13

TRANSPORTATION: Gettings, Chair; Dieleman and Nystrom

SSB 14

NATURAL RESOURCES: Mann, Chair; Doyle and Hedge

SSB 15

HUMAN RESOURCES: Hannon, Chair; Riordan and Tinsman

SSB 16

HUMAN RESOURCES: Bruner, Chair; Hannon and Gentleman

SSB 17

HUMAN RESOURCES: Murphy, Chair; Corning and Gentleman

SSB 18

HUMAN RESOURCES: Riordan, Chair; Sturgeon and Corning

SSB 19

HUMAN RESOURCES: Riordan, Chair; Bruner and Taylor

SSB 20

HUMAN RESOURCES: Hannon, Chair; Murphy and Taylor

STUDY BILLS RECEIVED

SSB 13 Transportation

Relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties.

SSB 14 Natural Resources

To prohibit the willful obstruction or interference with a person who is lawfully hunting, fishing, trapping, or shooting, and providing a penalty.

SSB 15 Human Resources

Providing for extension of the filing periods for death certificates and medical certifications, shortening the period for notifications of death, and deleting the penalty for transporting or accepting for disposition of a dead body without a permit.

SSB 16 Human Resources

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

SSB 17 Human Resources

Relating to the inspection of a body by the state medical examiner or a county medical examiner prior to cremation of the body, providing reporting requirements, providing for the payment of costs, and making penalties applicable.

SSB 18 Human Resources

Relating to assisting the department of human services in dependent adult abuse investigations.

SSB 19 Human Resources

Relating to the substance abuse law.

SSB 20 Human Resources

Establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons.

SSB 21 Small Business/Economic Development

To repeal the Iowa export trading company Act.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	25	Natural Resources
S.F.	26	Ways & Means
S.F.	27	Ways & Means
S.F.	28	Judiciary
S.F.	29	Human Resources
S.F.	30	Human Resources
S.F.	31	Human Resources
S.F.	32	Business & Labor Relations
S.F.	33	State Government
S.F.	34	Education
S.F.	35	Judiciary
S.F.	36	Appropriations

AFTERNOON SESSION

The Senate reconvened at 3:47 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 29, by Taylor, a bill for an act relating to mental health commitment proceedings.

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

Senate File 30, by Sturgeon, a bill for an act relating to the provision of transportation for indigent patients at the university hospitals and clinics.

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

Senate File 31, by Sturgeon, a bill for an act relating to the violation of a law or rule by a health care facility.

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

Senate File 32, by Sturgeon, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits.

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

Senate File 33, by Sturgeon, a bill for an act to limit the amount of funds certain candidates' committees may accept from certain political committees and subjecting violators to a penalty.

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

Senate File 34, by Sturgeon, a bill for an act requiring the state board of regents to conduct a study of the statewide needs for master's degree programs from the colleges and programs offered at the University of Iowa and to provide extension services to meet the needs.

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

Senate File 35, by Jensen, a bill for an act relating to the crime of sexual exploitation of children and making a penalty applicable.

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

Senate File 36, by Hultman, a bill for an act establishing a student loan assistance program for members of the Iowa national guard to be administered by the college aid commission and making an appropriation.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:51 p.m., until 9:00 a.m., Thursday, January 12, 1989.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 12, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

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

The Journal of Wednesday, January 11, 1989, was approved.

SPECIAL GUESTS

Senator Hultman appeared in the well of the Senate and presented Marcy Requist of Red Oak, Miss Iowa 1989. Marcy is a graduate of North American Travel Academy and hopes to pursue a career in the travel industry.

Marcy related to the Senate that she will be competing in the Miss America Pageant in Mobile, Alabama, on February 28.

Marcy was accompanied by her parents, Marvin and Barb Requist and Mrs. Leigh Ramig, 1984 Mrs. Iowa.

Senator Drake presented Marilyn Bordwell of Washington, the 1989 Iowa Junior Miss. She will represent Iowa at the National Junior Miss Finals in June.

Marilyn is a senior at Washington High School and her honors and activities include the Honor Roll, National Honor Society, class officer, cheerleader, choir, and owns and operates a dance center.

Marilyn's future plans include a major in Communications/Fine and Performing Arts.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Murphy and Bruner for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 37, by Taylor, a bill for an act relating to abortions, requiring parental notifications under certain circumstances, providing procedures for obtaining a waiver of the requirement, and providing a penalty.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:16 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., President pro tempore Mann presiding.

SPECIAL GUEST

Senator Riordan and President pro tempore Mann presented Leslie Waddell, Miss Black USA 1989 from Gramblanc, Michigan.

Leslie is a sophomore at the University of Michigan majoring in political science and is visiting Des Moines to commemorate the birthday of Dr. Martin Luther King, Jr.

INTRODUCTION OF BILLS

Senate File 38, by committee on Education, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended.

Read first time and placed on calendar.

Senate File 39, by committee on Education, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax.

Read first time and placed on calendar.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 3, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-third general assembly.

Read first time and placed on calendar.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 3, a resolution relating to the compensation of chaplains, officers and employees of the seventy-third general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

* Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Rules and Administration Committee on Senate Concurrent Resolution 3 and they were attached to the committee report.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 3.

Senate Concurrent Resolution 3

On motion of Senator Gettings, Senate Concurrent Resolution 3, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-third general assembly, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 3.

A non record roll call was requested.

The ayes were 41, nays 4.

The motion prevailed by a voice vote and Senate Concurrent Resolution 3 was adopted.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 3** be immediately messaged to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 24.

Senate File 24

On motion of Senator Gronstal, Senate File 24, a bill for an act relating to the expansion of the suspension period of certain provisions of the federal Resource Conservation and Recovery Act, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 24) the vote was:

Ayes, 43:

Boswell	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd—Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Carr	Coleman	Hultman
Hutchins	Murphy	Priebe	

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 11, 8:30 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink and Scott.

Members Absent: Fraise and Vande Hoef (both excused).

Committee Business: Adopted committee rules and appointed subcommittees to study check-offs and pseudorabies.

Adjourned: 8:50 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 11, 1989, 3:05 p.m.

Members Present: Peterson, Chair; Fuhrman, Hultman, Palmer, Taylor, Vande Hoef and Gettings.

Members Absent: Sturgeon, Vice Chair; Mann and Running.

Committee Business: Adopted rule 39 for standing committees and discussed issues of concern to committee members.

Adjourned: 3:17 p.m.

EDUCATION

Convened: January 11, 1989, 4:00 p.m.

Members Present: Horn, Vice Chair; Taylor, Ranking Member; Boswell, (arrived 4:21); Corning, Deluhery, Dieleman, Hedge, Kibbie, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn (arrived 4:13).

Members Absent: Murphy, Chair (excused); Bruner (excused) and Lind.

Committee Business: Adopted committee rules as amended; approved SSBs 3 and 4 as committee bills.

Adjourned: 5:57 p.m.

HUMAN RESOURCES

Convened: January 11, 1989, 2:15 p.m.

Members Present: Hannon, Chair; Corning, Ranking Member; Carr, Hagerla, Horn, Riordan, Sturgeon and Tinsman.

Members Absent: Bruner, Vice Chair; Gentleman, Murphy and Taylor (all excused).

Committee Business: Organizational meeting; adopted committee rules; assigned bills to subcommittees.

Adjourned: 2:30 p.m.

NATURAL RESOURCES

Convened: January 11, 1989, 1:30 p.m.

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

Members Absent: none.

Committee Business: Adopted committees rules and assigned bills to subcommittees.

Adjourned: 1:45 p.m.

STATE GOVERNMENT

Convened: January 11, 1989, 1:35 p.m.

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

Members Absent: none.

Committee Business: Discussed standing committee rules; assigned bills to subcommittees.

Adjourned: 1:43 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 38 (SSB 4), a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 3: Murphy, Bruner and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 39, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Horn, Taylor, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lloyd-Jones, Rensink, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 5: Murphy, Boswell, Bruner, Lind and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 6

LOCAL GOVERNMENT: Fraise, Chair; Szymoniak and Tinsman

Senate File 17

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Tinsman

Senate File 22

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

Senate File 23

LOCAL GOVERNMENT: Szymoniak, Chair; Priebe and Goodwin

BILL ASSIGNED TO COMMITTEE

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

S.F. 37 Human Resources

STUDY BILLS RECEIVED**SSB 22 Judiciary**

Relating to offenses involving children, investigative guidelines in child abuse cases, and testimony of children as victims or witnesses.

SSB 23 Judiciary

Relating to the commencement in the district court of certain civil rights actions involving administrative closures.

SSB 24 Judiciary

Relating to the elimination of the limit on restitution which can be ordered of a person convicted of, or receiving a deferred judgment for, the offense of operating a motor vehicle while intoxicated.

SSB 25 Judiciary

Requiring notification to crime victims of the expiration of a criminal offender's sentence.

SSB 26 Judiciary

Relating to the authority to appoint and remove juvenile court referees.

SSB 27 Judiciary

Relating to the timely notification of the chairperson of the proper judicial nominating commission of a vacancy in the supreme court, the court of appeals, or the district court.

SSB 28 Judiciary

Relating to the availability of counseling services to children who are members of a household where an incident involving domestic abuse has occurred.

SSB 29 Judiciary

Relating to the collection and compilation of information regarding juvenile court activities.

SSB 30 Judiciary

Relating to automobile liability insurance by altering the minimum proof of financial responsibility for motor vehicles, by mandating the inclusion of uninsured and underinsured motorist coverage in an automobile liability insurance policy, and by regulating certain automobile insurance rates.

SSB 31 Judiciary

Relating to the enforcement of child custody and visitation orders.

SSB 32 Judiciary

Relating to penalties for illegal gaming.

SSB 33 Judiciary

Relating to certain enforcement activities and responsibilities of the department of inspections and appeals and related agencies and governmental entities; clarifying and expanding the powers and duties of the department of inspections and appeals with respect to hearings, appeals, and review under certain licensing and public assistance laws; providing for confidentiality of information; providing subpoena power; requiring health care vendors and providers convicted in medical assistance cases to make restitution for state and county investigatorial and prosecutorial costs; and providing properly related matters.

SSB 34 Ways & Means

Relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of nonresidents on incomes from agricultural products, amending the definition of a financial institution for franchise

tax purposes, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions.

SSB 35 Ways & Means

Relating to the updating of the reference to the Internal Revenue Code and providing a retroactive applicability date.

SSB 36 Ways & Means

Relating to the exemption from state sales, services, and use tax on the gross receipts from sales of equipment or supplies purchased by nonprofit health organizations and used for delivery of services.

SSB 37 Ways & Means

Providing an additional individual income tax credit for individuals who are deaf and providing for retroactive applications.

SSB 38 Ways & Means

Relating to the department of inspections and appeals by providing for income tax refund and rebate setoff procedures by the investigations division, and exempting certain nonprofit intermediate care facilities from the sales, service, and use tax.

SSB 39 Environment & Energy Utilities

To provide clean air and water in this state, and subjecting violators to an existing penalty.

SSB 40 Local Government

Relating to the notification of the city development board of public hearings for proposed urban revitalization plans.

INTRODUCTION OF BILL

Senate File 40, by Varn, a bill for an act relating to actions for defamation, providing for mediation and arbitration, and actions to set the record straight and declaratory judgments.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:17 p.m., until 10:00 a.m., Monday, January 16, 1989.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 16, 1989

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Alex Hanna, Assistant Minister of the Union Baptist Church, Des Moines, Iowa. He was accompanied by the Reverend H.I. Thomas, pastor of the Union Baptist Church.

The Journal of Thursday, January 12, 1989, was approved.

OBSERVANCE OF DR. MARTIN LUTHER KING, JR.'S BIRTHDAY

Senator Mann offered remarks in honor and memory of Dr. Martin Luther King, Jr.'s birthday.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 1989, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the joint rules of the senate and house for the seventy-third general assembly.

INTRODUCTION OF BILLS

Senate File 41, by Taylor, a bill for an act relating to the time

period during which certain resources are included in an eligibility determination for medical assistance.

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

Senate File 42, by Husak, a bill for an act relating to the establishment of a minimum gross retail sales level prior to the required purchase of a household hazardous materials permit, and providing for a half-year permit fee.

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

Senate File 43, by Rife, a bill for an act relating to the authority of township trustees to order the rebuilding or repair of fences by railway corporations.

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

Senate File 44, by Rife, a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations.

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

OATH OF OFFICE

Senator Larry Murphy appeared before the bar of the Senate, was duly sworn and subscribed his name to the oath of office.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:16 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 12, 1989, 9:45 a.m.

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

Members Absent: Jensen, Ranking Member and Mann (both excused).

Committee Business: Organizational meeting; amended proposed committee rules.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 12, 1989, 9:45 a.m.

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

Members Absent: Murphy (excused).

Committee Business: Organizational meeting; amended and adopted committee rules; discussed priorities for the session.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 12, 1989, 9:48 a.m.

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

Members Absent: none.

Committee Business: Adopted committee rules; Bob Snyder of LFB distributed committee materials.

Adjourned: 10:29 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 12, 1989, 9:48 a.m.

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

Members Absent: Bruner, Chair (excused).

Committee Business: Jon Neiderbach of LFB presented overview of budget procedure; Chuck Palmer, Acting Director of DHS, gave a review of the department's budget request.

Adjourned: 12:07 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 12, 1989, 9:45 a.m.

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

Members Absent: Carr.

Committee Business: Adopted committee rules and discussed agenda for week of January 16.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 12, 1989, 9:40 a.m.

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

Members Absent: Palmer.

Committee Business: Adopted committee rules; reviewed tentative hearing schedule for 1989 session; discussed organizational and administrative issues.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 12, 1989, 10:26 a.m.

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

Members Absent: none.

Committee Business: Adopted committee rules and discussed proposed program for 1989 session.

Adjourned: 10:43 a.m.

RULES AND ADMINISTRATION

Convened: January 12, 1989, 9:45 a.m.

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

Members Absent: none.

Committee Business: Approved committee concurrent resolution relating to the compensation of chaplains, officers and employees of the 73rd general assembly.

Adjourned: 10:15 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

JUDICIARY: Mann, Chair; Varn and Hagerla

Senate File 18

JUDICIARY: Mann, Chair; Varn and Fuhrman

Senate File 20

JUDICIARY: Doyle, Chair; Coleman and Hester

Senate File 25

NATURAL RESOURCES: Kibbie, Chair; Tieden and Peterson

Senate File 28

JUDICIARY: Mann, Chair; Varn and Taylor

Senate File 29

HUMAN RESOURCES: Murphy, Chair; Tinsman and Taylor

Senate File 30

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Hagerla

Senate File 31

HUMAN RESOURCES: Sturgeon, Chair; Carr and Hagerla

Senate File 32

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

Senate File 35

JUDICIARY: Doyle, Chair; Coleman and Hester

Senate File 37

HUMAN RESOURCES: Taylor, Chair; Hannon and Bruner

SSB 22

JUDICIARY: Mann, Chair; Doyle and Gentleman

SSB 23

JUDICIARY: Mann, Chair; Deluhery and Gentleman

SSB 24

JUDICIARY: Mann, Chair; Doyle and Fuhrman

SSB 25

JUDICIARY: Hagerla, Chair; Horn and Taylor

SSB 26

JUDICIARY: Varn, Chair; Coleman and Hester

SSB 27

JUDICIARY: Varn, Chair; Mann and Taylor

SSB 28

JUDICIARY: Varn, Chair; Gentleman and Gronstal

SSB 29

JUDICIARY: Gentleman, Chair; Hagerla and Varn

SSB 30

JUDICIARY: Doyle, Chair; Mann and Hester

SSB 31

JUDICIARY: Horn, Chair; Varn and Gentleman

SSB 32

JUDICIARY: Doyle, Chair; Mann and Fuhrman

SSB 33

JUDICIARY: Carr, Chair; Mann and Drake

SSB 39

ENVIRONMENT AND ENERGY UTILITIES: Carr, Chair; Miller and Rife

SSB 40

LOCAL GOVERNMENT: Murphy, Chair; Kinley and Jensen

SSB 43

JUDICIARY: Carr, Chair; Hagerla and Deluhery

SSB 44

JUDICIARY: Mann, Chair; Carr and Drake

SSB 45

JUDICIARY: Gentleman, Chair; Carr and Fuhrman

SSB 46

JUDICIARY: Mann, Chair; Gentleman and Deluhery

SSB 47

JUDICIARY: Gronstal, Chair; Mann and Gentleman

SSB 48

JUDICIARY: Horn, Chair; Varn and Taylor

SSB 49

NATURAL RESOURCES: Peterson, Chair; Goodwin and Husak

SSB 50

NATURAL RESOURCES: Husak, Chair; Rensink and Doyle

SSB 51

NATURAL RESOURCES: Doyle, Chair; Hester and Priebe

STUDY BILLS RECEIVED

SSB 41 Transportation

Establishing a minimum allocation from the public transit assistance fund for elderly transportation programs.

SSB 42 Transportation

Relating to the duties of the department of inspections and appeals in the appeal and hearing processes of the state department of transportation.

SSB 43 Judiciary

Establishing the crime of fourth degree sexual abuse by certain state, county, and municipal employees, officers, and agents, and making penalties applicable.

SSB 44 Judiciary

Relating to testing a person for contagious infectious diseases while committed to the custody of the department of corrections, and providing a penalty.

SSB 45 Judiciary

Relating to escorts during the transfer of inmates committed to the custody of the director of the department of corrections.

SSB 46 Judiciary

Relating to the definition of public accommodation under the civil rights' law.

SSB 47 Judiciary

Relating to the release of child abuse information to certain individuals.

SSB 48 Judiciary

Relating to Court proceedings involving child support orders where the dependent child resides in another state.

SSB 49 Natural Resources

Providing property tax exemptions for lands dedicated as preserves.

SSB 50 Natural Resources

Relating to the duties of the natural resource commission, the environmental protection commission, and the state advisory board for preserves with respect to budget recommendations, budget approval, and reporting requirements.

SSB 51 Natural Resources

Prohibiting the operation of motor vehicles in streambeds with exceptions and providing a penalty.

SSB 52 Business & Labor Relations

Repealing the criminal code chapter relating to labor union membership.

SSB 53 Ways & Means

Relating to the state's cigarette and tobacco products tax; fuel tax; withholding tax; corporate and personal income tax; sales, services and use tax; franchise tax; hotel and motel tax; property

tax exemptions; and inheritance and estate taxes; and providing a penalty.

PETITIONS

The following petitions were presented and placed on file by:

Senator Gettings from fifty residents of Wapello County opposing legislation increasing the fees for hunting and fishing licenses.

Senator Pate from twenty-four residents of Delaware County urging continued support of the CEBA Program.

AFTERNOON SESSION

The Senate reconvened at 3:53 p.m., Senator Running presiding.

INTRODUCTION OF BILLS

Senate File 45, by Hultman, a bill for an act relating to reciprocity in continuing education requirements for persons licensed to practice a profession or occupation in this state.

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

Senate File 46, by Peterson, a bill for an act relating to the employment of inmates and prisoners.

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

Senate File 47, by Jensen, a bill for an act relating to a state employee child day care pilot project.

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

Senate File 48, by Running, a bill for an act relating to the notification or testing of persons receiving health or correctional services regarding the human immunodeficiency virus.

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

Senate File 49, by Running, a bill for an act requiring licensure of hospice programs.

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

Senate File 50, by Boswell, a bill for an act relating to the purchase and sale of grain, providing fees and a penalty, and providing effective and applicability dates.

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

Senate File 51, by Sturgeon, a bill for an act relating to the excise taxes on motor fuel, gasohol, and special fuel and providing effective and retroactive applicability dates.

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

Senate File 52, by Corning, Lind, Tinsman, Mann, Lloyd-Jones, Deluhery, Gentleman, Riordan, Hannon, Bruner, Szymoniak, and Varn, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools.

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

Senate File 53, by Sturgeon, a bill for an act relating to the allocation of lottery revenues.

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

Senate File 54, by Hultman, a bill for an act to reduce park user fees for persons sixty-five years of age or older.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	40	Judiciary
S. F.	41	Human Resources
S. F.	42	Environment & Energy Utilities
S. F.	43	Local Government
S. F.	44	State Government
S. F.	45	State Government
S. F.	46	Business & Labor Relations
S. F.	47	State Government
S. F.	48	Judiciary
S. F.	49	Human Resources
S. F.	50	Agriculture
S. F.	51	Transportation
S. F.	52	Education
S. F.	53	Appropriations
S. F.	54	Natural Resources

ADJOURNMENT

On motion of Senator Lloyd-Jones, the Senate adjourned at 3:55 p.m., until 9:00 a.m., Tuesday, January 17, 1988.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 17, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Monday, January 16, 1989, was approved.

INTRODUCTION OF BILL

Senate File 55, by Taylor, a bill for an act to provide a procedure for the electors of a school district to vote to raise a schoolhouse improvement amount, to provide for its collection, and to provide for its applicability.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:07 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 16, 1989, 3:00 p.m.

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

Members Absent: none.

Committee Business: Adopted committee rules and assigned bills to subcommittees.

Adjourned: 3:15 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 16, 1989, 2:25 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Carr, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: Miller.

Committee Business: Assigned bills to subcommittees; presentation by Jim Brown of the Department of Natural Resources on groundwater standards report.

Adjourned: 3:05 p.m.

LOCAL GOVERNMENT

Convened: January 16, 1989, 1:34 p.m.

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

Members Absent: Kinley and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; presentations by Peter King, Executive Director of League of Iowa Municipalities and Paul Coates, Executive Director of the Iowa State Association of Counties.

Adjourned; 2:32 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 8

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 9

EDUCATION: Boswell, Chair; Horn and Tieden

Senate File 21

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

Senate File 33

STATE GOVERNMENT: Carr, Chair; Drake and Gronstal

Senate File 34

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

Senate File 36

APPROPRIATIONS: Varn, Chair; Jensen and Husak

Senate File 40

JUDICIARY: Varn, Chair; Mann and Fuhrman

Senate File 41

HUMAN RESOURCES: Carr, Chair; Riordan and Taylor

Senate File 42

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

Senate File 44

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

Senate File 45

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

Senate File 46

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

Senate File 47

STATE GOVERNMENT: Hannon, Chair; Vande Hoef and Gentleman

Senate File 48

JUDICIARY: Varn, Chair; Horn and Hagerla

Senate File 49

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

Senate File 53

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

Senate File 54

NATURAL RESOURCES: Husak, Chair; Mann and Hedge

SSB 41

TRANSPORTATION: Goodwin, Chair; Jensen and Dieleman

SSB 42

TRANSPORTATION: Doyle, Chair; Coleman and Nystrom

SSB 51

(Corrected)

NATURAL RESOURCES: Priebe, Chair; Kibbie and Tieden

SSB 52

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

SSB 54

EDUCATION: Horn, Chair; Bruner and Corning

SSB 55

EDUCATION: Varn, Chair; Boswell and Hedge

SSB 56

EDUCATION: Kibbie Chair; Dieleman and Tieden

SSB 58

NATURAL RESOURCES: Doyle, Chair; Husak and Hester

SSB 61

EDUCATION: Szymoniak, Chair; Deluhery and Tinsman

SSB 62

JUDICIARY: Varn, Chair; Doyle and Drake

SSB 63

HUMAN RESOURCES: Hannon, Chair; Horn and Hagerla

SSB 64

HUMAN RESOURCES: Riordan, Chair; Carr and Corning

SSB 65

HUMAN RESOURCES: Murphy, Chair; Riordan and Hagerla

SSB 66

HUMAN RESOURCES: Riordan, Chair; Hannon and Taylor

SSB 67

HUMAN RESOURCES: Bruner, Chair; Carr and Hagerla

SSB 68

HUMAN RESOURCES: Hagerla, Chair; Bruner and Horn

SSB 69

HUMAN RESOURCES: Tinsman, Chair; Carr and Hannon

SSB 70

HUMAN RESOURCES: Corning, Chair; Carr and Hannon

SSB 71

HUMAN RESOURCES: Murphy, Chair; Bruner and Tinsman

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Lee Holt, former member of the Senate from Clay County, who was present in the Senate chamber.

STUDY BILLS RECEIVED**SSB 54 Education**

Relating to optional funding of asbestos projects by school districts.

SSB 55 Education

Relating to student exercise of free expression in the public schools.

SSB 56 Education

Relating to the election of the president of the state board of education.

SSB 57 Small Business/Economic Development

Providing new jobs tax credits to insurance companies and nonprofit health service corporations which enter into training agreements under chapter 280B.

SSB 58 Natural Resources

Authorizing the adoption of a schedule of fees by the natural resource commission for applications and administration of permits or conditional permits.

SSB 59 Agriculture

Relating to regulating water used for irrigation.

SSB 60 Ways & Means

Relating to the valuation of cable television property for property tax purposes and providing an effective date.

SSB 61 Education

Relating to the acceptance of the provisions and benefits of federal rehabilitation acts.

SSB 62 Judiciary

Relating to the time within which a postconviction relief action may be brought which arises out of a prison disciplinary proceeding and providing an effective date and an applicability provision.

SSB 63 Human Resources

Relating to medical assistance eligibility of certain recipients of federal Medicare and providing an effective date.

SSB 64 Human Resources

Relating to the practice of tattooing and providing penalties.

SSB 65 Human Resources

Relating to providing criminal history information to licensed private child-caring and child-placing agencies and certified adoption investigators.

SSB 66 Human Resources

To establish a pharmaceutical assistance to the aged program in the department of elder affairs and providing a penalty.

SSB 67 Human Resources

Relating to the continued existence of the division of children, youth and families in the department of human rights, and providing an effective date.

SSB 68 Human Resources

Relating to the regulation of the practice of dentistry by providing that students of dental hygiene are not engaged in the practice of dentistry.

SSB 69 Human Resources

Relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting requirements with respect to departmental approval of colleges in which the professions are taught.

SSB 70 Human Resources

Relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.

SSB 71 Human Resources

Relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters.

BILL ASSIGNED TO COMMITTEE

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

S.F. 55 Education

AFTERNOON SESSION

The Senate reconvened at 4:17 p.m., President Zimmerman presiding.

BILL REFERRED TO COMMITTEE

Senator Hultman raised the point of order that Senate File 39 should be referred to the committee on Ways and Means under Senate Rule 38.

The Chair ruled the point well taken and **Senate File 39** was referred to the committee on **Ways and Means** under Senate Rule 38.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:25 p.m., until 9:00 a.m., Wednesday, January 18, 1989.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 18, 1989

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

Prayer was offered by the Reverend Robert G. Sherwood, pastor of the St. Paul United Church of Christ, West Burlington, Iowa.

The Journal of Tuesday, January 17, 1989, was approved.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 16, 1989, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, a concurrent resolution relating to compensation of chaplains, officers and employees of the seventy-third general assembly.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:14 a.m., until 3:00 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

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

		<u>Class</u>	<u>Grade</u>	<u>Step</u>
Secretary of the Senate	John F. Dwyer	P-FT	\$41,163.20 annual	
Assistant Secretary of the Senate	Cynthia A. Clingan	P-FT	34	5
Sr. Caucus Staff Director	Dennis Harbaugh	P-FT	36	2
Sr. Caucus Staff Director	Paula Dierenfeld	P-FT	36	2
Sr. Administrative Assistant to Majority Leader	Gregory Nichols	P-FT	35	5
Sr. Administrative Assistant to Minority Leader	Judy Vinchattle	P-FT	35	4
Legislative Research Analyst I	Carolann Jensen	P-FT	27	3
Legislative Research Analyst I	Randy Bauer	P-FT	27	1
Legislative Research Analyst I	Evelyn Hawthorne	P-FT	27	1
Legislative Research Analyst I	Dana Wiperman	P-FT	27	1
Legislative Research Analyst II	William B. Haigh	P-FT	30	2
Legislative Research Analyst II	Theresa Kehoe	P-FT	30	1
Legislative Research Analyst II	Suzanne Johnson	P-FT	30	1
Legislative Research Analyst II	Steve Conway	P-FT	30	1
Legislative Research Analyst II	David Hudson	P-FT	30	1
Legislative Research Analyst III	Debbie O'Leary	P-FT	33	1
Legislative Research Analyst III	James Boose	P-FT	33	1
Caucus Secretary	Mary Bustad	P-FT	21	4
Caucus Secretary	Marcella Jolly	P-FT	21	3
Administrative Secretary to Minority Leader	Betty Wise	S-0	21	5
Administrative Secretary to the Secretary	Annette Nichols	S-0	21	1
Executive Secretary to Majority Leader	Kathy Hillman	P-FT	23	6
Executive Secretary to the Secretary	Lori Bristol	P-FT	23	3
Senior Journal Editor	C.J. Kelly	P-FT	29	5

Assistant Journal Editor	Julie Elder	P-FT	21	4
Assistant to Legal Counsel	Kim Cosner	S-0	17	1
Senior Finance Officer	Mary Ann Abbott	P-FT	31	5
Assistant Finance Officer	Linda Laurenzo	P-FT	21	2
Recording Clerk	Pam Rauch	P-FT	20	2
Recording Clerk	Carol Stoneking	S-0	20	1
Chief Indexer	Caryll Wilbur	P-FT	24	3
Indexing Assistant	Nancy Gibson	P-FT	18	3
Records and Supply Clerk	Mary Buban	S-0	17	5
Switchboard Operator	Mary Leonard	S-0	13	2
Switchboard Operator	Fredda Wright	S-0	13	2
Legislative Secretary	Joyce Anderson	S-0	16	3+2
Legislative Secretary	Brent Bauerly	S-0	18	1
Legislative Secretary	Vicki Davis	S-0	16	2
Legislative Secretary	Alyce Elmitt	S-0	16	6+2
Legislative Secretary	Kenneth Feeney	S-0	16	1
Legislative Secretary	Kathleen Gannon	S-0	18	2+2
Legislative Secretary	Mary Ann Gass	S-0	16	1
Legislative Secretary	Barbara Harrison	S-0	16	5+2
Legislative Secretary	Alleen Hedge	S-0	16	1
Legislative Secretary	Mary Pat Hofmann	S-0	16	1
Legislative Secretary	Dorothy Husak	S-0	18	2
Legislative Secretary	Myrtle Jensen	S-0	18	2
Legislative Secretary	Mary Kennedy	S-0	18	2+2
Legislative Secretary	Pat King	S-0	16	3+2
Legislative Secretary	Marilyn Rensink	S-0	16	3+2
Legislative Secretary	Gerry Rydell	S-0	17	5+2
Legislative Secretary	Flo Saf	S-0	16	4+2
Legislative Secretary	Beverly Samuelson	S-0	16	3+2
Legislative Secretary	Kay Santi	S-0	16	1
Legislative Secretary	Julie Simon	S-0	18	2
Legislative Secretary	Betty Soener	S-0	17	2
Legislative Secretary	Harriet Vande Hoef	S-0	17	3
Legislative Secretary	Elizabeth Wasker	S-0	17	5+2
Legislative Secretary	Carol Zeigler	S-0	18	2+2
Legislative Committee Secretary	Suzi Alexander	S-0	18	2
Legislative Committee Secretary	Candy Boucher	S-0	18	2+2
Legislative Committee Secretary	Jeanne Coverdale	S-0	17	1
Legislative Committee Secretary	Katie Doyle	S-0	18	5+2
Legislative Committee Secretary	Connie Eichhorn	S-0	17	5+2
Legislative Committee Secretary	David Elick	S-0	17	1
Legislative Committee Secretary	Faye Fraise	S-0	17	1
Legislative Committee Secretary	Jo Ann Hanover	S-0	18	3+2
Legislative Committee Secretary	Brenda Huyser	S-0	18	1
Legislative Committee Secretary	Judy Jay	S-0	18	1
Legislative Committee Secretary	Elizabeth Kinley	S-0	18	1
Legislative Committee Secretary	Charles Kramer	S-0	18	1
Legislative Committee Secretary	Jon Krieg	S-0	18	2
Legislative Committee Secretary	Fran Kurtz	S-0	18	3+2
Legislative Committee Secretary	Marianne Lester	S-0	18	1+2

Legislative Committee Secretary	Frances Miller	S-0	18	1
Legislative Committee Secretary	K'Ann Morris	S-0	18	1
Legislative Committee Secretary	Mary Nieland	S-0	17	1
Legislative Committee Secretary	Mary Anne O'Connell	S-0	17	2+2
Legislative Committee Secretary	George Oster	S-0	18	1
Legislative Committee Secretary	Mary Ann Peer	S-0	18	2+2
Legislative Committee Secretary	Mary Schechtman	S-0	18	1
Legislative Committee Secretary	Hazel Schroedel	S-0	18	5+2
Legislative Committee Secretary	Margaret Wimmer	S-0	18	3
Bill Clerk	Rodney Bergren	S-0	13	1
Postmaster	Eleanor Hesseling	S-0	11	2
Sergeant-at-Arms	Alfred J. Klocke	S-0	16	4
Assistant Sergeant-at-Arms	William Krieg	S-0	13	1
Assistant Sergeant-at-Arms	Lynn E. Brandt	S-0	13	2
Chief Doorkeeper	Ray J. Prosperi	S-0	11	4
Doorkeeper	Catherine DeHeck	S-0	10	4
Doorkeeper	Robert Doyle	S-0	10	2
Doorkeeper	Domenic P. Morrow	S-0	10	3
Doorkeeper	E.H. Samuelson	S-0	10	2
Doorkeeper	Svend Christensen	S-0	10	2
Page	Dana Berriman	S-0		Minimum Wage
Page	Bill Boudewyns	S-0		Minimum Wage
Page	Tina Crawford	S-0		Minimum Wage
Page	Karin Disterhaupt	S-0		Minimum Wage
Page	Keri Farrell	S-0		Minimum Wage
Page	Bill Jones	S-0		Minimum Wage
Page	Tracy Kelly	S-0		Minimum Wage
Page	Rachel Knight	S-0		Minimum Wage
Page	Sherry Krier	S-0		Minimum Wage
Page	Layne Martin	S-0		Minimum Wage
Page	Tim Mohrfeld	S-0		Minimum Wage
Page	Nikki Paustian	S-0		Minimum Wage
Page	Kati Robb	S-0		Minimum Wage
Page	Tina Smith	S-0		Minimum Wage
Page	Chris Taylor	S-0		Minimum Wage
Page	Ben Wagner	S-0		Minimum Wage
Page	Chris Wirtjes	S-0		Minimum Wage

BILL HUTCHINS, Chair

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

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

Administrative Secretary to the Secretary	Annette Nichols	Step 1 to Step 2 Effective 2-17-89
Recording Clerk	Carol Stoneking	Step 1 to Step 2 Effective 3-3-89

Sergeant-at-Arms	Alfred J. Klocke	Step 4 to Step 5 Effective 2-3-89
Doorkeeper	Robert Doyle	Step 2 to Step 3 effective 3-31-89
Doorkeeper	E.H. Samuelson	Step 2 to Step 3 Effective 2-3-89
Bill Clerk	Rodney Bergren	Step 1 to Step 2 effective 3-3-89
Switchboard Operator	Fredda Wright	Step 2 to Step 3 Effective 4-14-89
Legislative Secretary	Vicki Davis	Step 2 to Step 3 Effective 2-3-89
Legislative Committee Secretary	Faye Fraise	Step 1 to Step 2 Effective 3-31-89
Legislative Secretary	Dorothy Husak	Step 2 to Step 3 Effective 2-3-89
Legislative Committee Secretary	Judy Jay	Step 1 to Step 2 Effective 3-3-89
Legislative Secretary	Myrtle Jensen	Step 2 to Step 3 Effective 1-20-89
Legislative Secretary	Mary Kennedy	Step 2 to Step 3 Effective 3-31-89
Legislative Committee Secretary	Marianne Lester	Step 1 to Step 2 Effective 2-3-89
Legislative Committee Secretary	Frances Miller	Step 1 to Step 2 Effective 3-17-89
Legislative Committee Secretary	Mary Anne O'Connell	Step 2 to Step 3 Effective 2-3-89
Legislative Secretary	Kay Santi	Step 1 to Step 2 Effective 3-31-89

BILL HUTCHINS, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 17, 1989, 9:40 a.m.

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

Members Absent: Mann (excused).

Committee Business: Amended and adopted committee rules; assigned subcommittees; reviewed legislative oversight report and spread sheet.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 17, 1989, 9:35 a.m.

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

Members Absent: none.

Committee Business: Presentations by Larry Wilson, Director of the Department of Natural Resources; Bill Ferris, DNR; Jim Gulliford, Department of Agriculture and Land Stewardship; Jim Kersten, Governor's office and Dr. Steve Jungst, Iowa State University.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 17, 1989, 9:40 a.m.

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

Members Absent: none.

Committee Business: Presentations by: Shirley George, State Librarian; Ken Yerington, financial management and control, University of Iowa Hospitals; Linda King Kading, Associate Director of Business and Finance, Board of Regents; Ted Stillwell, Administrator, Division of Administrative Services, Department of Education; and Rep. David Osterberg.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 17, 1989, 9:42 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman (arrived 9:47) and Hannon (arrived 9:53).

Members Absent: none.

Committee Business: Tours and discussion with staff from the Department of Public Health and Department of Human Rights.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 17, 1989, 9:36 a.m.

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

Members Absent: none.

Committee Business: Reports by the DHS and DOM of the Kempe national center study and the focus committee on child protection.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 17, 1989, 9:30 a.m.

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

Members Absent: Palmer.

Committee Business: Presentations by Public Employment Relations Board and Campaign Finance Disclosure Commission.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 17, 1989, 9:35 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by the Department of Transportation.

Adjourned: 11:17 a.m.

EDUCATION

Convened: January 17, 1989, 4:17 p.m.

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

Members Absent: Corning (excused).

Committee Business: Discussed and deferred action on SSB 5.

Adjourned: 5:08 p.m.

HUMAN RESOURCES

Convened: January 17, 1989, 2:35 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Corning, Ranking Member (excused).

Committee Business: Approved SSB 20 as a committee bill; assigned bills to subcommittees; discussed spousal impoverishment.

Adjourned: 3:30 p.m.

NATURAL RESOURCES

Convened: January 17, 1989, 1:30 p.m.

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

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 10; presentation by Larry Wilson, Director of the Department of Natural Resources.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: January 17, 1989, 1:37 p.m.

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

Members Absent: Coleman (excused).

Committee Business: Assigned bills to subcommittees; budget presentations by Michael Tramontina, State Treasurer's office and Elaine Baxter, Secretary of State.

Adjourned: 2:24 p.m.

WAYS AND MEANS

Convened: January 17, 1989, 3:25 p.m.

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

Members Absent: Drake, Palmer (excused) and Soorholtz (excused).

Committee Business: Assigned bills to subcommittees; Carl Castelda, Department of Revenue and Finance, presented overview of bill request.

Adjourned: 4:16 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 7**

WAYS AND MEANS: Husak, Chair; Dieleman and Murphy

Senate File 26

WAYS AND MEANS: Fraise, Chair; Kibbie and Soorholtz

Senate File 39

WAYS AND MEANS: Murphy, Chair; Szymoniak and Drake

Senate File 43

LOCAL GOVERNMENT: Fraise, Chair; Kinley and Jensen

Senate File 50

AGRICULTURE: Boswell, Chair; Coleman and Fuhrman

Senate File 51

TRANSPORTATION: Dieleman, Chair; Lloyd-Jones and Jensen

Senate File 52

EDUCATION: Lloyd-Jones, Chair; Horn and Corning

Senate File 55

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

SSB 34

WAYS AND MEANS: Dieleman, Chair; Palmer and Soorholtz

SSB 35

WAYS AND MEANS: Szymoniak, Chair; Kibbie and Drake

SSB 36

WAYS AND MEANS: Bruner, Chair; Fraise and Hester

SSB 37

WAYS AND MEANS: Riordan, Chair; Bruner and Fuhrman

SSB 38

WAYS AND MEANS: Kibbie, Chair; Palmer and Soorholtz

SSB 53

WAYS AND MEANS: Dieleman, Chair; Szymoniak and Soorholtz

SSB 60

WAYS AND MEANS: Murphy, Chair; Riordan and Hultman

SSB 72

AGRICULTURE: Coleman, Chair; Fuhrman and Rensink

SSB 73

AGRICULTURE: Riordan, Chair; Hester and Scott

SSB 74

JUDICIARY: Doyle, Chair; Varn and Hester

SSB 75

JUDICIARY: Mann, Chair; Doyle and Gentleman

SSB 76

JUDICIARY: Mann, Chair; Drake and Horn

SSB 77

JUDICIARY: Varn, Chair; Carr and Hester

SSB 78

WAYS AND MEANS: Riordan, Chair; Drake and Gentleman

LSB 1081

AGRICULTURE: Vande Hoef, Chair; Riordan and Miller

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE FILE 56 (SSB 20), a bill for an act establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Bruner, Carr, Gentleman, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Hagerla. Absent or not voting, 1: Corning.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 72 Agriculture**

Relating to the plugging of abandoned wells and making a civil penalty applicable.

SSB 73 Agriculture

Relating to certification requirements for private applicators of pesticides.

SSB 74 Judiciary

Relating to elimination of the filing and docketing fee for a petition for modification of a dissolution decree.

SSB 75 Judiciary

Establishing the crime of sexual misconduct with offenders, and providing a penalty.

SSB 76 Judiciary

Relating to the lapse of stale mineral interests.

SSB 77 Judiciary

Relating to the appointment of an interpreter for a hearing impaired person and providing a penalty.

SSB 78 Ways & Means

Relating to increasing license fees for certain persons engaged in the commercial care of animals.

COMMITTEE REPORT**NATURAL RESOURCES**

Final Bill Action: SENATE FILE 57, a bill for an act requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 2: Mann and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3002

S. F.

39

Ways and Means

AFTERNOON SESSION

The Senate reconvened at 3:03 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 56, by committee on Human Resources, a bill for an act establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons.

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

Senate File 57, by committee on Natural Resources, a bill for an act requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

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

The Senate resumed session, President Zimmerman presiding.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 39, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3002.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 2: Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 39.

Senate File 39

On motion of Senator Murphy, Senate File 39, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Hultman offered amendment S—3002, filed by the committee on Ways and Means from the floor to pages 1 and 2 of the bill, moved its adoption, and requested a record roll call.

On the question “Shall amendment S—3002 be adopted?” (S.F. 39) the vote was:

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

Ayes, 23:

Boswell	Corning	Doyle	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Lind	Nystrom	Pate
Rensink	Rife	Scott	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 25:

Bruner	Carr	Coleman	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Palmer	Peterson	Priebe	Riordan

Running Welsh	Sturgeon	Szymoniak	Varn
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Absent or not voting, 2:

Mann	Soorholtz
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Amendment S—3002 lost.

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

On the question “Shall the bill pass?” (S.F. 39) the vote was:

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

Ayes, 26:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 22:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Husak	Jensen
Lind	Nystrom	Pate	Rensink
Rife	Scott	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

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

Senator Hutchins asked and received unanimous consent that **Senate File 39** be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 58, by Bruner, a bill for an act relating to windshields and windows of motor vehicles and making penalties applicable.

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

APPENDIX

BILL ASSIGNED TO COMMITTEE

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

S. F. 58 Transportation

INTRODUCTION OF BILL

Senate File 59, by committee on Education, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date.

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

COMMITTEE REPORT

EDUCATION

Final Bill Action:*SENATE FILE 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

* Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 59 and they were attached to the committee report.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:10 p.m., until 9:00 a.m., Thursday, January 19, 1989.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 19, 1989

The Senate met in regular session at 9:08 a.m., President Zimmerman presiding.

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

The Journal of Wednesday, January 18, 1989, was approved.

INTRODUCTION OF BILL

Senate File 60, by Taylor, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Soviet Union, prohibiting funds of the Iowa public employee's retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Soviet Union, providing for divestiture of the investments, and providing for civil penalties.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Running for the day on request of Senator Hutchins.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:13 a.m., until 1:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 18, 1989, 9:45 a.m.

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

Members Absent: Mann (excused).

Committee Business: Budget presentations by: Lieutenant Governor's office, Governor's office, Administrative Rules Coordinator; Terrance Hill, Governor's Ad Hoc Comm., National Gov. Assoc Dues, Gov. office expenses, State Federal Regulations, Executive Council, NCSL and Uniform State Laws Commission.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 1989, 9:50 a.m.

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

Members Absent: none.

Committee Business: Presentations by William Jackson, Director of the Department of Cultural Affairs and Dr. William Lepley, Director of the Department of Education; update on the Higher Education Task Force by Ed Bittle, Co-Chair.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 18, 1989, 9:53 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon (arrived 10:37).

Members Absent: none.

Committee Business: Tours and discussion with staff from the Iowa Civil Rights Commission and the Department of Elder Affairs.

Adjourned: 12:03 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 18, 1989, 9:49 a.m.

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

Members Absent: none.

Committee Business: Discussed Kempe report.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 18, 1989, 10:10 a.m.

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

Members Absent: none.

Committee Business: Budget presentations by Attorney General Tom Miller and Walt Saur, Chair of the Board of Parole.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 18, 1989, 10:00 a.m.

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

Members Absent: Running, Chair (excused) and Palmer.

Committee Business: Budget presentations by the Racing Commission and Department of Employment Services, Labor Services Division.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 18, 1989, 9:55 a.m.

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

Members Absent: none.

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

Adjourned: 11:15 a.m.

AGRICULTURE

Convened: January 18, 1989, 8:05 a.m.

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

Members Absent: Coleman.

Committee Business: Assigned bills to subcommittees; discussed current problem of cattle and hog rustling in Iowa; presentations by John Stearns, Clarke County Sheriff; Arlen Hughes, County Attorney, Ringgold County; Captain Dewey Jontz, Iowa Highway Patrol and Bill Brosnahan, Director of the Special Investigation Unit, DCI.

Adjourned: 9:00 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 18, 1989, 1:30 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Running, Taylor and Vande Hoef.

Members Absent: Mann and Palmer.

Committee Business: Assigned bills to subcommittees; presentation by the Department of Employment Services: Dick Freeman, Director of DES; Jerry Mathiasen, Deputy Director of DES; Walter Johnson, Deputy Labor Commissioner; Ralph Hoksbergen, Actuary; David Linquist, Industrial Commissioner; Sharon Tow, Assistant Industrial Commissioner and Kent Sovern, Legislative Liaison.

Adjourned: 2:15 p.m.

EDUCATION

Convened: January 18, 1989, 4:20 p.m.

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

Members Absent: none.

Committee Business: Amended and approved SSB 5.1 as a committee bill.

Adjourned: 5:17 p.m.

JUDICIARY

Convened: January 9, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Varn and Welsh.

Members Absent: Mann, Vice Chair; Gentleman, Ranking Member and Taylor (all excused).

Committee Business: Adopted committee rules and discussed proposed legislation.

Adjourned: 1:45 p.m.

JUDICIARY

Convened: January 16, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Gentleman, Ranking Member; Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh.

Members Absent: Mann, Vice Chair; Deluhery and Varn (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:35 p.m.

RULES AND ADMINISTRATION

Convened: January 18, 1989, 4:15 p.m.

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

Members Absent: none.

Committee Business: Approved employment of Dana Wipperman, Minority Caucus Research Analyst I.

Adjourned: 4:20 p.m.

WAYS AND MEANS

Convened: January 18, 1989, 2:25 p.m.

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

Members Absent: Palmer and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 39 as amended.

Adjourned: 2:33 p.m.

ANNOUNCEMENTS BY THE MAJORITY LEADER

Senator Hutchins announced the following Senate statutory appointments:

***Indicates statutory membership**

IOWA LEGISLATIVE COUNCIL

(Terms expire 4th Monday of January, 1991)

Bill Hutchins, Audubon*
 Tom Mann, Jr., Des Moines*
 Joe Welsh, Dubuque*
 Calvin Hultman, Red Oak*
 Dale Tieden, Elkader*
 C. Joseph Coleman, Clare
 Don Doyle, Sioux City
 Emil Husak, Toledo
 Jack Nystrom, Boone
 Julia Gentleman, Des Moines

LEGISLATIVE COUNCIL COMMITTEES
(Terms run concurrently with Council)

ADMINISTRATION COMMITTEE

Don Doyle
Tom Mann, Jr.
Julia Gentleman

FISCAL COMMITTEE

Joe Welsh*
Bill Dieleman*
Emil Husak
Dale Tieden*
Jack Hester*

SERVICE COMMITTEE

Joe Welsh
Bill Hutchins
Calvin Hultman

STUDIES COMMITTEE

Bill Hutchins
C. Joseph Coleman
Emil Husak
Calvin Hultman
Jack Nystrom

COMMISSION ON CHILDREN, YOUTH AND FAMILIES
(terms expire 1-1-91)

Beverly Hannon, Anamosa
Richard Vande Hoef, Harris

COMMUNICATIONS REVIEW COMMISSION
(terms expire at convening of 74th G.A.)

Richard Running, Cedar Rapids
Ken Scott, Clear Lake
Richard Drake, Muscatine

ENERGY FUND DISBURSEMENT COUNCIL
(terms expire at convening of 74th G.A.)

Michael Gronstal, Council Bluffs
Jim Lind, Waterloo

PERMANENT PENSIONS COMMITTEE
(terms expire at convening of 74th G.A.)

Bob Carr, Dubuque
Bill Dieleman, Pella
Charles Bruner, Ames
Richard Drake, Muscatine
Jack Nystrom, Boone

COMMISSION ON INTERSTATE COOPERATION
(Terms expire 2-1-91)

Alvin Miller, Ventura
Jim Riordan, Waukee
Ken Scott, Clear Lake
Ray Taylor, Steamboat Rock
Jack Hester, Honey Creek

COMMISSION ON THE STATUS OF WOMEN
(unexpired term ending 6-30-90)

Paul Pate, Marion

CAPITOL PLANNING COMMISSION
(unexpired term ending 4-30-91)

John Jensen, Plainfield

WORLD TRADE STUDY COMMITTEE

Mark Hagerla, West Burlington

AFTERNOON SESSION

The Senate reconvened at 1:37 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 61, by Mann, a bill for an act relating to an order for attachment in dissolution of marriage proceedings to guarantee support payments and providing an effective date.

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

Senate File 62, by Boswell, a bill for an act relating to distance requirements between residences or public areas and animal feeding operations, including feed lots, constructed on or after July 1, 1989, and providing for establishment of penalties.

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

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Husak called up the motion to reconsider Senate Concurrent Resolution 1 filed by him on January 9, 1989, found on page 39 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote.

Senate Concurrent Resolution 1

On motion of Senator Husak, Senate Concurrent Resolution 1, a concurrent resolution relating to distribution of printed legislative materials, was taken up for reconsideration.

Senator Gronstal offered amendment S—3003 filed by Senators Gronstal and Husak from the floor to page 1 of the resolution and moved its adoption.

Amendment S—3003 was adopted by a voice vote.

Senator Husak moved the adoption of Senate Concurrent Resolution 1 as amended, which motion prevailed by a voice vote.

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

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

The Senate resumed session, President pro tempore Mann presiding.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that Senate File 59 be referred from the Regular Calendar to the committee on **Education** and returned to the Regular Calendar by 4:30 p.m., Thursday, January 19, 1989.

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

The Senate resumed session, President pro tempore Mann presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 38

On motion of Senator Varn, Senate File 38, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended, was taken up for consideration.

Senator Lind offered amendment S—3004 filed by him from the floor to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 38, nays 8.

Amendment S—3004 was adopted.

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

On the question “Shall the bill pass?” (S.F. 38) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

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

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Gentleman, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the term of office for Senators and members of the House of Representatives to no more than eight years.

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

Senate File 63, by Running, a bill for an act relating to the elimination of the district offices of the department of human services.

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

Senate File 64, by Running, a bill for an act relating to the modification of dissolution and parentage decrees.

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

Senate File 65, by Running, a bill for an act relating to statutory provisions for a constitutional convention following the approval of a convention by the voters.

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

Senate File 66, by Husak, a bill for an act relating to the approval of emergency administrative rules.

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

Senate File 67, by Priebe, a bill for an act establishing a student loan assistance program for Iowa national guard members to be administered by the college aid commission and making an appropriation.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SSB 79

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

SSB 80

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

SSB 81

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Mann and Hultman

SSB 82

BUSINESS AND LABOR RELATIONS: Hultman, Chair; Peterson and Vande Hoef

SSB 83

TRANSPORTATION: Drake, Chair; Lloyd-Jones and Scott

SSB 84

JUDICIARY: Doyle, Chair; Coleman and Hester

SSB 85

JUDICIARY: Carr, Chair; Deluhery and Gentleman

SSB 86

JUDICIARY: Mann, Chair; Varn and Hagerla

SSB 87

JUDICIARY: Horn, Chair; Welsh and Taylor

COMMUNICATIONS

The following communications were received in the office of the Secretary of the Senate:

January 5, 1989

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 78 claims of a general nature that were denied by the State Appeal Board during March - December, 1988.

Index attached shows number of claim, name and address of claimant, amount of claim and action taken.

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipts of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

January 5, 1989

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

In accordance with Section 25A.12, Code of Iowa, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, and Settlements and Judgments (general torts and highway) paid during 1988 under Chapter 25A.

The attached report shows the name of each claimant, a brief description of each claim, the amount claimed and the amount approved.

Sincerely,
Patrick D. Cavanaugh
Director
DEPARTMENT OF MANAGEMENT

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

January 17, 1989

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 7 claims of a general nature that were denied by the State Appeal Board January 10, 1989. This supplements our filing of January 5, 1989.

Index attached shows number of claim, name and address of claimant, amount of claim and action taken.

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipts of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

The foregoing items have been filed with the Senate Appropriations Subcommittee on Claims.

STUDY BILLS RECEIVED

SSB 5.1 Education

To provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date.

SSB 79 Business & Labor Relations

Relating to the industrial services division of the department of employment services, revising provisions governing deputy industrial commissioners, expanding provisions governing

settlements in workers' compensation cases, and providing properly related matters.

SSB 80 Business & Labor Relations

Relating to unemployment compensation benefits for certain employees of the natural resource commission and providing an effective date.

SSB 81 Business & Labor Relations

Providing that a job service administrative determination is not binding in a separate action between an individual and the individual's employer.

SSB 82 Business & Labor Relations

Eliminating dependency as a basis upon which an individual's unemployment compensation benefit is computed.

SSB 83 Transportation

To repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies.

SSB 84 Judiciary

Providing for the disposal of forfeited weapons.

SSB 85 Judiciary

Relating to victim notification, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, and notification to victims by various departments.

SSB 86 Judiciary

Relating to interception of communications by electronic, mechanical, or other devices, providing a penalty and providing for the Act's repeal.

SSB 87 Judiciary

Adding certain controlled substances to schedule I, schedule IV, and schedule V controlled substances.

SSB 88 Judiciary

Relating to board of parole interviews of certain inmates regarding their prospects for parole and work release.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	60	Transportation
S. F.	61	Judiciary
S. F.	62	Environment & Energy Utilities
S. F.	63	State Government
S. F.	64	Judiciary
S. F.	65	State Government
S. F.	66	State Government
S. F.	67	Appropriations
S. J. R.	1	State Government

COMMITTEE REPORT**EDUCATION**

Final Bill Action: SENATE FILE 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3005.

Final Vote: Ayes, 17: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 68, by Running, Husak and Tieden, a bill for an act establishing a maximum civil liability for losses caused by the distribution of beer, wine, or intoxicating liquor to a person

while the person is intoxicated, or if the distribution results in intoxication.

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

Senate File 69, by Running, a bill for an act relating to the state's taxation of interest income from Iowa city and county bonds and notes and providing an effective date.

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

Senate File 70, by Bruner, Mann and Riordan, a bill for an act relating to financial institutions, including certain state and federal financial institutions, providing for community reinvestment standards for and reports from state banks, state savings and loan associations, and state credit unions; conditioning permission for certain actions, participation in certain state programs, and eligibility for deposit of public funds on a financial institution's rating under a community reinvestment rating system; authorizing the director of the department of commerce to adopt rules for the reports and a community reinvestment rating system; and establishing a community reinvestment task force.

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

AMENDMENTS FILED

S—3003	S. C.R.	1	Michael E. Gronstal Emil J. Husak
S—3004	S. F.	38	Jim Lind
S—3005	S. F.	59	Education

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:15 p.m., until 10:00 a.m., Monday, January 23, 1989.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 23, 1989

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Sandra Pippert, pastor of the First Congregational Church of Rockwell, Rockwell, Iowa.

The Journal of Thursday, January 19, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 71, by Varn, a bill for an act authorizing a special land use district to designate an area for preservation as an area of historical significance.

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

Senate File 72, by Kinley, a bill for an act permitting and regulating off-track betting parlors for pari-mutuel wagering, providing penalties, and making an appropriation.

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

Senate File 73, by Corning, a bill for an act relating to the establishment of a pesticide-sensitive registry and providing for fees, notification, and penalties.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 57.

Senate File 57

On motion of Senator Priebe, Senate File 57, a bill for an act requiring the natural resource commission to adopt a rule to allow handicapped individuals to use a crossbow, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 57) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Carr

Mann

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 56.

Senate File 56

On motion of Senator Hannon, Senate File 56, a bill for an act establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 56) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 5:

Fuhrman	Hagerla	Hedge	Hester
Rife			

Absent or not voting, 2:

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 59.

Senate File 59

On motion of Senator Murphy, Senate File 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and

to provide an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3005 filed by the committee on Education on January 19, 1989, to pages 1 through 3 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—3005 and **Senate File 59** be deferred.

INTRODUCTION OF BILLS

Senate File 74, by Taylor and Nystrom, a bill for an act establishing the penalties of death or life imprisonment for certain offenses and prescribing procedures for carrying out the sentences.

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

Senate File 75, by Bruner, a bill for an act prohibiting trapping along public streets or roads and near fences separating property and providing a penalty.

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

Senate File 76, by Gettings, a bill for an act providing for jailer training programs to be administered by the Iowa law enforcement academy.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:23 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 19, 1989, 10:00 a.m.

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

Members Absent: Mann (excused).

Committee Business: Budget presentations by the Treasurer of State and Secretary of State.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 19, 1989, 9:55 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by Carey Novak, LFB.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 19, 1989, 10:03 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member (arrived 10:25), Gentleman and Hannon.

Members Absent: none.

Committee Business: Discussed FY 1990 performance oversight; upon adjournment, a tour and discussion with staff from the Department for the Blind.

Adjourned: 10:29 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 19, 1989, 10:02 a.m.

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

Members Absent: none.

Committee Business: Discussed recent child welfare initiatives; overview of governor's recommendations on children and families.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 19, 1989, 10:00 a.m.

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

Members Absent: Running, Chair (excused) and Palmer.

Committee Business: Presentations by the Department of Employment Services, Division of Industrial Services, and Job Services Division.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 19, 1989, 10:04 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by Gene Shepherd, Commissioner of Public Safety.

Adjourned: 11:13 a.m.

EDUCATION

Convened: January 19, 1989, 9:15 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member;

Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner (excused).

Committee Business: Reviewed SSB 5.1.

Adjourned: 9:16 a.m.

EDUCATION

Convened: January 19, 1989, 2:22 p.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate File 59 as amended.

Adjourned: 2:32 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 19, 1989, 8:09 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Miller, Pate, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: Peterson (excused).

Committee Business; Presentations by Craig Hamilton, Manager of Iowa Development Group and Allan Thoms, Director of Department of Economic Development.

Adjourned: 9:08 a.m.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 57 passed the Senate on January 23, 1989.

JOE WELSH

SUBCOMMITTEE ASSIGNMENTS

Senate File 27

WAYS AND MEANS: Husak, Chair; Palmer and Hester

Senate File 58

TRANSPORTATION: Doyle, Chair; Nystrom and Dieleman

Senate File 62

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

Senate File 67

APPROPRIATIONS: Varn, Chair; Jensen and Husak

SSB 67.1

HUMAN RESOURCES: Bruner, Chair; Carr and Hagerla

SSB 88

JUDICIARY: Gentleman, Chair; Doyle and Carr

SSB 89

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Corning

SSB 90

HUMAN RESOURCES: Riordan, Chair; Murphy and Gentleman

SSB 91

HUMAN RESOURCES: Hannon, Chair; Carr and Corning

SSB 92

HUMAN RESOURCES: Riordan, Chair; Hannon and Tinsman

SSB 93

HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman

SSB 94

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Tinsman

SSB 95

HUMAN RESOURCES: Horn, Chair; Hannon and Hagerla

SSB 96

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

SSB 97

JUDICIARY: Varn, Chair; Doyle and Gentleman

SSB 98

JUDICIARY: Mann, Chair; Varn and Taylor

SSB 99

JUDICIARY: Varn, Chair; Gronstal and Hagerla

SSB 100

JUDICIARY: Carr, Chair; Horn and Gentleman

SSB 101

JUDICIARY: Coleman, Chair; Doyle and Taylor

SSB 102

JUDICIARY: Coleman, Chair; Doyle and Taylor

SSB 103

WAYS AND MEANS: Husak, Chair; Bruner and Drake

STUDY BILLS RECEIVED

SSB 34.1 Ways & Means

Relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of nonresidents on incomes from agricultural products, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions.

SSB 89 Human Resources

Relating to the establishment of formulas for the allocation of funds to the public health nursing program and the homemaker-home health aid program.

SSB 90 Human Resources

Relating to emergency medical care providers, and providing penalties.

SSB 91 Human Resources

Relating to the regulation of sources of nonionizing radiation and the registration of tanning facilities and providing penalties.

SSB 92 Human Resources

Relating to third-party liability for amounts paid under the medical assistance program on behalf of injured recipients.

SSB 93 Human Resources

Relating to the collection of certain adoption information according to federal regulations.

SSB 94 Human Resources

Relating to the certificate of need program.

SSB 95 Human Resources

Relating to the registration, regulation, and inspection of swimming pools and spas, and providing penalties.

SSB 96 Environment & Energy Utilities

Amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties.

SSB 97 Judiciary

Relating to the purchase or sale of an individual and providing a penalty.

SSB 98 Judiciary

Relating to entry by a public agency with condemnation power onto private property for certain purposes related to that power.

SSB 99 Judiciary

Relating to a spouse relinquishing rights in a homestead and other inchoate dower rights.

SSB 100 Judiciary

Relating to additional retirement benefits for certain employees of the Iowa department of corrections and judicial district departments of correctional services who have direct contact with offenders and are responsible for the supervision or management of offenders.

SSB 101 Judiciary

Relating to security interests in mobile homes by permitting the secured party to retain the mobile home title, accompanied by a fixture filing to perfect the security interest and provide notice to third parties, and by permitting secured parties, including mortgagees, to apply for reconversion of a mobile home from real property to personal property.

SSB 102 Judiciary

Relating to property rights and methods of enforcement by altering the relative rights of tenants and landlords, including, but not limited to, mobile home park tenants and landlords and by granting small claims concurrent jurisdiction over certain mobile home and personal property abandonment actions.

SSB 103 Ways & Means

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

SSB 104 Commerce

Relating to legal expense insurance by regulating the sale of contracts providing reimbursement for legal expenses in

consideration of a specified payment for a period of time, establishing a premium tax, and providing penalties.

SSB 105 Commerce

Relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions.

AMENDMENTS FILED

S—3006	S. F.	59	John Jensen
S—3007	S. F.	59	Jim Lind
S—3008	S. F.	59	Wally Horn
S—3009	S. F.	59	Richard Drake Leonard Boswell
S—3010	S. F.	59	Ray Taylor
S—3011	S. F.	59	John Kibbie
S—3012	S. F.	59	Calvin O. Hultman

AFTERNOON SESSION

The Senate reconvened at 3:50 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 77, by Sturgeon, a bill for an act relating to the senate and house rules of ethics and lobbying prepared by the committees on ethics.

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

Senate File 78, by Sturgeon, a bill for an act relating to juvenile justice and children in need of services, the juvenile court's jurisdiction over minors for certain alcoholic beverage violations, the disclosure of certain child abuse information to guardians ad litem, the detention of juveniles for simple misdemeanors, and the detention of juveniles in adult detention facilities.

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

Senate File 79, by Sturgeon, a bill for an act relating to the certificate of need program.

Senate File 80, by Running, a bill for an act relating to the extraordinary property tax credit for the elderly and disabled by providing that the credit be allowed in full without reductions, and providing effective and applicability dates.

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

Senate File 81, by Palmer, a bill for an act relating to consumer transactions involving the performance of repairs or service upon a motor vehicle, and imposing penalties.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BUSINESS PENDING (Senate File 59)

Senate File 59

The Senate resumed consideration of Senate File 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date, and amendment S—3005 by the committee on Education to pages 1 through 3 of the bill, previously deferred.

Senator Corning offered amendment S—3014 filed by her from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3014 be adopted? (S.F. 59) the vote was:

Ayes, 14:

Corning	Fuhrman	Goodwin	Hedge
Hester	Hultman	Jensen	Lloyd-Jones
Pate	Peterson	Rife	Taylor
Tieden	Tinsman		

Nays, 33:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake

Fraise	Gentleman	Gettings	Gronstal
Hagerla	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Miller	Murphy	Nystrom	Palmer
Rensink	Riordan	Running	Scott
Sturgeon	Szymoniak	Vande Hoef	Varn
Welsh			

Absent or not voting, 3:

Mann	Priebe	Soorholtz
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Amendment S—3014 lost.

(Action on Senate File 59 was deferred).

INTRODUCTION OF BILL

Senate File 82, by Hultman, a bill for an act relating to jurisdiction over and discipline of members of the Iowa national guard.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	60	State Government (Corrected)
S. F.	68	Judiciary
S. F.	69	Ways and Means
S. F.	70	Commerce
S. F.	71	Local Government
S. F.	72	State Government
S. F.	73	Environment & Energy Utilities
S. F.	74	Judiciary
S. F.	75	Natural Resources
S. F.	76	Judiciary
S. F.	77	Ethics
S. F.	78	Judiciary
S. F.	79	Human Resources
S. F.	80	Ways and Means
S. F.	81	Commerce

STUDY BILL RECEIVED

SSB 67.1 Human Resources

Relating to children, youth, and families, providing for the collection, development, and dissemination of statistical information, providing for the continued existence of the division of children, youth, and families in the department of human rights, and providing an effective date.

AMENDMENTS FILED

S—3013	S. F.	59	John Jensen
S—3014	S. F.	59	Joy Corning
S—3015	S. F.	59	Maggie Tinsman
S—3016	S. F.	59	Beverly Hannon

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Tuesday, January 24, 1989.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 24, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

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

The Journal of Monday, January 23, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 83, by Varn, a bill for an act relating to the prohibition of plastic beverage cans, and providing a penalty.

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

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

The Senate resumed session, President Zimmerman presiding.

SPECIAL GUESTS

Senator Priebe and President Zimmerman presented Carol Ann Mertz from Ottosen, the 1988 Pork Princess. She is the daughter of Representative Dolores Mertz and a junior at Briar Cliff College in Sioux City.

Ms. Mertz spoke to the Senate and expressed thanks for the support given to the pork industry.

Senator Gentleman and President Zimmerman presented Eric ("E.J.") Runyan from Des Moines, 1989 Iowa Easter Seal Ambassador.

E.J., who has been afflicted with spina bifida since birth and is paralyzed from the waist down, likes to race his wheelchair and attended the National Junior Wheelchair Games in Tennessee last summer. He attended Camp Sunnyside and enjoys swimming, horseback riding and basketball.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:26 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 23, 1989, 2:55 p.m.

Members Present: Deluhery, Chair; Pate, Ranking Member; Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn.

Members Absent: Gronstal, Vice Chair and Rife.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:00 p.m.

JUDICIARY

Convened: January 23, 1989, 1:40 p.m.

Members Present: Doyle, Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees and discussed code editor's bill.

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: January 23, 1989, 1:35 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley, Murphy (arrived 1:44) and Tinsman (arrived 1:44).

Members Absent: Priebe.

Committee Business: Assigned S.F. 43 to a subcommittee; announced members of the tax exempt property study subcommittee: Szymoniak and Tinsman, co-chairs; Murphy, Jensen and Vande Hoef.

Adjourned: 1:45 p.m.

WAYS AND MEANS

Convened: January 23, 1989, 3:03 p.m.

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

Members Absent: Husak, Vice Chair (excused); Fuhrman, Kibbie and Murphy (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:08 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 1

STATE GOVERNMENT: Lloyd-Jones, Chair; Running and Drake

Senate File 60

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

Senate File 61

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 63

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

Senate File 64

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 65

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

Senate File 66

STATE GOVERNMENT: Gronstal, Chair; Hannon and Vande Hoef

Senate File 68

JUDICIARY: Horn, Chair; Gronstal and Taylor

Senate File 72

STATE GOVERNMENT: Horn, Chair; Carr and Rife

Senate File 73

ENVIRONMENT & ENERGY UTILITIES: Carr, Chair; Varn and Hedge

Senate File 74

JUDICIARY: Doyle, Chair; Mann and Taylor

Senate File 76

JUDICIARY: Welsh, Chair; Carr and Drake

Senate File 78

JUDICIARY: Gentleman, Chair; Deluhery and Carr

Senate File 79

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Gentleman

SSB 34.1

WAYS AND MEANS: Dieleman, Chair; Palmer and Soorholtz

SSB 106

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

SSB 107

NATURAL RESOURCES: Kibbie, Chair; Peterson and Tieden

SSB 108

STATE GOVERNMENT: Rife, Chair; Carr and Hannon

SSB 109

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

SSB 110

STATE GOVERNMENT: Running, Chair; Carr and Drake

SSB 111

STATE GOVERNMENT: Hannon, Chair; Dieleman and Vande Hoef

SSB 112

STATE GOVERNMENT: Running, Chair; Fraise and Nystrom

SSB 113

STATE GOVERNMENT: Drake, Chair; Carr and Horn

SSB 114

STATE GOVERNMENT: Gronstal, Chair; Drake and Carr

SSB 115

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

SSB 116

STATE GOVERNMENT: Drake, Chair; Vande Hoef and Fraise

SSB 117

STATE GOVERNMENT: Horn, Chair; Running and Rife

SSB 118

STATE GOVERNMENT: Coleman, Chair; Gentleman and Hannon

SSB 119

JUDICIARY: Carr, Chair; Horn and Fuhrman

SSB 120

JUDICIARY: Mann, Chair; Varn and Hagerla

SSB 121

HUMAN RESOURCES: Bruner, Chair; Hannon, Riordan, Sturgeon, Corning and Tinsman

AMENDMENTS FILED

S—3017	S. F.	59	Linn Fuhrman
S—3018	S. F.	59	Linn Fuhrman
S—3019	S. F.	59	Linn Fuhrman
S—3020	S. F.	59	Mark Hagerla

AFTERNOON SESSION

The Senate reconvened at 3:02 p.m., Senator Kinley presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred January 23, 1989)**Senate File 59**

The Senate resumed consideration of Senate File 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date, and amendment S—3005 by the committee on Education to pages 1 through 3 of the bill, deferred on January 23, 1989.

Senator Drake offered amendment S—3009 filed by Senators Drake and Boswell on January 23, 1989, to amendment S—3005 and moved its adoption.

Amendment S—3009 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3005 as amended, which motion prevailed by a voice vote.

Senator Tinsman offered amendment S—3015 filed by her on January 23, 1989, to pages 1 and 2 of the bill.

Senator Murphy called for a division of amendment S—3015: lines 2 through 11 as division S—3015A and lines 12 through 23 as division S—3015B.

Senator Tinsman moved the adoption of division S—3015A.

A record roll call was requested.

On the question "Shall division S—3015A be adopted?" (S.F. 59) the vote was:

Ayes, 18:

Boswell	Corning	Drake	Fuhrman
Goodwin	Hannon	Hedge	Hester
Hultman	Husak	Jensen	Pate
Peterson	Rife	Sturgeon	Taylor
Tieden	Tinsman		

Nays, 29:

Bruner	Carr	Coleman	Dieleman
Doyle	Fraise	Gentleman	Gronstal
Hagerla	Horn	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Szymoniak	Vande Hoef	Varn
Welsh			

Absent or not voting, 3:

Deluhery	Gettings	Mann
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Division S—3015A lost.

Senator Tinsman moved adoption of division S—3015B, which motion prevailed by a voice vote.

Senator Hannon offered amendment S—3016 filed by her on January 23, 1989, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3016 lost by a voice vote.

Senator Kibbie offered amendment S—3011 filed by him on January 23, 1989, to page 1 of the bill, moved its adoption and requested a non record roll call.

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

The ayes were 26, nays 23.

Amendment S—3011 was adopted.

Senator Fuhrman offered amendment S—3017 filed by him from the floor to pages 1 and 2 of the bill and called for a division:

Division S—3017A: lines 2 through 7
 Division S—3017B: lines 8 through 12
 Division S—3017C: lines 13 through 20
 Division S—3017D: lines 21 through 23
 Division S—3917E: lines 24 through 28
 Division S—3917F: lines 29 through 42

Senator Hagerla offered amendment S—3020 filed by him from the floor to division S—3017A and moved its adoption.

Amendment S—3020 was adopted by a voice vote.

Senator Fuhrman moved the adoption of division S—3017A as amended.

A record roll call was requested.

On the question “Shall division S—3017A as amended be adopted?” (S.F. 59) the vote was:

Ayes, 13:

Drake	Fuhrman	Goodwin	Hagerla
Hannon	Hedge	Hultman	Hutchins
Jensen	Pate	Rife	Taylor
Tieden			

Nays, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hester	Horn	Husak	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Vande Hoef	Varn	Welsh

Absent or not voting, 1:

Mann

Division S—3017A lost.

Senator Fuhrman withdrew divisions S—3017B and S—3017C.

Senator Fuhrman moved the adoption of division S—3017D, which motion prevailed by a voice vote.

Senator Fuhrman moved the adoption of division S—3017E, which motion prevailed by a voice vote.

Senator Fuhrman moved the adoption of division S—3017F, which motion lost by a voice vote.

Senator Hultman offered amendment S—3012 filed by him on January 23, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3012 was adopted by a voice vote.

Senator Horn offered amendment S—3008 filed by him on January 23, 1989, to pages 1 and 2 of the bill.

Senator Taylor offered amendment S—3021 filed by him from the floor to amendment S—3008, moved its adoption and requested a non record roll call.

The ayes were 1, nays 33.

Amendment S—3021 lost.

Senator Horn moved the adoption of amendment S—3008.

A record roll call was requested.

On the question “Shall amendment S—3008 be adopted?” (S.F. 59) the vote was:

Ayes, 11:

Bruner	Doyle	Hagerla	Horn
Kinley	Lloyd-Jones	Palmer	Pate
Running	Taylor	Welsh	

Nays, 38:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hedge	Hester
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Miller	Murphy

Nystrom	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn		

Absent or not voting, 1:

Mann

Amendment S—3008 lost.

The Chair ruled amendment S—3010 filed by Senator Taylor on January 23, 1989, to pages 1 and 2 of the bill, out of order.

Senator Jensen offered amendment S—3013 filed by him on January 23, 1989, to page 2 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3013 be adopted?” (S.F. 59) the vote was:

Ayes, 21:

Boswell	Coleman	Doyle	Fraise
Fuhrman	Gettings	Goodwin	Hagerla
Hannon	Hedge	Hester	Hultman
Husak	Jensen	Pate	Peterson
Rensink	Soorholtz	Taylor	Tieden
Vande Hoef			

Nays, 28:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Gentleman	Gronstal
Horn	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Priebe	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Absent or not voting, 1:

Mann

Amendment S—3013 lost.

Senator Jensen withdrew amendment S—3006 filed by him on January 23, 1989, to page 2 of the bill.

Senator Lind offered amendment S—3007 filed by him on January 23, 1989, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 26.

Amendment S—3007 lost.

Senator Fuhrman offered amendment S—3018 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3018 lost by a voice vote.

Senator Fuhrman offered amendment S—3019 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3019 lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 59) the vote was:

Ayes, 33:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Fuhrman	Gentleman
Gronstal	Hagerla	Hester	Horn
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Taylor	Tinsman
Vande Hoef			

Nays, 16:

Boswell	Coleman	Doyle	Fraise
Gettings	Goodwin	Hannon	Hedge
Hultman	Husak	Palmer	Peterson
Sturgeon	Tieden	Varn	Welsh

Absent or not voting, 1:

Mann

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

INTRODUCTION OF BILLS

Senate File 84, by Hester and Riordan, a bill for an act relating to the continuation of the linked deposit program by striking the prospective repeal of the program.

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

Senate File 85, by Running, a bill for an act to provide that candidates for seats in the general assembly may volunteer to abide by certain spending and contribution limits and qualify some of their contributors for an income tax credit.

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

Senate File 86, by Carr, a bill for an act relating to the authority of a city to levy a tax for the support of municipal bands and other musical groups.

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

Senate File 87, by Gentleman, a bill for an act relating to the posting of inspection ratings for food service establishments.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 106 Natural Resources

A joint resolution to nullify an administrative rule of the natural resource commission relating to the funding of multiuse trail projects and providing an effective date.

SSB 107 Natural Resources

Relating to the issuance of free deer hunting and turkey hunting licenses.

SSB 108 State Government

Extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care.

SSB 109 State Government

Relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations.

SSB 110 State Government

Relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce.

SSB 111 State Government

Relating to business corporations by altering or removing certain filing requirements, fees, and penalties.

SSB 112 State Government

Relating to certain filings with the secretary of state by nonprofit corporations.

SSB 113 State Government

Exempting corporations from state corporate income tax when their sole business activity in the state is placing liquor in bailment.

SSB 114 State Government

Relating to elections and election procedures.

SSB 115 State Government

Relating to the powers and duties of the state historical society and the historical division of the department of cultural affairs.

SSB 116 State Government

Relating to the time period for which an annual accounting report for the revolving farm fund is filed.

SSB 117 State Government

Establishing a system of electronic banking for payment of alcoholic liquor by class "E" liquor control licensees.

SSB 118 State Government

Relating to certain fees required for certain filings with the secretary of state by limited partnerships.

SSB 119 Judiciary

Relating to the addition of family visitations to the list of appropriate conditions for allowing an inmate placed on work release status to leave the state.

SSB 120 Judiciary

Relating to providing interpreters in legal proceedings for persons unable to speak or understand the English language.

SSB 121 Human Resources

Relating to the eligibility of certain individuals for medical assistance.

SSB 122 Judiciary

Relating to salaries of the clerks of the district court.

SSB 123 Judiciary

Relating to temporary service by a retired judge.

SSB 124 Transportation

Relating to transportation programs by requiring certain moneys credited to the Iowa railway finance authority to be repaid from the general fund to the road use tax fund and authorizing the creation of an intermodel transportation study.

BILL ASSIGNED TO COMMITTEE

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

S.F. 82 State Government

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 59 passed the Senate on January 24, 1989.

JOHN W. JENSEN

AMENDMENT FILED

S—3021 S.F. 59 Ray Taylor

INTRODUCTION OF BILLS

Senate File 88, by committee on Human Resources, a bill for an act relating to children, youth, and families, providing for the collection, development, and dissemination of statistical information, providing for the continued existence of the division of children, youth, and families in the department of human rights, and providing an effective date.

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

Senate File 89, by committee on Human Resources, a bill for an act relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting

requirements with respect to departmental approval of colleges in which the professions are taught.

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

Senate File 90, by committee on Human Resources, a bill for an act relating to the regulation of the practice of dentistry by providing that students of dental hygiene are not engaged in the practice of dentistry.

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

Senate File 91, by committee on Transportation, a bill for an act to repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies.

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

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 88 (SSB 67.1), a bill for an act relating to children, youth, and families, providing for the collection, development, and dissemination of statistical information, providing for the continued existence of the division of children, youth, and families in the department of human rights, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 89 (SSB 69), a bill for an act relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting requirements with respect to departmental approval of colleges in which the professions are taught.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 90 (SSB 68), a bill for an act relating to the regulation of the practice of dentistry by providing that students of dental hygiene are not engaged in the practice of dentistry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 91 (SSB 83), a bill for an act to repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:19 p.m., until 9:00 a.m., Wednesday, January 25, 1989.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 25, 1989

The Senate met in regular session at 9:07 a.m., Senator Coleman presiding.

Prayer was offered by Dr. Vern Anderson, pastor of the Staves United Methodist Church of Des Moines, Iowa.

The Journal of Tuesday, January 24, 1989, was approved.

INTRODUCTION OF BILLS

Senate File 92, by Running, a bill for an act relating to short-term exemption from certificate of need for intermediate care facilities, and providing penalties.

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

Senate File 93, by Running, a bill for an act relating to health care facility inspections, and providing penalties.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mann for the day on request of Senator Hutchins and Senator Nystrom for the day on request of Senator Jensen.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 3:45 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 24, 1989, 9:40 a.m.

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

Members Absent: Mann (excused).

Committee Business: Sub-subcommittees met upon committee adjournment.

Adjourned: 9:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 24, 1989, 9:40 a.m.

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

Members Absent: Murphy (excused).

Committee Business: Budget explanation for the subcommittee by LFB, and discussed committee assignments.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 24, 1989, 9:45 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman (arrived 9:53 a.m.) and Hannon.

Members Absent: none.

Committee Business: Assigned sub-subcommittees; presentation of the Governor's budget and recommendations by LFB.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 24, 1989, 9:42 a.m.

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

Members Absent: none.

Committee Business: Overview of the governor's budget recommendations for the Department of Human Services and presentation of the 5-year plan for juvenile institutions.

Adjourned: 11:44 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 1989, 10:10 a.m.

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

Members Absent: none.

Committee Business: Performance oversight proposed language: Board of Parole, Central Office, Training Center, Iowa State Industries; Issues: overview of Industries' operations, education program proposal; FY 1990 budget request: Central office LFB budget document, capitol request.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 24, 1989, 9:38 a.m.

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

Members Absent: Lind, Ranking Member (excused).

Committee Business: Budget presentation by Ben Yarrington, Director of the Iowa Law Enforcement Academy.

Adjourned: 10:40 a.m.

EDUCATION

Convened: January 24, 1989, 5:20 p.m.

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

Members Absent: Tieden (excused).

Committee Business: Presentations regarding early childhood education.

Adjourned: 6:29 p.m.

HUMAN RESOURCES

Convened: January 24, 1989, 2:20 p.m.

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

Members Absent: Sturgeon (excused).

Committee Business: Amended SSB 64 and ordered redrafted for final approval as a committee bill; approved SSB's 69, 67.1 and 68 as committee bills; assigned bills to subcommittees.

Adjourned: 2:50 p.m.

NATURAL RESOURCES

Convened: January 24, 1989, 1:30 p.m.

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

Members Absent: Mann (excused).

Committee Business: Assigned bills to subcommittees and presentation on the Iowa prairie pothole joint venture program.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: January 24, 1989, 1:35 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by Richard Morrell, Administrator of the Alcoholic Beverages Division regarding liquor sales; budget presentation by Michael Lura, Administrator for the Iowa Racing Commission.

Adjourned: 2:18 p.m.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 59 passed the Senate on January 24, 1989.

LARRY MURPHY

SUBCOMMITTEE ASSIGNMENTS

Senate File 70

COMMERCE: Palmer, Chair; Gronstal and Lind

Senate File 71

LOCAL GOVERNMENT: Szymoniak, Chair; Jensen and Fraise

Senate File 75

NATURAL RESOURCES: Husak, Chair; Hedge and Goodwin

Senate File 81

COMMERCE: Hannon, Chair; Kinley and Tieden

SSB 104

COMMERCE: Running, Chair; Deluhery and Jensen

SSB 105

COMMERCE: Priebe, Chair; Welsh and Nystrom

SSB 122

JUDICIARY: Doyle, Chair; Coleman and Gentleman

SSB 123

JUDICIARY: Varn, Chair; Coleman and Hagerla

SSB 124

TRANSPORTATION: Gettings, Chair; Lloyd-Jones and Drake

SSB 125

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

SSB 126

JUDICIARY: Mann, Chair; Varn and Drake

SSB 127

JUDICIARY: Varn, Chair; Doyle and Gentleman

STUDY BILLS RECEIVED**SSB 125 Environment & Energy Utilities**

Relating to solid waste disposal and providing penalties.

SSB 126 Judiciary

Relating to harassment and providing penalties:

SSB 127 Judiciary

Relating to the administration of small estates.

SSB 128 State Government

Relating to political campaigns, providing partial public financing of political campaigns, appropriating funds, providing penalties, and providing effective dates.

AFTERNOON SESSION

The Senate reconvened at 3:55 p.m., President Zimmerman presiding.

INTRODUCTION OF BILL

Senate File 94, by Rensink, a bill for an act providing minimum qualifications for the office of county sheriff.

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

Senate File 95, by Rife, a bill for an act prohibiting the investment, under certain circumstances, of the Iowa public employees' retirement fund in a corporation that is issuing or plans on issuing evidences of indebtedness to provide consideration for the acquisition of the stock or assets of another corporation.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	83	Environment & Energy Utilities
S. F.	84	State Government
S. F.	85	State Government
S. F.	86	Local Government
S. F.	87	State Government
S. F.	92	Human Resources
S. F.	93	Human Resources
S. F.	94	Local Government
S. F.	95	State Government

INTRODUCTION OF BILL

Senate File 96, a bill for an act extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care.

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

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 96, a bill for an act extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:57 p.m., until 9:00 a.m., Thursday, January 26, 1989.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 26, 1989

The Senate met in regular session at 9:07 a.m., Senator Coleman presiding.

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

The Journal of Wednesday, January 25, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the day on request of Senator Hultman and Senator Mann for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 97, by Kinley, a bill for an act relating to reducing the number of area community colleges in the state.

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

SPECIAL GUEST

Senator Dieleman appeared in the well of the Senate and presented Valerie Van Wyk from Pella, 1988 Mrs. Iowa. She was accompanied by her husband Ervin and sons Zachery and Benjamin.

Upon completion of missionary work in Hawaii and the Samoa Figii Islands, the Van Wyks located in Pella where Valerie teaches home skills to the handicapped and Ervin farms and owns a tire company.

Valerie has made personal appearances to nursing homes, schools, parades and appeared on national television during the November 1988 national pageant in Hawaii. She related to the Senate that it has been a great challenge and honor to represent Iowa.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 1:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 25, 1989, 9:40 a.m.

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

Members Absent: Mann (excused).

Committee Business: Budget presentations by the Department of Management and Department of Personnel.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 25, 1989, 9:30 a.m.

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

Members Absent: Murphy (excused).

Committee Business: Committee discussion with the Board of Regents.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 25, 1989, 9:52 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member (arrived 9:55); Gentleman and Hannon.

Members Absent: none.

Committee Business: Sub-subcommittees met upon committee adjournment.

Adjourned: 9:59 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 25, 1989, 9:48 a.m.

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

Members Absent: none.

Committee Business: LFB analysis of the governor's recommendations for the DHS budget and DHS presentation of 5-year plan for juvenile institutions.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 25, 1989, 9:45 a.m.

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

Members Absent: none.

Committee Business: AFSCME report by Don McKee and Chuck Lee gave reports on the central office corrections and operation analysis from the Department of Corrections.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 25, 1989, 9:40 a.m.

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

Members Absent: none.

Committee Business: General discussion and decision to divide into sub-subcommittees.

Adjourned: 10:40 a.m.

AGRICULTURE

Convened: January 25, 1989, 8:00 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Discussed and deferred action on Senate File 50; presentation by Bob Pim, State Director of the Farmers Home Administration and Robert G. Haegele, Farmer Program Chief.

Adjourned: 9:00 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 25, 1989, 1:36 p.m.

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

Members Absent: Hultman, Mann (excused) and Taylor.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:39 p.m.

COMMERCE

Convened: January 25, 1989, 2:15 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Pate, Priebe, Rife, Running, Tieden and Welsh.

Members Absent: Mann and Nystrom (both excused).

Committee Business: Assigned bills to subcommittees and presentation by William Hager, Commissioner of Insurance regarding three proposed legislative issues.

Adjourned: 3:00 p.m.

EDUCATION

Convened: January 25, 1989, 4:06 p.m.

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

Members Absent: Taylor, Ranking Member and Varn (both excused).

Committee Business: General discussion.

Adjourned: 4:24 p.m.

STATE GOVERNMENT

Convened: January 25, 1989, 3:10 p.m.

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

Members Absent: Nystrom, Ranking Member and Soorholtz (both excused).

Committee Business: Approved SSB 108 as a committee bill; amended SSB 110 and ordered redrafted as a committee bill; assigned bills to subcommittees.

Adjourned: 3:35 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 82

STATE GOVERNMENT: Dieleman, Chair; Gentleman and Running

Senate File 83

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

Senate File 92

HUMAN RESOURCES: Sturgeon, Chair; Carr and Tinsman

Senate File 93

HUMAN RESOURCES: Sturgeon, Chair; Carr and Tinsman

SSB 21

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Miller, Chair; Szymoniak and Rife

SSB 57

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Hannon and Rife

SSB 128

STATE GOVERNMENT: Carr, Chair; Drake and Gronstal.

SSB 129

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair; Kibbie and Vande Hoef

SSB 130

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Szymoniak and Lind

SSB 131

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Kibbie, Chair; Miller and Hagerla

SSB 132

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

SSB 133

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

SSB 134

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

SSB 135

HUMAN RESOURCES: Bruner, Chair; Hannon and Taylor

SSB 136

JUDICIARY: Mann, Chair; Carr and Hester

SSB 137

JUDICIARY: Gentleman, Chair; Varn and Carr

SSB 138

JUDICIARY: Varn, Chair; Mann and Gentleman

SSB 140

TRANSPORTATION: Doyle, Chair; Scott and Goodwin

SSB 141

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

SSB 142

TRANSPORTATION: Nystrom, Chair; Gettings and Jensen

SSB 143

TRANSPORTATION: Lloyd-Jones, Chair; Dieleman and Goodwin

SSB 144

JUDICIARY: Mann, Chair; Varn and Gentleman

AMENDMENT FILED
(Filed 1-25-89)

S—3022

S. F.

59

John W. Jensen

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate Joint Resolution 2, by Taylor, Hultman, Hutchins, Murphy, Dieleman, Pate, Riordan, Vande Hoef, Drake, Tieden, Scott, Miller, Hester, Gettings, Priebe, Jensen, Fuhrman, Rensink, Corning, Coleman, Hagerla, Gentleman, Goodwin, Hedge, Lind, Sturgeon and Nystrom, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to Members of Congress until an intervening election of Representatives has occurred.

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

Senate File 98, by Taylor, a bill for an act providing a state sales tax exemption for certain child foster care facilities.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 4, by Hultman and Drake, a concurrent resolution relating to the federal feed grain buy-down program.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

Senator Coleman took the chair at 1:47 p.m.

MOTION TO RECONSIDER ADOPTED

Senator Welsh called up the motion to reconsider Senate File 56 filed by him on January 23, 1989, found on page 151 of the Senate Journal and moved its adoption.

On the question "Shall the motion to be reconsider be adopted?" (S.F. 56) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Tieden

Absent or not voting, 4:

Fraise	Mann	Nystrom	Rife
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The motion prevailed.

Senator Welsh moved to reconsider the vote by which Senate File 56 went to its last reading, which motion prevailed by a voice vote.

Senate File 56

On motion of Senator Welsh, Senate File 56, a bill for an act establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons, was taken up for reconsideration.

Senator Welsh offered amendment S—3023 filed by Senators Welsh, Murphy and Lind from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3023 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 56) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Nystrom

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

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 59

Senator Jensen withdrew the motion to reconsider Senate File 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date, filed by him on January 24, 1989, and found on page 178 of the Senate Journal.

Senator Murphy withdrew the motion to reconsider Senate File 59, filed by him on January 25, 1989, and found on page 185 of the Senate Journal.

Amendment S—3022 filed by Senator Jensen on January 25, 1989, to page 1 of the bill, was out of order.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 56 and 59** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 99, by Gronstal and Vande Hoef, a bill for an act relating to the striking of prohibitions restricting certain cities from joining a chapter 28F entity for the purpose of financing electric power facilities, preventing a municipal power agency from furnishing power to a municipal utility not existing as of July 1, 1984, and preventing a city from joining a certain entity for financing electric power facilities without submission of the proposal to the voters.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 86

LOCAL GOVERNMENT: Miller, Chair; Szymoniak and Jensen

Senate File 94

LOCAL GOVERNMENT: Priebe, Chair; Fraise and Vande Hoef

SSB 139

LOCAL GOVERNMENT: Kinley, Chair; Fraise and Goodwin

STUDY BILLS RECEIVED

SSB 129 Small Business/Economic Development

Relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa products and services, authorizing the establishment of guidelines, and providing an effective date.

SSB 130 Small Business/Economic Development

Allowing a speculative industrial building built by a local community development organization in a rural community to be eligible under the community and rural development loan program as a new infrastructure.

SSB 131 Small Business/Economic Development

Relating to the use of federal and state funding sources to finance job training through vocational education.

SSB 132 Business & Labor Relations

Creating a state apprenticeship program.

SSB 133 Environment & Energy Utilities

Relating to solid waste management by providing for the submission of comprehensive solid waste management plans to the department of natural resources by certain entities and

permitting the option of dividing the planning requirement into certain separate parts.

SSB 134 Environment & Energy Utilities

Relating to waste reduction and recycling by providing for the study of the state's waste stream and development of specific strategies to deal with identified components of the waste stream, creating a waste reduction and recycling trust fund, providing for the imposition of certain fees, and requiring periodic review of the fees imposed.

SSB 135 Human Resources

Relating to liens upon property for delinquent child support.

SSB 136 Judiciary

Relating to the violation of or interference with civil rights, including discrimination based upon association with protected class members and age, and providing penalties.

SSB 137 Judiciary

Relating to court oversight of voluntary placements of handicapped children in foster care.

SSB 138 Judiciary

Relating to child support awards by establishing an advisory committee and requiring the application of uniform support guidelines by the courts and the department of human services and providing an effective date.

SSB 139 Local Government

Requiring county treasurers to refuse renewals of vehicle registrations when notified that a person has not paid certain fines, unsecured appearance bonds, costs, or surcharges.

SSB 140 Transportation

Relating to recordkeeping, reporting, and delinquent registration penalties for motor vehicle registrations and certificates of title and providing an effective date.

SSB 141 Transportation

Relating to the stopping, standing, and parking of vehicles including parking for handicapped persons and providing penalties and effective dates.

SSB 142 Transportation

Relating to the registration of aircraft.

SSB 143 Transportation

Relating to the rate filing requirements of common carriers.

SSB 144 Judiciary

Relating to the awarding of exemplary damages and damages for emotional distress resulting from a violation of or interference with civil rights, and providing for the awarding of court costs.

INTRODUCTION OF BILLS

Senate File 100, by Gronstal, a bill for an act relating to tuition rates set by the state board of regents for certain nonresident students.

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

Senate File 101, by Deluhery, a bill for an act relating to third-party administrators, by providing for regulation of third-party administrator's relationships between third-party payors, such as insurance companies, hospital or medical service corporations, and health maintenance organizations, and regulating contacts between third-party administrators and policyholders, and providing penalties.

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

Senate File 102, by Boswell, a bill for an act relating to information required to be delivered to a warehouse operator upon the termination of a receivership over an agricultural products warehouse.

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

Senate File 103, by Bruner, a bill for an act relating to the state individual income tax by increasing the personal exemption credit for each dependent.

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

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	2	State Government
S. C. R.	4	Agriculture
S. F.	97	Education
S. F.	98	Ways & Means
S. F.	99	Environment & Energy Utilities
S. F.	100	Education
S. F.	101	Commerce
S. F.	102	Agriculture
S. F.	103	Ways & Means

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 104, a bill for an act relating to third-party liability for amounts paid under the medical assistance program on behalf of injured recipients.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hannon, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon and Tinsman. Nays, none. Absent or not voting, 4: Bruner, Corning, Murphy and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 105, a bill for an act relating to assisting the department of human services in dependent adult abuse investigations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hannon, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 3: Bruner, Corning and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 104, by committee on Human Resources, a bill for an act relating to third-party liability for amounts paid under the medical assistance program on behalf of injured recipients.

Read first time under Rule 28 and placed on calendar.

Senate File 105, by committee on Human Resources, a bill for an act relating to assisting the department of human services in dependent adult abuse investigations.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S—3023

S. F.

56

Joe Welsh

Larry Murphy

Jim Lind

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 2:04 p.m., until 10:00 a.m., Monday, January 30, 1989.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 30, 1989

The Senate met in regular session at 10:02 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Thursday, January 26, 1989, was approved.

INTRODUCTION OF BILLS

Senate File 106, by Goodwin, a bill for an act relating to benefits under the state employees disability insurance program.

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

Senate File 107, by Kibbie, a bill for an act relating to the calculation of the budget enrollment of reorganized school districts and providing an effective date.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 88

On motion of Senator Bruner, Senate File 88, a bill for an act relating to children, youth, and families, providing for the

collection, development, and dissemination of statistical information, providing for the continued existence of the division of children, youth, and families in the department of human rights, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 88) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hagerla
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 10:

Fuhrman	Gentleman	Goodwin	Hedge
Hester	Hultman	Jensen	Rensink
Taylor	Tieden		

Absent or not voting, 2:

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

Senate File 89

On motion of Senator Tinsman, Senate File 89, a bill for an act relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting requirements with respect to departmental approval of colleges in which the professions are taught, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 89) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Priebe

Absent or not voting, 1:

Sturgeon

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

Senate File 90

On motion of Senator Hagerla, Senate File 90, a bill for an act relating to the regulation of the practice of dentistry by providing that students of dental hygiene are not engaged in the practice of dentistry, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 90) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Sturgeon

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

Senate File 91

On motion of Senator Drake, Senate File 91, a bill for an act to repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 91) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running

Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 96.

Senate File 96

On motion of Senator Rife, Senate File 96, a bill for an act extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 96** be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 105.

Senate File 105

On motion of Senator Riordan, Senate File 105, a bill for an act relating to assisting the department of human services in dependent adult abuse investigations, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on **Senate File 105** be deferred.

INTRODUCTION OF BILL

Senate File 108, by Scott, Jensen, Murphy, Priebe, Miller, Husak, Taylor, Tieden, Hannon, Corning, Vande Hoef, Hutchins, Tinsman, Kinley, Drake, Carr, Hester, Rensink, Goodwin, Riordan, Dieleman, Soorholtz, Fraise, Boswell, Gettings, Horn, Sturgeon, Lind, Bruner, Nystrom, Palmer, Varn, Hagerla, Hultman and Hedge, a bill for an act appropriating funds for

the restoration and repair of a dam on the Cedar river in the city of Nashua.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:58 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 26, 1989, 9:40 a.m.

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

Members Absent: Mann (excused).

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

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 26, 1989, 9:44 a.m.

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

Members Absent: none.

Committee Business: Presentations regarding groundwater legislation by Jim Combs, Administrator of the Coordination and Information Division, Department of Natural Resources, and Jo Ann Muldoon of the Department of Public Health.

Adjourned: 11:24 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 24, 1989, 9:45 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by Carey Novak, LFB.

Adjourned: 11:20 a.m.

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

Convened: January 26, 1989, 9:42 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by Department of Economic Development regarding national marketing.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 26, 1989, 9:45 a.m.

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

Members Absent: Murphy and Nystrom (both excused).

Committee Business: Presentation by Jack Walters, Director of the Department of General Services; sub-subcommittees met to discuss legislation.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN
RIGHTS**

Convened: January 26, 1989, 9:45 a.m.

Members Present: Sturgeon, Chair.

Members Absent: Miller, Vice Chair (excused); Tinsman, Ranking Member, Gentleman and Hannon.

Committee Business: Sub-subcommittees met upon adjournment.

Adjourned: 9:47 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND
SAFETY**

Convened: January 26, 1989, 9:38 a.m.

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

Members Absent: none.

Committee Business: Assigned five members to subcommittees; discussed impending field trips to Camp Dodge, Iowa Law Enforcement Academy and the Department of Public Safety.

Adjourned: 10:00 a.m.

HUMAN RESOURCES

Convened: January 26, 1989, 1:10 p.m.

Members Present: Hannon, Chair; Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Bruner, Vice Chair; Corning, Ranking Member and Murphy.

Committee Business: Approved SSBs 18 and 92 as committee bills; amended SSB 63 and ordered redrafted for final approval as a committee bill; assigned bills to subcommittees.

Adjourned: 1:30 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 26, 1989, 8:08 a.m.

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

Members Absent: none.

Committee Business: Presentation by Steve Westvold, Beautification Administration, DOT; assigned bills to subcommittees.

Adjourned: 8:52 a.m.

CERTIFICATES OF RECOGNITION

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

Rachel Daack, Dubuque — For election as Lieutenant Governor of Girls' State. Senator Carr and President Zimmerman (January 9, 1989).

Scott Maasen, Johnston — For election as Lieutenant Governor of Boys' State. Senator Palmer and President Zimmerman (January 9, 1989).

PETITION

The following petition was presented and placed on file by:

Senator Corning from two hundred seventy-three residents of Black Hawk County favoring legislation providing for the protection of police service dogs.

PRESENTATION OF VISITOR

President Zimmerman welcomed the Honorable Delbert Floy, former member of the Senate from Cerro Gordo County, who was present in the Senate chamber.

SUBCOMMITTEE ASSIGNMENTS

Senate File 99

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

SSB 149

JUDICIARY: Doyle, Chair; Horn and Gentleman

SSB 150

JUDICIARY: Varn, Chair; Doyle and Gentleman

SSB 151

JUDICIARY: Varn, Chair; Deluhery and Fuhrman

SSB 152

JUDICIARY: Doyle, Chair; Horn and Taylor

AMENDMENTS FILED

S—3024	S. F.	96	Jack Rife Bob Carr
S—3025	S. C. R.	1	House amendment

STUDY BILLS RECEIVED

SSB 35.1 Ways & Means

Relating to the updating of the reference to the Internal Revenue Code, and providing refund provisions for certain income and inheritance tax payments, and providing applicability and effective dates.

SSB 145 Ways & Means

Relating to individual income tax by giving capital gain deduction treatment to limited amounts of long-term capital gains, making the capital gain deduction subject to minimum tax, repealing the provision for special refunds for limited amounts of long-term capital gains, and providing applicability and effective dates.

SSB 146 Ways & Means

Removing the scheduled decrease in the cigarette tax and providing an effective date.

SSB 147 Ways & Means

Relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions by counties and cities.

SSB 148 Local Government

Relating to demolition insurance reserves for property in cities.

SSB 149 Judiciary

Making it an aggravated misdemeanor to rent or offer for rental certain material depicting sadomasochistic abuse, excretory functions, or bestiality, and providing an effective date.

SSB 150 Judiciary

Relating to the administration of an estate and changing certain notice provisions.

SSB 151 Judiciary

Relating to the registration of federal liens.

SSB 152 Judiciary

Relating to the confidentiality of income tax returns and return information and their availability for use in an investigation to determine or identify property which is forfeitable as a result of being acquired as or from the proceeds of certain criminal offenses.

SSB 153 Ways & Means

Relating to the hotel and motel tax and providing an exception.

SSB 154 Agriculture

Relating to the regulation of grain management, by providing for licensing and regulation of grain dealers and warehouse operators and the administration of licensing and regulation within the department of agriculture and land stewardship.

SSB 155 Agriculture

Relating to the water protection fund established within the department of agriculture and land stewardship.

SSB 156 Agriculture

Authorizing the department of agriculture and land stewardship to establish dates for renewal of brands of record.

SSB 157 Agriculture

Relating to administration and authority of the department of agriculture and land stewardship, by retitling administrative units, eliminating certain duties, and authorizing the department to engage in the sale, promotion, marketing, and exporting of certain agricultural products.

SSB 158 Agriculture

Providing for the confidentiality of records submitted to the agricultural diversification bureau of the department of agriculture and land stewardship for the purposes of assisting persons in business planning.

SSB 159 Agriculture

Relating to the regulation of oxygenate octane enhancers.

SSB 160 Agriculture

Relating to the regulation of commercial feed.

SSB 161 Agriculture

Relating to standards for apples established by the secretary of agriculture, providing for the establishment of fees, and providing penalties.

SSB 162 State Government

Relating to relocation payments and relocation advisory assistance for displaced persons, and real property acquisition, and providing an effective date.

SSB 163 Appropriations

Relating to state financial management by revising provisions governing the reversion of appropriations, the prescribing of uniform accounting systems and forms, account coding to identify authorizing statutes, and authorization for the prepayment of claims, and providing properly related matters.

SSB 164 Local Government

Relating to the sale or contracting for goods and services between a civil service commissioner and a city.

AFTERNOON SESSION

The Senate reconvened at 3:53 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 25, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 72, a bill for an act relating to the notification of the city development board of public hearings for proposed urban revitalization plans.

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

House File 88, a bill for an act providing for nonresident hunting licenses for deer and wild turkey.

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

ALSO: That the House has on January 25, 1989, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 1, a concurrent resolution relating to distribution of printed legislative materials (S—3025).

INTRODUCTION OF BILLS

Senate File 109, by Rensink, a bill for an act relating to the provision of respite care and adult day care services to victims of Alzheimer's disease, amyotrophic lateral sclerosis, other physical disabilities, and related disorders, and making an appropriation.

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

Senate File 110, by Vande Hoef, a bill for an act relating to foster care review by establishing certain reporting requirements.

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

Senate File 111, by Jensen, a bill for an act relating to foreign money judgments and providing an effective date.

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

Senate File 112, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	106	State Government
S.F.	107	Education
S.F.	108	Appropriation
S.F.	109	Appropriation
S.F.	110	Human Resources
S.F.	111	Judiciary
H.F.	72	Local Government
H.F.	88	Natural Resources

COMMITTEE REPORT

JUDICIARY

Final Bill Action: SENATE FILE 112, a bill for an act relating to nonsubstantive Code corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:55 p.m., until 9:00 a.m., Tuesday, January 31, 1989.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 31, 1989

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

Prayer was offered by Father Gerald Stessman, pastor of the Holy Spirit Catholic Church, Creston, Iowa.

The Journal of Monday, January 30, 1989, was approved.

INTRODUCTION OF BILL

Senate File 113, by committee on Ways and Means, a bill for an act relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of nonresidents on incomes from agricultural products, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions.

Read first time and placed on Ways and Means calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:06 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 26, 1989, 10:05 a.m.

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

Members Absent: none.

Committee Business: Budget presentations by Patrick Cavanaugh, Director of the Department of Management and Jeanette Buklew, Community Based Corrections.

Adjourned: 11:45 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 30, 1989, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by Dennis Nagel, Chairman of the Utilities Board.

Adjourned: 3:15 p.m.

JUDICIARY

Convened: January 30, 1989, 1:35 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved LSB 1428 and SSB 149 as committee bills; discussed substantive Code Editor's bill.

Adjourned: 2:40 p.m.

WAYS AND MEANS

Convened: January 30, 1989, 3:15 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fuhrman, Gentleman, Kibbie, Palmer, Soorholtz and Szymoniak.

Members Absent: Fraise (excused), Hultman, Murphy (excused) and Riordan (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 34.1 as a committee bill.

Adjourned: 3:40 p.m.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 114 (SSB 149), a bill for an act making it an aggravated misdemeanor to rent or offer for rental certain material depicting sadomasochistic abuse, excretory functions, or bestiality, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 113 (SSB 34.1), a bill for an act relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of nonresidents on incomes from agricultural products, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dieleman, Husak, Hester, Bruner, Drake, Fuhrman, Gentleman, Kibbie, Palmer, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 4: Fraise, Hultman, Murphy and Riordan.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 4

AGRICULTURE: Fuhrman, Chair; Rensink and Riordan

Senate File 69

WAYS AND MEANS: Palmer, Chair; Murphy and Gentleman

Senate File 80

WAYS AND MEANS: Husak, Chair; Dieleman and Hultman

Senate File 98

WAYS AND MEANS: Husak, Chair; Palmer and Drake

Senate File 102

AGRICULTURE: Husak, Chair; Miller and Rensink

Senate File 103

WAYS AND MEANS: Bruner, Chair; Kibbie and Fuhrman

Senate File 110

HUMAN RESOURCES: Bruner, Chair; Hannon and Tinsman

Senate File 111

JUDICIARY: Drake, Chair; Hester and Varn.

House File 72

LOCAL GOVERNMENT: Murphy, Chair; Kinley and Jensen

House File 88

NATURAL RESOURCES: Kibbie, Chair; Peterson and Tieden

SSB 35.1

WAYS AND MEANS: Szymoniak, Chair; Kibbie and Drake

SSB 145

WAYS AND MEANS: Bruner, Chair; Drake and Riordan

SSB 146

WAYS AND MEANS: Dieleman, Chair; Riordan and Hester

SSB 147

WAYS AND MEANS: Husak, Chair; Bruner and Drake

SSB 148

LOCAL GOVERNMENT: Miller, Chair; Fraise and Tinsman

SSB 153

WAYS AND MEANS: Dieleman, Chair; Riordan and Soorholtz

SSB 164

LOCAL GOVERNMENT: Goodwin, Chair; Szymoniak and Priebe

SSB 169

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

SSB 170

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

SSB 171

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

SSB 173

JUDICIARY: Hagerla, Chair; Taylor and Coleman

STUDY BILLS RECEIVED

SSB 165 Appropriations

Deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date.

SSB 166 Commerce

Relating to entities and subject matter regulated by the department of commerce, division of banking, including banks, regulated loans, and industrial loan companies.

SSB 167 Commerce

Relating to insurance by authorizing certain administrative penalties, providing a uniform standard for cancellation notices in personal property lines of insurance, providing for the repeal of requirements to attach applications to policies, distinguishing nonadmitted and unauthorized insurance companies, providing for lump sum payment of workers' compensation and other benefits for purchase of an annuity or other periodic payment plan, requiring certain claimants to exhaust rights available under other policies prior to and as a credit against the Iowa insurance guarantee association, and imposing surplus requirements on county mutual associations.

SSB 168 Commerce

Relating to insurance by providing for notice and review of contracts between insurers and managing general agents and providing for regulation of third-party administrators.

SSB 169 Environment & Energy Utilities

Relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, requiring city or county solid waste management programs and plans, providing for appropriation and expenditure of the fee receipts and certain other moneys, and providing penalties.

SSB 170 Environment & Energy Utilities

Allowing the utilities board to reject an application for new or changed rates, charges, schedules, or regulations by a public utility without a hearing in certain circumstances.

SSB 171 Environment & Energy Utilities

Allowing a complainant or public utility to petition the utilities board to initiate a formal proceeding.

SSB 172 State Government

Relating to certain drugs used and activities of the racing commission veterinarian with respect to pari-mutuel horse racing.

SSB 173 Judiciary

Expanding the definition of sex act and making more acts subject to penalties.

AFTERNOON SESSION

The Senate reconvened at 3:50 p.m., Senator Szymoniak presiding.

INTRODUCTION OF BILLS

Senate File 114, by committee on Judiciary, a bill for an act making it an aggravated misdemeanor to rent or offer for rental certain material depicting sadomasochistic abuse, excretory functions, or bestiality, and providing an effective date.

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

Senate File 115, by Rensink, a bill for an act providing for the establishment of well-elderly clinics and making an appropriation.

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

Senate File 116, by Welsh, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the appropriation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters.

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

Senate File 117, by committee on Human Resources, a bill for an act relating to medical assistance requirements and providing for eligibility of certain recipients of federal Medicare.

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

Senate File 118, by committee on State Government, a bill for an act relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce.

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

Senate File 119, by committee on Appropriations, a bill for an act relating to state financial management by revising provisions governing the reversion of appropriations, the prescribing of uniform accounting systems and forms, account coding to identify authorizing statutes, and authorization for the prepayment of claims, and providing properly related matters.

Read first time and placed on Appropriations calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	115	Appropriations
S. F.	116	State Government

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 119 (SSB 163), a bill for an act relating to state financial management by revising provisions governing the reversion of appropriations, the prescribing of uniform accounting systems and forms, account coding to identify authorizing statutes, and authorization for the prepayment of claims, and providing properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Welsh, Tieden, Fraise, Gettings, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Tinsman and Varn. Nays, none. Absent or not voting, 6: Boswell, Bruner, Corning, Goodwin, Jensen and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 123 (SSB 165), a bill for an act deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Welsh, Boswell, Tieden, Fraise, Gettings, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Tinsman and Varn. Nays, 2: Peterson and Running. Absent or not voting, 5: Bruner, Corning, Goodwin, Jensen and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 117 (SSB 63), a bill for an act relating to medical assistance eligibility of certain recipients of federal Medicare.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 122 (SSB 64A), a bill for an act relating to the practice of tattooing and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 71, a bill for an act authorizing a special land use district to designate an area for preservation as an area of historical significance.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 118 (SSB 110), a bill for an act relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 124 (SSB 109), a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Lloyd-Jones, Coleman, Fraise, Horn, Rife, Running and Soorholtz. Nays, 6: Nystrom, Dieleman, Drake, Gentleman, Gronstal and Vande Hoef. Pass, 1: Hannon.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 120 (SSB 10), a bill for an act relating to the allowable length of stinger-steered automobile transporters and certain semitrailers when operated on highways designated by the state transportation commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 121 (SSB 13), a bill for an act relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 120, by committee on Transportation, a bill for an act relating to the allowable length of stinger-steered automobile transporters and certain semitrailers when operated on highways designated by the state transportation commission.

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

Senate File 121, by committee on Transportation, a bill for an act relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties.

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

Senate File 122, by committee on Human Resources, a bill for an act relating to the practice of tattooing and providing penalties.

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

Senate File 123, by committee on Appropriations, a bill for an act deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date.

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

Senate File 124, by committee on State Government, a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations.

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

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:52 p.m., until 9:00 a.m., Wednesday, February 1, 1989.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 1, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Ken Pokrant, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Tuesday, January 31, 1989, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 31, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 17, a bill for an act relating to minimum wage requirements.

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

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 124** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the Senate Calendar by 5:00 p.m., Thursday, February 9, 1989.

Senator Hutchins asked and received unanimous consent that **Senate File 96** be referred from the Unfinished Business Calendar to the committee on **Human Resources** and returned to the Senate Calendar by 5:00 p.m., Tuesday, February 7, 1989.

Senator Hutchins asked and received unanimous consent that **Senate File 104** be referred from the Regular Calendar to the committee on **Judiciary** and returned to the Senate Calendar by 5:00 p.m., Thursday, February 9, 1989.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 31, 1989, 9:40 a.m.

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

Members Absent: none.

Committee Business: Presentations on open spaces and initiatives.

Adjourned: 11:24 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 1989, 9:40 a.m.

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

Members Absent: Nystrom (excused).

Committee Business: Presentations by the Department of Management, Historical Society, Arts Council and State Libraries.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 31, 1989, 9:45 a.m.

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

Members Absent: none.

Committee Business: Discussed and reviewed AFDC budget.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 1989, 9:48 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by Bill O'Brien, Judicial Department.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 31, 1989, 9:37 a.m.

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

Members Absent: Palmer.

Committee Business: Budget presentations by the Department of Commerce: Administrative Services Division, Insurance Division, Credit Union Division and Savings and Loan Division.

Adjourned: 11:31 a.m.

APPROPRIATIONS

Convened: January 31, 1989, 11:40 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Fraise, Gettings, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Tinsman and Varn.

Members Absent: Bruner, Corning, Goodwin, Jensen and Sturgeon.

Committee Business: Amended and approved SSB 165 as a committee bill and approved SSB 163 as a committee bill.

Adjourned: 12:05 p.m.

EDUCATION

Convened: January 31, 1989, 4:07 p.m.

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

Members Absent: none.

Committee Business: Approved SSB 61 as a committee bill.

Adjourned: 4:57 p.m.

HUMAN RESOURCES

Convened: January 31, 1989, 2:30 p.m.

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

Members Absent: none.

Committee Business: Approved SSBs 63 and 64 as committee bills and assigned a bill to a subcommittee.

Adjourned: 2:49 p.m.

LOCAL GOVERNMENT

Convened: January 31, 1989, 3:03 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 71; presentation by Dianna Leonard, Deaf Services.

Adjourned: 3:32 p.m.

NATURAL RESOURCES

Convened: January 31, 1989, 1:30 p.m.

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

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees; approved SSB 106 as a committee bill; presentation by the Administrator of the Parks and Recreation Division.

Adjourned: 2:15 p.m.

STATE GOVERNMENT

Convened: January 31, 1989, 1:35 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees and approved SSBs 109 and 110 as committee bills.

Adjourned: 2:25 p.m.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 32, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 46, a bill for an act relating to the employment of inmates and prisoners.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 125 (SSB 61), a bill for an act relating to the acceptance of the provisions and benefits of federal rehabilitation acts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak and Tieden. Nays, none. Absent or not voting, 3: Deluhery, Tinsman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 128 (SSB 29), a bill for an act relating to the collection and compilation of information regarding juvenile court activities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Deluhery and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 129 (SSB 47), a bill for an act relating to the release of child abuse information to certain individuals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Deluhery and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE JOINT RESOLUTION 3 (SSB 106), a joint resolution to nullify an administrative rule of the natural resource commission relating to the funding of multiuse trail projects and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2

STATE GOVERNMENT: Lloyd-Jones, Chair; Gronstal and Vande Hoef

Senate File 77

ETHICS: Drake, Chair; Gettings and Husak

Senate File 84

STATE GOVERNMENT: Coleman, Chair; Vande Hoef and Fraise

Senate File 85

STATE GOVERNMENT: Carr, Chair; Drake and Gronstal

Senate File 87

STATE GOVERNMENT: Hannon, Chair; Gentleman and Dieleman

Senate File 95

STATE GOVERNMENT: Carr, Chair; Nystrom and Horn

Senate File 97

EDUCATION: Horn, Chair; Rensink and Tieden

Senate File 100

EDUCATION: Varn, Chair; Horn and Rensink

Senate File 101

COMMERCE: Running, Chair; Deluhery and Tieden

Senate File 104

JUDICIARY: Varn, Chair; Doyle and Gentleman

Senate File 106

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

Senate File 107

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

Senate File 108

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

Senate File 109

APPROPRIATIONS: Husak, Chair; Goodwin and Peterson

Senate File 115

APPROPRIATIONS: Husak, Chair; Goodwin and Peterson

SSB 162

STATE GOVERNMENT: Drake, Chair; Carr and Nystrom

SSB 166

COMMERCE: Gronstal, Chair; Mann and Rife

SSB 167

COMMERCE: Rife, Chair; Kinley and Priebe

SSB 168

COMMERCE: Pate, Chair; Gronstal and Mann

SSB 172

STATE GOVERNMENT: Soorholtz, Chair; Carr and Rife

SSB 175

AGRICULTURE: Husak, Chair; Hester and Riordan

SSB 176

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Deluhery and Rife

SSB 181

EDUCATION: Szymoniak, Chair; Kibbie and Hedge

CERTIFICATE OF RECOGNITION

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

John Gibbs, Bellevue — For service to the community of Bellevue and the Bellevue Public Library. Senator Welsh (January 9, 1989).

STUDY BILLS RECEIVED**SSB 174 Education**

Relating to early childhood programs.

SB 175 Agriculture

Relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the Act and an effective date.

SSB 176 Environment & Energy Utilities

Relating to petroleum underground storage tanks, by establishing certain charges, authorizing revenue bond issues to finance remedial actions, tank improvements, and an insurance program to permit owners and operators to comply with federal regulations mandating physical tank and monitoring standards and the maintenance of proof of financial responsibility, such as insurance, providing certain penalties, certain future automatic repeal dates, and effective dates.

SSB 177 Ways & Means

Providing a property tax exemption for certain grounds and buildings used for housing and health care of elderly and mentally and physically disabled persons.

SSB 178 Judiciary

Relating to reciprocal tuition rate agreements established by the state board of regents for certain students.

SSB 179 Judiciary

Relating to payment of a senior judge's medical insurance premium.

SSB 180 Judiciary

Relating to the violation of or interference with civil rights in certain situations relating to age and financial interests, and providing penalties.

SSB 181 Education

Permitting instruction in American sign language as a foreign language and its use as a medium of instruction in both public and nonpublic schools.

AFTERNOON SESSION

The Senate reconvened at 3:51 p.m., President pro tempore Mann presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by committee on Natural Resources, a joint resolution to nullify an administrative rule of the natural resource commission relating to the funding of multiuse trail projects and providing an effective date.

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

Senate File 125, by committee on Education, a bill for an act relating to the acceptance of the provisions and benefits of federal rehabilitation acts.

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

Senate File 126, by Vande Hoef, a bill for an act authorizing assistance to communities by authorizing certain property tax exemptions by counties and cities.

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

Senate File 127, by Scott, Miller, Soorholtz, Dieleman, Kibbie, Tieden, Murphy, Carr, Gettings, Coleman, Husak, Fraise, Jensen and Vande Hoef, a bill for an act providing for a percentage of lottery revenues collected in each city of the state and each area formed under a chapter 8E agreement with a population of five thousand or more to be returned to the city or area to be used for economic development or infrastructure initiatives.

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

Senate File 128, by committee on Judiciary, a bill for an act relating to the collection and compilation of information regarding juvenile court activities.

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

Senate File 129, by committee on Judiciary, a bill for an act relating to the release of child abuse information to certain individuals.

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

Senate File 130, by Deluhery, a bill for an act relating to the establishment and operation of point-of-sale and automatic teller machine terminals and providing an effective date.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	126	Local Government
S. F.	127	Small Business & Economic Development
S. F.	130	Commerce
H. F.	17	Business and Labor Relations

INTRODUCTION OF BILLS

Senate File 131, by Hutchins, a bill for an act relating to the purchase by the state and its political subdivisions of products made by handicapped Iowans.

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

Senate File 132, by Varn, a bill for an act relating to the fee retained by county treasurers for use tax collection on vehicles.

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

Senate File 133, by Varn, a bill for an act relating to the expiration of motor vehicle licenses.

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

Senate File 134, by Varn, a bill for an act allowing certain vehicles to increase their gross weight classification during any month of a current registration year.

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

Senate File 135, by Varn, a bill for an act relating to the amount of money retained by county treasurers for the issuance of registrations and plates for vehicles.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 5, by Varn, a concurrent resolution requesting the creation of a comprehensive information and privacy study committee.

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

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:55 p.m., until 9:00 a.m., Thursday, February 2, 1989.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 2, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Hume Ward, pastor of the Windsor Presbyterian Church, Des Moines, Iowa.

The Journal of Wednesday, February 1, 1989, was approved.

INTRODUCTION OF BILLS

Senate File 136, by Running, a bill for an act relating to the hearing and determination of special exceptions to city and county zoning ordinances.

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

Senate File 137, by Vande Hoef, a bill for an act authorizing the county conservation board to charge certain county park fees.

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

Senate File 138, by Jensen, a bill for an act to change the name of the county board of supervisors to the board of county commissioners.

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

Senate File 139, by Corning, a bill for an act relating to dissolution of marriage and related proceedings by providing for a pilot program of mandatory mediation of contested issues of child custody and visitation.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:52 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 1, 1989, 9:40 a.m.

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

Members Absent: none.

Committee Business: Legislative oversight for Department of Natural Resources and Department of Agriculture and Land Stewardship.

Adjourned: 11:08 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 1, 1989, 9:50 a.m.

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

Members Absent: none.

Committee Business: FY 1989 performance oversight reports; Department of Elder Affairs - elderly services program and Department of Public Health - certificate of need program.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 1, 1989, 9:47 a.m.

Members Present: Bruner, Chair; Lloyd-Jones, Vice Chair; Deluhery and Fuhrman.

Members Absent: Corning, Ranking Member (excused).

Committee Business: Discussed SSA, ADC and Medicaid programs.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 1, 1989, 9:40 a.m.

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

Members Absent: Palmer.

Committee Business: Budget presentations by the Department of Commerce: Alcoholic Beverages Division, Utilities Division and Professional Licensing Division.

Adjourned: 11:00 a.m.

AGRICULTURE

Convened: February 1, 1989, 8:00 a.m.

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

Members Absent: Palmer.

Committee Business: Reviewed SSBs 154-161; assigned SSB 175 to a subcommittee; presentations by the Institute of Agricultural Medicine, University of Iowa; Marshalltown Medical Surgical Center and the Iowa Hospital Association.

Adjourned: 9:00 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 1, 1989, 1:40 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Assigned SSB 132 to a subcommittee; recommended passage of Senate Files 32 and 46.

Adjourned: 2:03 p.m.

COMMERCE

Convened: February 1, 1989, 2:15 p.m.

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

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:20 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 1, 1989, 3:06 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Rife and Varn.

Members Absent: Carr, Soorholtz (excused) and Sturgeon.

Committee Business: Assigned bills to subcommittees; presentations by Jim Maret, Consumer Advocate; Jim Larew, Chair of the Advisory Committee to the Consumer Advocate; and Wes Birdsall, General Manager of Osage Municipal Utilities, Inc. on energy efficiency.

Adjourned: 4:00 p.m.

ETHICS

Convened: February 1, 1989, 11:15 a.m.

Members Present: Kinley, Chair; Husak, Vice Chair; Taylor, Ranking Member; Drake and DeKoster (citizen member).

Members Absent: Gettings (excused) and Dodson-Critelli (citizen member).

Committee Business: Adopted committee rules, senate lobbying rules and senate code of ethics.

Adjourned: 12:10 p.m.

JUDICIARY

Convened: January 31, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn.

Members Absent: Deluhery and Welsh (both excused).

Committee Business: Approved SSBs 29 and 47 as committee bills, discussed code editor bill and assigned bills to subcommittees.

Adjourned: 3:45 p.m.

JUDICIARY

Convened: February 1, 1989, 2:45 p.m.

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

Members Absent: Carr (excused).

Committee Business: Amended and approved code editor's bill.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: January 30, 1989, 9:50 a.m.

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

Members Absent: Kinley.

Committee Business: Approved proposed committee resolution honoring Senator Richard Drake for his years of legislative service.

Adjourned: 9:55 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 96

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Tinsman

Senate File 126

LOCAL GOVERNMENT: Vande Hoef, Chair; Szymoniak and Fraise

House File 17

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

SSB 178

JUDICIARY: Doyle, Chair; Fuhrman and Gronstal

SSB 179

JUDICIARY: Doyle, Chair; Mann and Taylor

SSB 180

JUDICIARY: Mann, Chair; Coleman and Fuhrman

SSB 182

LOCAL GOVERNMENT: Miller, Chair; Priebe and Tinsman

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 141, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 2, a resolution honoring Senator Richard F. Drake for his years of legislative service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3026

S.F.

119

Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bruner for the day on request of Senator Gronstal and Senator Gettings for the day on request of Senator Hutchins.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 1

Senator Hutchins called up for consideration Senate Concurrent Resolution 1, a concurrent resolution relating to distribution of printed legislative materials, amended by the House in House amendment S—3025 filed January 30, 1989.

Senator Hutchins asked and received unanimous consent that further action on House amendment S—3025 and **Senate Concurrent Resolution 1** be **deferred**.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Resolution 2

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

- 1 SENATE RESOLUTION 2
- 2 BY COMMITTEE ON RULES AND ADMINISTRATION
- 3 A Resolution honoring Senator Richard F. Drake for his
- 4 years of legislative service.

5 WHEREAS, Senator Richard F. Drake will this year
 6 complete twenty years of service to the state of Iowa
 7 as a member of the General Assembly; and
 8 WHEREAS, Senator Drake has served honorably and has
 9 unselfishly given of his time and efforts to further
 10 the interests of the state of Iowa and to provide
 11 beneficial programs for the citizens of Iowa; and
 12 WHEREAS, it is proper that Senator Drake be honored
 13 for his many years of service to the state of Iowa;
 14 NOW THEREFORE,
 15 BE IT RESOLVED BY THE SENATE, That the Senate pay
 16 tribute to Senator Drake and express its gratitude for
 17 the service rendered by him; and
 18 BE IT FURTHER RESOLVED, That the Senate present to
 19 Senator Drake his Senate chair in appreciation for his
 20 service.

Senator Drake was presented with his Senate chair and an enrolled copy of Senate Resolution 2.

Senator Drake addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Drake.

Senator Hultman moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote.

UNFINISHED BUSINESS (Deferred January 30, 1989)

Senate File 105

The Senate resumed consideration of Senate File 105, a bill for an act relating to assisting the department of human services in dependent adult abuse investigations, deferred January 30, 1989.

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

On the question "Shall the bill pass?" (S.F. 105) the vote was:

Ayes, 43:

Boswell
 Deluhery

Carr
 Dieleman

Coleman
 Doyle

Corning
 Drake

Fraise	Fuhrman	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 4:

Gentleman	Mann	Tieden	Vande Hoef
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Absent or not voting, 3:

Bruner	Gettings	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Hultman.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senate File 119

On motion of Senator Welsh, Senate File 119, a bill for an act relating to state financial management by revising provisions governing the reversion of appropriations, the prescribing of uniform accounting systems and forms, account coding to identify authorizing statutes, and authorization for the prepayment of claims, and providing properly related matters, was taken up for consideration.

Senator Welsh offered amendment S—3026 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3026 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 119) the vote was:

Ayes, 44:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Bruner	Gettings	Jensen	Mann
Murphy	Pate		

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

Senate File 123

On motion of Senator Welsh, Senate File 123, a bill for an act deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date, was taken up for consideration.

Senator Welsh offered amendment S—3027 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3027 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 123) the vote was:

Ayes, 45:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Running

Absent or not voting, 4:

Bruner	Gettings	Jensen	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 113.

Senate File 113

On motion of Senator Dieleman, Senate File 113, a bill for an act relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of nonresidents on incomes from agricultural products, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 113) the vote was:

Ayes, 46:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Bruner	Gettings	Jensen	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 114.

Senate File 114

On motion of Senator Doyle, Senate File 114, a bill for an act making it an aggravated misdemeanor to rent or offer for rental certain material depicting sadomasochistic abuse, excretory functions, or bestiality, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 114) the vote was:

Ayes, 46:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Bruner	Gettings	Jensen	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 114** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 140, by Welsh, a bill for an act relating to the authority of fire chiefs and their officers at fire scenes and emergencies, and providing a penalty for violations.

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

Senate File 141, by committee on Judiciary, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities.

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

Senate File 142, by Peterson, a bill for an act relating to final stage manufacturing of vehicles, and making penalties applicable and providing an effective date.

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

Senate File 143, by Sturgeon, Hutchins, Riordan, Kibbie, Gronstal, Scott, Vande Hoef, Welsh, Carr, Hester and Hultman, a bill for an act requiring the state board of regents to conduct a study of the statewide needs for master's degree programs from the colleges and programs offered at the three state universities and to provide extension services to meet the needs by 1990.

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

Senate File 144, by Rensink, a bill for an act relating to homemaker-home health aid services of the Iowa department of public health and making appropriations.

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

Senate File 145, by Rensink, a bill for an act to establish a pharmaceutical assistance to the aged program in the department of elder affairs and providing a penalty.

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

Senate File 146, by Rensink, a bill for an act prohibiting payment for certain health care to nonlicensed or nonauthorized providers of health care.

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

Senate File 147, by Sturgeon, a bill for an act relating to tuition rates set by the state board of regents for certain nonresident graduate students.

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

Senate File 148, by Gronstal, a bill for an act prohibiting certain actions against police service dogs, and providing penalties.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 3, by committee on Ethics, a resolution to amend the Senate Code of Ethics.

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

Senate Resolution 4, by committee on Ethics, a resolution to amend the senate rules governing lobbyists.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SSB 184

JUDICIARY: Mann, Chair; Horn and Fuhrman

SSB 185

JUDICIARY: Varn, Chair; Doyle and Taylor

SSB 186

JUDICIARY: Carr, Chair; Gronstal and Drake

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF COMMERCE

A report of the condition of Savings and Loan Associations, pursuant to Chapter 534.401(4), Code of Iowa.

The Annual Report of Administrative Services, pursuant to Chapter 7E.3(4), Code of Iowa.

The Annual Report of the Iowa State Utilities Board for 1987, pursuant to Chapter 17.10, Code of Iowa.

DEPARTMENT OF EDUCATION Division of Community Action Agencies

Report on weatherization of households at or below 75% of OMB poverty level guidelines, pursuant to 1988 Iowa Acts, House File 683, Section 5.

PUBLIC TRANSIT ASSISTANCE DISTRIBUTION Steering Committee

Final Report of the consultant to the Public Transit Assistance Distribution Study, pursuant to 1988 Iowa Acts, Chapter 1019, section 18, (Senate File 2196).

DEPARTMENT OF NATURAL RESOURCES

Annual Report pursuant to Code of Iowa, Section 455B.425, and Section 455B.427, regarding Hazardous Waste Remedial Fund, and a report on the Registry of Abandoned or Uncontrolled Disposal Sites.

ROAD USE TAX FUND DISTRIBUTION

Final report of Steering Committee along with Final Report and Executive Summary of the consultant, pursuant to 1988 Iowa Acts, Chapter 1019, section 17 (S.F. 2196).

DEPARTMENT OF REVENUE & FINANCE

The 1986 Iowa Individual Income Tax Annual Statistical Report for 1986 returns filed in 1987, pursuant to Chapter 422.75, Code of Iowa.

Audit Report of the Lottery Division for the three months and six months ended December 31, 1987.

Audit Report of the Lottery Division for the three months and six months ended March 31, 1988.

The 1988 Annual Report for fiscal year ending June 30, 1988.

DEPARTMENT OF TRANSPORTATION

The 1988 Iowa Primary Road Sufficiency Log, pursuant to Chapter 307A.1(12), Code of Iowa.

STUDY BILLS RECEIVED**SSB 182 Local Government**

To increase the dollar value of certain county bonds which may be issued without a public referendum.

SSB 183 State Government

Relating to the unclaimed winnings from pari-mutuel wagering on harness races and providing an appropriation.

SSB 184 Judiciary

Relating to the right of privacy of an individual, or a group, association, or class of individuals, and the collection, storage, disclosure, verification, and matching of certain information, and providing penalties.

SSB 185 Judiciary

Relating to retention of a court reporter by a newly appointed judge.

SSB 186 Judiciary

Relating to the regulation of lotteries and lottery tickets by amending provisions relating to advertising, by permitting the advertisement of lotteries operated under the laws of other jurisdictions and advertisement of certain promotional games, contests, or activities from the lottery advertising restrictions.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 149 (SSB 6), a bill for an act relating to the compulsory attendance and truancy laws and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ETHICS

Final Bill Action: SENATE RESOLUTION 3, a resolution to amend the Senate Code of Ethics.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Kinley, Husak, Taylor, Drake and DeKoster (citizen committee member). Nays, none. Absent or not voting, 2: Gettings and Dodson-Critelli (citizen committee member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 4, a resolution to amend the senate rules governing lobbyists.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Kinley, Husak, Taylor, Drake and DeKoster (citizen committee member). Nays, none. Absent or not voting, 2: Gettings and Dodson-Critelli (citizen committee member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 150 (SSB 172), a bill for an act relating to certain drugs used and activities of the racing commission veterinarian with respect to pari-mutuel horse racing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Lloyd-Jones, Nystrom, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running and Soorholtz. Nays, 4: Coleman, Dieleman, Hannon and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 149, by committee on Education, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties.

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

Senate File 150, by committee on State Government, a bill for an act relating to certain drugs used and activities of the racing commission veterinarian with respect to pari-mutuel horse racing.

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

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 123 passed the Senate on February 2, 1989.

JULIA GENTLEMAN

BILLS ASSIGNED TO COMMITTEE

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

S.F.	131	State Government
S.F.	132	Transportation
S.F.	133	Transportation
S.F.	134	Transportation
S.F.	135	Transportation
S.F.	136	Local Government
S.F.	137	Natural Resources
S.F.	138	Local Government
S.F.	139	Judiciary
S.F.	140	Local Government
S.F.	142	Transportation
S.F.	143	Education
S.F.	144	Appropriations
S.F.	145	Human Resources
S.F.	146	Human Resources
S.F.	147	Education
S.F.	148	Judiciary
S. C. R.	5	Rules and Administration

AMENDMENTS FILED

S—3027	S.F.	123	Joe Welsh
S—3028	S.F.	32	Tom Mann, Jr.
S—3029	S.F.	124	Bob Carr Jack Rife Wally Horn
S—3030	S.F.	124	Bob Carr Jack Rife Wally Horn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:55 p.m., until 10:00 a.m., Monday, February 6, 1989.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 6, 1989

The Senate met in regular session at 10:01 a.m., President Zimmerman presiding.

Prayer was offered by Jason Davis of Woodward, Life Scout member of Troop 96 chartered to the Aldersgate United Methodist Church in Urbandale.

February 5—11 is designated as Scout Week and marks the 79th anniversary of the Boy Scouts of America.

The Journal of Thursday, February 2, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 1, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 69, a bill for an act relating to the dissolution of the Eldora Cemetary Society, Incorporated and the disposition of its property, and providing effective dates.

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

House File 124, a bill for an act to increase the fee for the wildlife habitat stamp.

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

House File 133, a bill for an act relating to the election of the president of the state board of education.

House File 140, a bill for an act relating to the linked deposit program and providing an effective date.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Peterson, a joint resolution to nullify certain administrative rules of the department of employment services relating to the registration of contractors and providing an effective date.

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

Senate File 151, by Hannon, Running, Gronstal, Priebe, Mann, Bruner, Fraise, Scott, Miller, Coleman, Corning, Lind, Welsh, Hester, Hagerla, Vande Hoef, Drake, Goodwin, Boswell and Lloyd-Jones, a bill for an act creating an advisory council on head injuries, and making appropriations.

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

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 149** be referred from the Regular Calendar to the committee on **Education**.

HOUSE AMENDMENT CONSIDERED

(Deferred February 2, 1989)

Senate Concurrent Resolution 1

The Senate resumed consideration of Senate Concurrent Resolution 1, a concurrent resolution relating to distribution of printed legislative materials, and House amendment S—3025, deferred February 2, 1989.

Senator Hutchins moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hutchins moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 112

On motion of Senator Doyle, Senate File 112, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 112) the vote was:

Ayes, 47:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Bruner	Running	Sturgeon
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 71

On motion of Senator Varn, Senate File 71, a bill for an act authorizing a special land use district to designate an area for preservation as an area of historical significance, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 71) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Running

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

Senator Gettings asked and received unanimous consent to take up out of order Senate File 121.

Senate File 121

On motion of Senator Gettings, Senate File 121, a bill for an act relating to the possession or making of motor vehicle licenses,

nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 121) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

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

Senate File 122

On motion of Senator Riordan, Senate File 122, a bill for an act relating to the practice of tattooing and providing penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 122) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge

Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Vande Hoef	Varn	Welsh

Nays, 3:

Mann	Taylor	Tieden
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Absent or not voting, 3:

Fraise	Hannon	Hultman
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order Senate File 46.

Senate File 46

On motion of Senator Peterson, Senate File 46, a bill for an act relating to the employment of inmates and prisoners, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 46) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	

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

Senator Husak asked and received unanimous consent to take up for consideration Senate File 125, Senate Joint Resolution 3 and Senate File 129.

Senate File 125

On motion of Senator Szymoniak, Senate File 125, a bill for an act relating to the acceptance of the provisions and benefits of federal rehabilitation acts, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 125) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

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

Senate Joint Resolution 3

On motion of Senator Priebe, Senate Joint Resolution 3, a joint resolution to nullify an administrative rule of the natural resource commission relating to the funding of multiuse trail projects and providing an effective date, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that further action on **Senate Joint Resolution 3** be **deferred**.

Senate File 129

On motion of Senator Gronstal, Senate File 129, a bill for an act relating to the release of child abuse information to certain individuals, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 129) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

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

MOTION TO RECONSIDER WITHDRAWN

Senate File 123

Senator Gentleman withdrew the motion to reconsider Senate File 123, a bill for an act deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date, filed by her on February 2, 1989, and found on page 271 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 123 be immediately messaged to the House.**

INTRODUCTION OF BILLS

Senate File 152, by committee on State Government, a bill for an act relating to relocation payments and relocation advisory assistance for displaced persons, and real property acquisition, and providing an effective date.

Read first time and placed on calendar.

Senate File 153, by committee on Ways and Means, a bill for an act relating to the department of inspections and appeals by providing for income tax refund and rebate setoff procedures by the investigations division, and exempting certain nonprofit intermediate care facilities from the sales, service, and use tax.

Read first time and placed on Ways and Means calendar.

Senate File 154, by committee on Ways and Means, a bill for an act relating to the state's cigarette and tobacco products tax; fuel tax; withholding tax; corporate and personal income tax; sales, services and use tax; franchise tax; hotel and motel tax; property tax exemptions; and inheritance and estate taxes; and providing a penalty.

Read first time and placed on Ways and Means calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:05 a.m., until 3:45 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

Convened: February 2, 1989, 10:15 a.m.

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

Members Absent: none.

Committee Business: Performance oversight reports from the Department of Human Rights - Administrative Division and Children, Youth and Families.

Adjourned: 11:31 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 2, 1989, 10:00 a.m.

Members Present: Bruner, Chair; Lloyd-Jones, Vice Chair and Deluhery.

Members Absent: Corning, Ranking Member (excused) and Fuhrman.

Committee Business: Discussed medicare programs.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 2, 1989, 10:12 a.m.

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

Members Absent: none.

Committee Business: Presentation by Jon Neiderbach, LFB, on the update on child support; Beth Lenstra, LFB, distributed materials regarding legislative requests, FY 89 expenditure oversight report and the governor's recommendations.

Adjourned: 11:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 2, 1989, 10:00 a.m.

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

Members Absent: Palmer.

Committee Business: Presentations by the Banking Division of the Department of Commerce, and the Inspections Division and Foster Care Review Board of the Department of Inspections and Appeals.

Adjourned: 12:15 p.m.

EDUCATION

Convened: February 1, 1989, 4:42 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Lloyd-Jones (excused).

Committee Business: Discussed amendments to SSB 6.

Adjourned: 5:45 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 2, 1989, 8:10 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Lind, Miller, Pate, Peterson, Rife, Scott and Szymoniak.

Members Absent: Kibbie and Vande Hoef (both excused).

Committee Business: Presentation by Paul Winter, Director, Ron Patavich and Randy Pilkington, staff members, of the Institute for Decision Making, University of Northern Iowa.

Adjourned: 9:05 a.m.

STATE GOVERNMENT

Convened: February 2, 1989, 1:38 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 162 and 172 as committee bills.

Adjourned: 2:25 p.m.

WAYS AND MEANS

Convened: February 1, 1989, 2:15 p.m.

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

Members Absent: Bruner (excused).

Committee Business: Assigned bills to subcommittees and approved SSBs 38 and 53 as committee bills.

Adjourned: 3:00 p.m.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 152 (SSB 162), a bill for an act relating to relocation payments and relocation advisory assistance for displaced persons, and real property acquisition, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 153 (SSB 38), a bill for an act relating to the department of inspections and appeals by providing for income tax refund

and rebate setoff procedures by the investigations division, and exempting certain nonprofit intermediate care facilities from the sales, service, and use tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 154 (SSB 53), a bill for an act relating to the state's cigarette and tobacco products tax; fuel tax; withholding tax; corporate and personal income tax; sales, services and use tax; franchise tax; hotel and motel tax; property tax exemptions; and inheritance and estate taxes; and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PETITIONS

The following petitions were presented and placed on file by:

Senator Scott from fifty-four residents of Howard County opposing legislation allowing nonresidents to hunt deer in Iowa.

Senator Goodwin from fifty-seven residents of Clinton County opposing legislation legalizing riverboat gambling in Iowa.

Senator Gronstal from seven hundred twenty-two residents of Iowa favoring legislation providing for the protection of police service dogs (Senate File 148).

SUBCOMMITTEE ASSIGNMENTS

Senate File 116

STATE GOVERNMENT: Gronstal, Chair; Horn and Soorholtz

Senate File 124

WAYS AND MEANS: Riordan, Chair; Dieleman and Soorholtz

Senate File 136

LOCAL GOVERNMENT: Tinsman, Chair; Fraise and Szymoniak

Senate File 137

NATURAL RESOURCES: Hester, Chair; Rensink and Peterson

Senate File 138

LOCAL GOVERNMENT: Jensen, Chair; Kinley and Priebe

Senate File 139

JUDICIARY: Horn, Chair; Gentleman and Gronstal

Senate File 144

APPROPRIATIONS: Husak, Chair; Goodwin and Peterson

Senate File 148

JUDICIARY: Gronstal, Chair; Mann and Drake

SSB 177

WAYS AND MEANS: Riordan, Chair; Hester and Hultman

SSB 183

STATE GOVERNMENT: Horn, Chair; Drake and Soorholtz

SSB 188

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

AMENDMENTS FILED

S—3031	S. F.	96	Jean Lloyd-Jones
S—3032	S. F.	96	Jean Lloyd-Jones
S—3033	S. F.	96	Jean Lloyd-Jones
S—3034	S. F.	96	Jean Lloyd-Jones

STUDY BILLS RECEIVED**SSB 187 Small Business & Economic Development**

Relating to economic development corporations in Iowa.

SSB 188 Business & Labor Relations

To disqualify for unemployment compensation purposes persons whose employment is seasonal.

SSB 189 State Government

Relating to personnel serving the consumer advocate division of the department of justice and the utilities division of the department of commerce, deleting provisions relating to the consumer advocate's authority to utilize employees of the utilities division, expanding the authority to employ consultants and technical advisors pursuant to contract, revising provisions relating to compensation, and providing effective dates.

AFTERNOON SESSION

The Senate reconvened at 3:49 p.m., President Zimmerman presiding.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to Senate File 123, the following corrections were made:

1. Page 2, line 9, the words "section 3" were changed to the words "section 4".
2. Page 2, line 11, the words "section 3" were changed to the words "section 4".

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	4	Business & Labor Relations
S. F.	151	Appropriations
H. F.	69	Local Government
H. F.	124	Natural Resources
H. F.	133	Educations
H. F.	140	Small Business & Economic Development

EXPLANATION OF VOTE

MADAM PRESIDENT: I was absent from the Senate chamber on February 6 when the vote was taken on Senate File 122. Had I been present, I would have voted "aye."

BEVERLY A. HANNON

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 43, a bill for an act relating to the authority of township trustees to order the rebuilding or repair of fences by railway corporations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy and Tinsman. Nays, none. Absent or not voting, 2: Szymoniak and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 72, a bill for an act relating to the notification of the city development board of public hearings for proposed urban revitalization plans.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:50 p.m., until 9:00 a.m., Tuesday, February 7, 1989.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 7, 1989

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

Prayer was offered by the Reverend Phillip Schmitt, pastor of the Immaculate Conception Catholic Church, Cedar Rapids, Iowa.

The Journal of Monday, February 6, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 9, a bill for an act relating to the imposition of judgment, upon which execution will lie, against a criminal offender on probation who fails to comply with a court-ordered plan of restitution.

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

House File 157, a bill for an act permitting instruction in American sign language as a foreign language and its use as a medium of instruction in both public and nonpublic schools.

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

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

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 141, a bill for an act relating to the approval of the natural resource commission of county conservation board acquisitions or developments.

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

ALSO: That the House has on February 7, 1989, passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 7, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to Members of Congress until an intervening election of Representatives has occurred.

This resolution was read first time and assigned to the committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 155, by committee on Judiciary, a bill for an act relating to the availability of counseling services to children who are members of a household where an incident involving domestic abuse has occurred.

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

Senate File 156, by Husak, a bill for an act relating to statutory procedural requirements for administrative rulemaking.

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

Senate File 157, by Vande Hoef, Lind, Murphy, Riordan, Rensink and Kibbie, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education

before issuance of a school license, and removing time limits on use of a school license.

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

RECESS

On motion of Senator Horn, the Senate recessed at 10:01 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 2, 1989, 10:00 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentations by the University of Northern Iowa and the Department of Economic Development.

Adjourned: 12:05 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 6, 1989, 1:32 p.m.

Members Present: Peterson, Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Sturgeon, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; Don Chleborad of the Federal Wage and Hour Board responded to questions regarding House File 17.

Adjourned: 1:54 p.m.

JUDICIARY

Convened: February 6, 1989, 3:00 p.m.

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

Members Absent: none.

Committee Business: Approved SSB 28 as a committee bill and amended and approved SSB 23 as a committee bill.

Adjourned: 3:45 p.m.

LOCAL GOVERNMENT

Convened: February 6, 1989, 3:03 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair (arrived 3:07); Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley, Murphy (arrived 3:05) and Tinsman (arrived 3:06).

Members Absent: Priebe (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 43 and House File 72; approved SSBs 148 and 164 as committee bills.

Adjourned: 3:10 p.m.

WAYS AND MEANS

Convened: February 6, 1989, 2:20 p.m.

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

Members Absent: Murphy (excused), Riordan and Szymoniak (excused).

Committee Business: Announced bills to be discussed at next meeting.

Adjourned: 2:28 p.m.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 155, a bill for an act relating to the availability of counseling services to children who are members of a household where an incident involving domestic abuse has occurred.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 158 (SSB 148), a bill for an act relating to demolition insurance reserves for property in cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy and Tinsman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 159 (SSB 164), a bill for an act relating to the sale or contracting for goods and services between a civil service commissioner and a city.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy and Tinsman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 4**

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Vande Hoef and Running

Senate File 131

STATE GOVERNMENT: Hannon, Chair; Nystrom and Running

Senate File 132

TRANSPORTATION: Jensen, Chair; Goodwin and Scott

Senate File 133

TRANSPORTATION: Doyle, Chair; Dieleman and Nystrom

Senate File 134

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Scott

Senate File 135

TRANSPORTATION: Jensen, Chair; Goodwin and Scott

Senate File 140

LOCAL GOVERNMENT: Miller, Chair; Kinley and Goodwin

Senate File 142

TRANSPORTATION: Doyle, Chair; Coleman and Nystrom

Senate File 143

EDUCATION: Varn, Chair; Kibbie and Lind

Senate File 145

HUMAN RESOURCES: Bruner, Chair; Horn and Tinsman

Senate File 146

HUMAN RESOURCES: Carr, Chair; Bruner and Taylor

Senate File 147

EDUCATION: Varn, Chair; Horn and Rensink

Senate File 149

EDUCATION: Deluhery, Chair; Bruner and Tinsman

Senate File 151

APPROPRIATIONS: Husak, Chair; Jensen and Varn

House File 69

LOCAL GOVERNMENT: Fraise, Chair; Szymoniak and Tinsman

SSB 189

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

SSB 190

JUDICIARY: Carr, Chair; Doyle and Fuhrman

SSB 191

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

SSB 192

HUMAN RESOURCES: Bruner, Chair; Hannon and Tinsman

SSB 193

HUMAN RESOURCES: Hannon, Chair; Murphy and Gentleman

SSB 194

HUMAN RESOURCES: Bruner, Chair; Murphy and Corning

SSB 199

TRANSPORTATION: Dieleman, Chair; Scott and Goodwin

SSB 200

HUMAN RESOURCES: Bruner, Chair; Hannon, Riordan, Sturgeon, Corning and Tinsman

SSB 201

JUDICIARY: Gentleman, Chair; Hester and Carr

AMENDMENTS FILED

S-3035	S. F.	141	Judiciary
S-3036	S. F.	153	John P. Kibbie
S-3037	S. F.	153	John P. Kibbie
			Ray Taylor
S-3038	S. F.	39	House amendment
S-3039	S. F.	124	Michael E. Gronstal
S-3040	S. F.	152	Richard F. Drake
			Bob Carr

AFTERNOON SESSION

The Senate reconvened at 3:50 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boswell for the remainder of the day on request of Senator Hutchins and Senator Nystrom for the remainder of the day on request of Senator Jensen.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 3.

Senate Resolution 3

On motion of Senator Kinley, Senate Resolution 3, a resolution to amend the Senate Code of Ethics, was taken up for consideration.

Senator Lind asked and received unanimous consent that further action on **Senate Resolution 3** be **deferred**.

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

The Senate resumed session, President Zimmerman presiding.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE JOINT RESOLUTION 7, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to Members of Congress until an intervening election of Representatives has occurred.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Joint Resolution 7.

House Joint Resolution 7

On motion of Senator Dieleman, House Joint Resolution 7, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to Members of Congress until an intervening election of Representatives has occurred, with report of committee recommending passage, was taken up for consideration.

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

House Joint Resolution 7, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to Members of Congress until an intervening election of Representatives has occurred.

Whereas, The First Congress of the United States of America, at its first session, sitting in New York, New York, on September 25, 1789, in both houses, by a constitutional majority of two-thirds, has proposed an amendment to the Constitution of the United States of America in the following words:

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled two-thirds of both Houses concurring, that the following (Article) be proposed to the legislatures of the several states, as (an Amendment) to the Constitution of the United States, . . . which (Article), when ratified by three-fourths of said legislatures, to be valid to all

intents and purposes, as part of the said Constitution, viz;

“(An Article) in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

“ARTICLE

“No law, varying the compensation for the services of the Senators and Representatives, shall take effect until an election of Representatives shall have intervened.”

Whereas, Article V of the Constitution of the United States allows the ratification of the proposed amendment to the United States Constitution by the General Assembly of the State of Iowa; and

Whereas, The proposed amendment to the Constitution of the United States has already been ratified by the Legislatures of the following States in the years indicated: Maryland in 1789; North Carolina in 1789; South Carolina in 1790; Delaware in 1790; Vermont in 1791; Virginia in 1791; Ohio in 1873; Wyoming in 1978; Maine in 1983; Colorado in 1984; South Dakota in 1985; New Hampshire in 1985; Arizona in 1985; Tennessee in 1985; Oklahoma in 1985; New Mexico in 1986; Indiana in 1986; Utah in 1986; Montana in 1987; Connecticut in 1987; Arkansas in 1987; Wisconsin in 1987; Georgia in 1988; West Virginia in 1988; and Louisiana in 1988; and

Whereas, Article V of the Constitution of the United States does not state a time limit on ratification of an amendment submitted by Congress, and the First Congress specifically did not provide a time limit for ratification of the proposed amendment; and

Whereas, The United States Supreme Court has ruled in Coleman v. Miller, 307 U.S. 433 (1939), that an amendment to the United States Constitution may be ratified by States at any time, and Congress must then finally decide whether a reasonable time had elapsed since its submission when, in the presence of certified ratifications by three-fourths of the States, the time arrives for the promulgation of the adoption of the amendment;
Now Therefore,

Be It Resolved by the General Assembly of the State of Iowa:

That the foregoing proposed amendment to the Constitution of the United States is hereby ratified and consented to by the State of Iowa and the General Assembly thereof; and

Be It Further Resolved, That the Governor of the State of Iowa forward certified copies of this resolution over the seal of the State of Iowa to the Archivist of the United States, and to the presiding

officers of the Senate and House of Representatives of the United States.

Be It Further Resolved, That the General Assembly of the State of Iowa urges the State Legislatures of those States which have not done so to follow Iowa in ratifying the proposed amendment and that, as an incentive for them to do so, copies of the foregoing preamble and resolution be transmitted to those State Legislatures.

On the question "Shall the resolution be adopted?" (H.J.R. 7) the vote was:

Yeas, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Murphy
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Mann	Miller	Nystrom
Priebe	Scott		

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

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

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 39, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax (S—3038).

INTRODUCTION OF BILLS

Senate File 158, by committee on Local Government, a bill for an act relating to demolition insurance reserves for property in cities.

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

Senate File 159, by committee on Local Government, a bill for an act relating to the sale or contracting for goods and services between a civil service commissioner and a city.

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

Senate File 160, by Husak, a bill for an act relating to the date of issuance of the Code of Iowa or its supplements.

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

Senate File 161, by Sturgeon, a bill for an act to create a loan forgiveness program for students who become registered nurses at Iowa institutions and remain at nursing positions in the state, providing for rulemaking by the college aid commission, and making an appropriation.

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

Senate File 162, by Sturgeon, a bill for an act providing for the membership of secretaries of members of the general assembly in the state group insurance plan for employees of the state.

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

Senate File 163, by Pate, a bill for an act relating to and making appropriations to the Iowa law enforcement academy.

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

Senate File 164, by Pate, a bill for an act relating to and making appropriations to various education agencies including the department of education.

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

Senate File 165, by Pate, a bill for an act relating to and making appropriations to the department of public safety.

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

Senate File 166, by Pate, a bill for an act relating to and making appropriations to the department of transportation and the department of personnel.

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

Senate File 167, by Gronstal, a bill for an act specifying that under certain circumstances a city is not contiguous to another for purposes of a local option sales and services tax.

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

Senate File 168, by Murphy, a bill for an act relating to the filing date for income tax returns.

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

Senate File 169, by committee on Transportation, a bill for an act relating to the rate filing requirements of common carriers.

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

Senate File 170, by committee on State Government, a bill for an act relating to personnel serving the consumer advocate division of the department of justice and the utilities division of the department of commerce, deleting provisions relating to the consumer advocate's authority to utilize employees of the utilities division, expanding the authority to employ consultants and technical advisors pursuant to contract, revising provisions relating to compensation, and providing effective dates.

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

BUSINESS PENDING

Senate Resolution 3

The Senate resumed consideration of Senate Resolution 3, a resolution to amend the Senate Code of Ethics, previously deferred.

Senator Lind withdrew amendment S—3041 filed by him from the floor to pages 2, 3 and 7 of the resolution.

Senator Lind offered amendment S—3045 filed by him from the floor to pages 2, 3 and 7 of the resolution.

Senator Kinley called for a division of amendment S—3045:

Division S—3045A: lines 2 through 4 and lines 16 and 17.

Division S—3045B: lines 5 through 15.

Division S—3045C: lines 18 through 20.

Division S—3045D: lines 21 through 33.

Senator Lind moved the adoption of division S—3045A, which motion prevailed by a voice vote.

Senator Lind moved the adoption of division S—3045B.

A record roll call was requested.

On the question “Shall division S—3045B be adopted?” (S.R. 3) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Pate
Rensink	Rife	Soorholtz	Tieden
Tinsman	Vande Hoef		

Nays, 29:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Peterson

Priebe
Sturgeon
Welsh

Riordan
Szymoniak

Running
Taylor

Scott
Varn

Absent or not voting, 3:

Boswell

Mann

Nystrom

Division S—3045B lost.

Senator Lind moved the adoption of division S—3045C, which motion lost by a voice vote.

Senator Lind moved the adoption of division S—3045D.

A non record roll call was requested.

The ayes were 36, nays 10.

Division S—3045D was adopted.

Senator Kinley moved the adoption of Senate Resolution 3 as amended, which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 4.

Senate Resolution 4

On motion of Senator Kinley, Senate Resolution 4, a resolution to amend the senate rules governing lobbyists, was taken up for consideration.

Senator Lind withdrew amendment S—3042 filed by him from the floor to page 8 of the resolution.

Senator Lind offered amendment S—3044 filed by him from the floor to page 8 of the resolution and moved its adoption.

Amendment S—3044 was adopted by a voice vote.

Senator Rife asked and received unanimous consent that further action on **Senate Resolution 4** as amended be **deferred**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	156	State Government
S.F.	157	Transportation
S.F.	160	State Government
S.F.	161	Appropriations
S.F.	162	Rules & Administration
S.F.	163	Appropriations
S.F.	164	Appropriations
S.F.	165	Appropriations
S.F.	166	Appropriations
S.F.	167	Ways & Means
S.F.	168	Ways & Means
H.F.	9	Judiciary
H.F.	141	Natural Resources
H.F.	157	Education

STUDY BILLS RECEIVED

SSB 174.1 Education

Relating to early childhood programs.

SSB 190 Judiciary

Providing for delivering a deceased inmate's property to a designated person by the department of corrections.

SSB 191 State Government

Relating to gifts, contributions, bequests, endowments, and other moneys for purposes of the library division of the department of cultural affairs.

SSB 192 Human Resources

Relating to a mandatory assignment of unemployment benefits by the child support recovery unit.

SSB 193 Human Resources

Authorizing the director of public health or the director's agent to conduct epidemiological blinded studies.

SSB 194 Human Resources

Relating to foster care by establishing certain provisions regarding voluntary foster care placements.

SSB 195 Commerce

Relating to credit transactions by changing the maximum service fee on loans by industrial loan companies, by changing the maximum finance charge for certain consumer loans pursuant to open-end credit, and by changing the maximum finance charge on consolidations of consumer credit transactions.

SSB 196 Commerce

Relating to the formation of united community bank offices.

SSB 197 Commerce

Relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state bank holding company, and making penalties applicable.

SSB 198 Commerce

Relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa, by an out-of-state regional bank holding company, and making penalties applicable.

SSB 199 Transportation

Requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

SSB 200 Human Resources

Relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for

services to beneficiaries of health insurance under title XVIII of the federal Social Security Act and providing for the collection and analysis of information; the provision of health care insurance to the uninsured and underinsured; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by allowing a medical and health insurance deduction and providing a retroactive applicability date; rural health systems delivery and rural occupational health; the certificate of need program; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a commission on health care cost containment; establishing a rural health care services task force; and providing for other properly related matters.

SSB 201 Judiciary

Relating to the board of parole, by providing for notification to a victim and the department of corrections of a hearing at which an offender will be interviewed, and providing that the department of corrections make the offender available at the hearing.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 96, a bill for an act extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3043.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Hagerla.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 170 (SSB 189), a bill for an act relating to personnel serving the consumer advocate division of the department of justice

and the utilities division of the department of commerce, deleting provisions relating to the consumer advocate's authority to utilize employees of the utilities division, expanding the authority to employ consultants and technical advisors pursuant to contract, revising provisions relating to compensation, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Nystrom, Coleman and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 169 (SSB 143), a bill for an act relating to the rate filing requirements of common carriers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3041	S. R.	3	Jim Lind
S—3042	S. R.	4	Jim Lind
S—3043	S. F.	96	Human Resources
S—3044	S. R.	4	Jim Lind
S—3045	S. R.	3	Jim Lind
S—3046	S. F.	80	Richard Running

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Wednesday, February 8, 1989.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 8, 1989

The Senate met in regular session at 9:08 a.m., Senator Lloyd-Jones presiding.

Prayer was offered by the Honorable Jack W. Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa, who vocally performed "The Old Rugged Cross."

The Journal of Tuesday, February 7, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the day on request of Senator Hultman and Senator Priebe for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 98, a bill for an act relating to the establishment of bank offices within a municipal corporation or urban complex in which the principal place of business of the bank is located.

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

House File 123, a bill for an act relating to the compensation of election boards.

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

INTRODUCTION OF BILL

Senate File 171, by Hutchins, a bill for an act relating to public officers and campaigns for public office by revising provisions governing compensation and expenses of members of the general assembly, restricting the use of legislative campaign funds and making penalties applicable, providing partial public financing of political campaigns and imposing conditions and restrictions in connection therewith, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, appropriating funds, providing penalties, and providing effective dates and retroactive applicability dates.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 43** be referred from the Regular Calendar to the committee on **Transportation**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:16 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 7, 1989, 10:13 a.m.

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

Members Absent: none.

Committee Business: Budget presentation by Stan Kuhn, Department of Natural Resources.

Adjourned: 11:23 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 7, 1989, 10:15 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Budget presentation by the Department of Economic Development.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 7, 1989, 10:00 a.m.

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

Members Absent: Nystrom (excused).

Committee Business: Discussion with the presidents of Iowa State University, University of Northern Iowa and the University of Iowa.

Adjourned: 11:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 7, 1989, 10:12 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair (arrived 10:15 a.m.); Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

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

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 7, 1989, 10:15 a.m.

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

Members Absent: Lloyd-Jones, Vice Chair (excused).

Committee Business: Discussed CINA cases.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 7, 1989, 10:25 a.m.

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

Members Absent: none.

Committee Business: Beth Lenstra and Valesta Wiggins, LFB, explained the expenditure oversight.

Adjourned: 11:34 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 7, 1989, 10:10 a.m.

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

Members Absent: Palmer.

Committee Business: Budget presentations by the Department of Inspections and Appeals: State Appeals Board, Public Defender and State Auditor.

Adjourned: 12:05 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 7, 1989, 3:15 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Rife and Varn.

Members Absent: Carr, Soorholtz and Sturgeon (all excused).

Committee Business: Discussed SSB 170 and assigned a subcommittee to consider cross subsidies.

Adjourned: 3:25 p.m.

ETHICS

Convened: February 7, 1989, 1:05 p.m.

Members Present: Kinley, Chair; Husak, Vice Chair; Taylor, Ranking Member; Drake, Gettings and DeKoster (citizen member).

Members Absent: Dodson-Critelli (citizen member).

Committee Business: Senator Bruner gave a presentation regarding possible conflicts of interest followed by committee discussion.

Adjourned: 1:50 p.m.

HUMAN RESOURCES

Convened: February 7, 1989, 2:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 96 as amended; amended SSB 95 and ordered redrafted for final approval as a committee bill; discussed, amended and deferred action on Senate File 30.

Adjourned: 3:35 p.m.

NATURAL RESOURCES

Convened: February 7, 1989, 8:00 a.m.

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

Members Absent: Doyle, Husak and Mann.

Committee Business: Presentation on proper closing of abandoned wells and land acquisition by the Department of Natural Resources.

Adjourned: 9:00 a.m.

NATURAL RESOURCES

Convened: February 7, 1989, 1:30 p.m.

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

Members Absent: Doyle and Husak.

Committee Business: Presentation by Sam Kennedy, Chairman of the Natural Resource Commission.

Adjourned: 2:15 p.m.

STATE GOVERNMENT

Convened: February 7, 1989, 1:35 p.m.

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

Members Absent: Coleman.

Committee Business: Assigned bills to subcommittees; recommended passage of House Joint Resolution 7; approved SSB 189 as a committee bill.

Adjourned: 2:28 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 4, a resolution relating to the federal feed grain buy-down program.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Riordan, Coleman, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Rensink, Hedge, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 3: Priebe, Boswell and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 174 (SSB 175), a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the Act and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Riordan, Coleman, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Rensink, Hedge, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 3: Priebe, Boswell and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 17, a bill for an act relating to minimum wage requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 3: Fuhrman, Hultman and Vande Hoef. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 43

TRANSPORTATION: Lloyd-Jones, Chair; Gettings and Goodwin

Senate File 130

COMMERCE: Gronstal, Chair; Deluhery and Rife

Senate File 157

TRANSPORTATION: Gettings, Chair; Dieleman and Jensen

Senate File 161

APPROPRIATIONS: Varn, Chair; Tinsman and Riordan

Senate File 163

APPROPRIATIONS: Welsh, Chair

Senate File 164

APPROPRIATIONS: Welsh, Chair

Senate File 165

APPROPRIATIONS: Welsh, Chair

Senate File 166

APPROPRIATIONS: Welsh, Chair

House Joint Resolution 7

STATE GOVERNMENT: Carr, Chair; Nystrom and Dieleman

House File 9

JUDICIARY: Taylor, Chair; Fuhrman and Carr

House File 124

NATURAL RESOURCES: Kibbie, Chair; Hester and Tieden

SSB 195

COMMERCE: Welsh, Chair; Deluhery and Tieden

SSB 196

COMMERCE: Kinley, Chair; Pate and Welsh

SSB 197

COMMERCE: Palmer, Chair; Gronstal, Running, Pate and Lind

SSB 198

COMMERCE: Palmer, Chair; Gronstal, Running, Pate and Lind

AMENDMENTS FILED

S—3047	S. F.	128	Julia Gentleman
S—3048	S. F.	170	Bob Carr

AFTERNOON SESSION

The Senate reconvened at 3:56 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 172, by Kinley, a bill for an act relating to capital improvements to the state fairgrounds and property administered by the Iowa state fair board, and making an appropriation.

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

Senate File 173, by Gentleman, Running and Drake, a bill for an act relating to claims for punitive or exemplary damages, providing penalties, and providing for the applicability of the Act.

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

Senate File 174, by committee on Agriculture, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the Act and an effective date.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 150.

Senate File 150

On motion of Senator Soorholtz, Senate File 150, a bill for an act relating to certain drugs used and activities of the racing

commission veterinarian with respect to pari-mutuel horse racing, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate File 150** be **deferred**.

UNFINISHED BUSINESS
(Deferred February 7, 1989)

Senate Resolution 4

The Senate resumed consideration of Senate Resolution 4, a resolution to amend the senate rules governing lobbyists, deferred February 7, 1989.

Senator Lind offered amendment S—3049 filed by Senators Lind and Rife from the floor to pages 5 and 6 of the resolution and moved its adoption.

Amendment S—3049 lost by a voice vote.

Senator Kinley moved the adoption of Senate Resolution 4 as amended, which motion prevailed by a voice vote and the resolution was adopted.

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

The Senate resumed session, President Zimmerman presiding.

BUSINESS PENDING

Senate File 150

The Senate resumed consideration of Senate File 150, a bill for an act relating to certain drugs used and activities of the racing commission veterinarian with respect to pari-mutuel horse racing, previously deferred.

Senator Dieleman offered amendment S—3050 filed by him from the floor to page 1 of the bill and called for a division: line 2 as division S—3050A and lines 3 through 6 as division S—3050B.

Senator Dieleman withdrew division S—3050A.

Senator Dieleman moved the adoption of division S—3050B, which motion lost by a voice vote.

Senator Soorholtz offered amendment S—3051 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3051 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 150) the vote was:

Ayes, 32:

Boswell	Carr	Deluhery	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Pate	Peterson	Rife	Running
Soorholtz	Sturgeon	Tieden	Welsh

Nays, 16:

Bruner	Coleman	Corning	Dieleman
Goodwin	Hannon	Mann	Murphy
Rensink	Riordan	Scott	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn

Absent or not voting, 2:

Palmer	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 150** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 175, by Drake, Dieleman, Priebe, Scott, Gentleman, Fuhrman, Taylor, Hester, Hagerla, Hultman, Husak, Nystrom, Rife, Miller, Fraise, Tieden, Lind, Hedge, Vande Hoef, Goodwin, Pate, Rensink, Tinsman, Jensen, Soorholtz and Corning, a bill for an act relating to the time for bringing an action arising out of the performance or nonperformance of a professional service or from an alleged defect in a product.

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

Senate File 176, by Murphy, a bill for an act relating to service of notice of expiration of the right of redemption from tax sales.

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

Senate File 177, by Welsh, a bill for an act relating to the powers and scope of duties of the office of consumer advocate, by extending the office's authority to include certain insurance, workers' compensation, and similar third-party payor rate and practice issues.

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

Senate File 178, by Kibbie and Boswell, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions.

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

Senate File 179, by Dieleman, a bill for an act allowing the issuance of seven-alphanumeric character personalized registration plates upon its enactment.

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

Senate File 180, by Dieleman, a bill for an act relating to the fee retained by the county for collection of vehicle use tax payments.

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

Senate File 181, by Lloyd-Jones, a bill for an act allowing the restriction of motor trucks to certain lanes of primary highways and providing a penalty.

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

APPENDIX

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 104, a bill for an act relating to third-party liability for amounts paid under the medical assistance program on behalf of injured recipients.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3052.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 182 (SSB 23), a bill for an act relating to the commencement in the district court of certain civil rights actions involving administrative closures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Welsh. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 182, a bill for an act relating to the commencement in the district court of certain civil rights actions involving administrative closures.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	171	State Government
S. F.	172	Appropriations
S. F.	173	Judiciary
S. F.	175	Judiciary
S. F.	177	State Government
S. F.	178	Small Business & Economic Development
S. F.	179	Transportation
S. F.	180	Local Government
H. F.	98	Commerce
H. F.	123	Local Government

AMENDMENTS FILED

S—3049	S. R.	4	Jim Lind Jack Rife
S—3050	S. F.	150	William W. Dieleman
S—3051	S. F.	150	John E. Soorholtz
S—3052	S. F.	104	Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:56 p.m., until 9:00 a.m., Thursday, February 9, 1989.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 9, 1989

The Senate met in regular session at 9:05 a.m., Senator Coleman presiding.

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

The Journal of Wednesday, February 8, 1989, was approved.

INTRODUCTION OF BILLS

Senate File 183, by Fuhrman, a bill for an act relating to the expansion of the container deposit to include beverage containers holding fruit juices or fruit drinks, and making penalties applicable.

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

Senate File 184, by Fuhrman, a bill for an act to provide for the appointment of county sheriffs.

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

Senate File 185, by committee on Ways and Means, a bill for an act relating to the hotel and motel tax and providing an exemption.

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

Senate File 186, by committee on Ways and Means, a bill for an act relating to the updating of the reference to the Internal Revenue Code, and providing refund provisions for certain income and inheritance tax payments, and providing applicability and effective dates.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:09 a.m., until 2:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 8, 1989, 10:15 a.m.

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

Members Absent: Priebe, Vice Chair (excused).

Committee Business: Budget presentation by Larry Wilson, Department of Natural Resources.

Adjourned: 11:34 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 8, 1989, 10:25 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by the Department of Economic Development on FY 1990 job training programs.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 8, 1989, 10:00 a.m.

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

Members Absent: none.

Committee Business: Presentations by Ted Stillwell, Department of Education and Jim Hancock, Director, Corrections, Fifth Judicial District.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 8, 1989, 10:27 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair (arrived 10:33); Tinsman, Ranking Member; Gentleman and Hannon (arrived 10:29).

Members Absent: none.

Committee Business: Budget presentations by the Department of Human Rights and the Division of the Blind.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 8, 1989, 10:10 a.m.

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

Members Absent: none.

Committee Business: Discussed welfare reform.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 8, 1989, 10:20 a.m.

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

Members Absent: Palmer.

Committee Business: Discussed sub-subcommittee requirements; Department of Human Services -- discussed relationship with Foster Care Review Board.

Adjourned: 11:35 a.m.

AGRICULTURE

Convened: February 8, 1989, 8:05 a.m.

Members Present: Riordan, Vice Chair; Soorholtz, Ranking Member; Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Priebe, Chair and Boswell (both excused) and Palmer.

Committee Business: Recommended passage of Senate Concurrent Resolution 4; approved SSB 175 as a committee bill; presentations by Dr. W.C. Stewart, Chief Staff Veterinarian, USDA; Harlan Meyer, President, Iowa Pork Producers, and Don Gingerich, Iowa County, president-elect of National Pork Producers.

Adjourned: 9:05 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 8, 1989, 1:37 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running and Vande Hoef.

Members Absent: Taylor.

Committee Business: Assigned S.J.R. 4 to a subcommittee and recommended passage of House File 17.

Adjourned: 1:54 p.m.

COMMERCE

Convened: February 8, 1989, 2:15 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Rife and Running.

Members Absent: Priebe, Tieden and Welsh (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:20 p.m.

WAYS AND MEANS

Convened: February 8, 1989, 3:10 p.m.

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

Members Absent: Palmer (excused).

Committee Business: Assigned a bill to subcommittee and approved SSBs 35.1 and 60 as committee bills.

Adjourned: 3:50 p.m.

COMMITTEE REPORTS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 190 (SSB 21), a bill for an act to repeal the Iowa export trading company Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Boswell, Hannon, Hagerla, Kibbie, Miller, Peterson, Scott and Vande Hoef. Nays, none. Absent or not voting, 4: Lind, Pate, Rife and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 185 (SSB 153), a bill for an act relating to the hotel and motel tax and providing an exception.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 2: Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 186 (SSB 35.1), a bill for an act relating to the updating of the reference to the Internal Code, and providing refund provisions for certain income and inheritance tax payments, and providing applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 187 (SSB 60), a bill for an act relating to the valuation of cable television property for property tax purposes and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS RECEIVED

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

COLLEGE AID COMMISSION

A report on the impact of the Commission rule extending the deadline for applications for the Iowa Tuition Grant program, as required by SF 2312, Section 17, of the 1988 General Assembly.

DEPARTMENT OF COMMERCE Professional Licensing and Regulation Division

The Annual Report for calendar year 1988 of the Iowa Accountancy Examining Board, pursuant to Section 258A4.2, Code of Iowa.

The Annual Report of the Iowa Architectural Examining Board, pursuant to Section 258.4, Code of Iowa.

The Annual Report of the Iowa Engineering and Land Surveying Examining Board, pursuant to Section 258A.4, Code of Iowa.

The Annual Report of the Iowa Landscape Architectural Examining Board, subject to Section 258A4.2, Code of Iowa.

A report of the Iowa Real Estate Commission of its enforcement activities for the calendar year 1988, pursuant to Section 258A.4, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

The 1987 Annual Report, pursuant to Chapter 214.21, Code of Iowa.

DEPARTMENT OF JUSTICE

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

DEPARTMENT OF MANAGEMENT

The Annual Report and Legislative Priorities of the Iowa Advisory Commission on Intergovernmental Relations.

DEPARTMENT OF NATURAL RESOURCES

Final draft of the Iowa Open Spaces Plan, in compliance with H.F. 620, Seventy-second General Assembly, Chapter 111E, Code of Iowa.

DEPARTMENT OF REVENUE AND FINANCE

A report summarizing the impact of the 1987 Machinery and Equipment Sales/Use Tax Refund Program.

DEPARTMENT OF TRANSPORTATION

The revised and adopted Iowa Transportation Policy pursuant to Chapter 307.10(1), Code of Iowa.

A report on driver license record retention, pursuant to Chapter 1214 (SF 2117) of the Session Laws, 72nd General Assembly.

IOWA RAILWAY FINANCE AUTHORITY

The 1988 Annual Report, pursuant to Chapter 307B.8(2), Code of Iowa.

LEGISLATIVE SERVICE BUREAU

The 1989 Report of the "Salary Commission", pursuant to Section 2A.4, Code of Iowa.

Final report of the Judicial Compensation Commission, pursuant to Section 602.1514, Code of Iowa.

IOWA COLLEGE AID COMMISSION

The Annual Report for the year 1988.

IOWA LAW ENFORCEMENT ACADEMY

A report on the Iowa Law Enforcement Academy's operations during FY-88 and goal projections, pursuant to Chapter 7E.3, Code of Iowa.

STATE BOARD OF REGENTS

A report regarding the Iowa Super College Savings Plan, pursuant to H.F. 2377, Seventy-second General Assembly.

A report concerning child care needs at the Regent universities, pursuant to SF 2312, Section 59, passed by the 1988 General Assembly.

AFTERNOON SESSION

The Senate reconvened at 2:29 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 7, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 163, a bill for an act relating to the duties of the department of inspections and appeals in the appeal and hearing processes of the state department of transportation.

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

House File 165, a bill for an act relating to the authority of the county conservation board to grant certain law enforcement powers to its director and employees.

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

INTRODUCTION OF BILLS

Senate File 187, by committee on Ways and Means, a bill an act relating to the valuation of cable television property for property tax purposes and providing an effective date.

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

Senate File 188, by Peterson, a bill for an act relating to the age of a person appointed to serve as a magistrate.

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

Senate File 189, by Sturgeon, a bill for an act relating to the establishment of a state environmental policy and requiring certain activities by governmental units regarding the state environmental policy and its implementation.

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

Senate File 190, by committee on Small Business and Economic Development, a bill for an act to repeal the Iowa export trading company Act.

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

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soorholtz for the remainder of the day on request of Senator Jensen.

HOUSE AMENDMENT CONSIDERED

Senate File 39

Senator Murphy called up for consideration Senate File 39, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts and providing for the imposition of a tax, amended by the House, and moved that the Senate concur in House amendment S—3038 filed February 7, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Murphy moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 39) the vote was:

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

Ayes, 26:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Gettings	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 22:

Boswell	Corning	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Lind	Nystrom	Rensink
Rife	Scott	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 2:

Pate	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate Files 118, 128 and 152.

Senate File 118

On motion of Senator Running, Senate File 118, a bill for an act relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce, was taken up for consideration.

Senator Lind offered amendment S—3055 filed by him from the floor to page 1 of the bill.

Senator Lind asked and received unanimous consent that further action on amendment S—3055 be deferred.

Senator Welsh offered amendment S—3054 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3054 was adopted by a voice vote.

Senator Peterson asked and received unanimous consent that further action on amendment S—3055 and **Senate File 118** be **deferred**.

Senate File 128

On motion of Senator Gentleman, Senate File 128, a bill for an act relating to the collection and compilation of information regarding juvenile court activities, was taken up for consideration.

Senator Gentleman offered amendment S—3047 filed by her on February 8, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3047 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 128) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

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

Senate File 152

On motion of Senator Drake, Senate File 152, a bill for an act relating to relocation advisory assistance for displaced persons, and real property acquisition, and providing an effective date, was taken up for consideration.

Senator Drake offered amendment S—3040 filed by Senators Drake and Carr on February 7, 1989, to pages 1, 13 and 17 of the bill and moved its adoption.

Amendment S—3040 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 152) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

UNFINISHED BUSINESS
(Deferred January 30, 1989)

Senate File 96

On motion of Senator Rife, Senate File 96, a bill for an act extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care, deferred on January 30, 1989, and with the report of the committee on Human Resources recommending amendment and passage on February 7, 1989, was taken up for further consideration.

Senator Sturgeon offered amendment S—3043 filed by the committee on Human Resources on February 7, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Sturgeon offered amendment S—3056 filed by Senators Sturgeon, et al., from the floor to amendment S—3043 and moved its adoption.

Amendment S—3056 was adopted by a voice vote.

Senator Priebe offered amendment S—3058 filed by him from the floor to amendment S—3043, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3058 to amendment S—3043 be adopted?" (S.F. 96) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rife	Running
Scott	Tieden	Welsh	

Nays, 18:

Corning	Doyle	Fuhrman	Hagerla
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Hannon	Kibbie	Lind	Lloyd-Jones
Mann	Palmer	Rensink	Riordan
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn		

Absent or not voting, 1:

Soorholtz

Amendment S—3058 was adopted.

Senator Sturgeon moved the adoption of amendment S—3043 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3043 as amended, the Chair ruled the following amendments to the bill, out of order:

S—3024 filed by Senators Rife and Carr on January 30, 1989, to page 1.

S—3031 filed by Senator Lloyd-Jones on February 6, 1989, to page 1 and the title page.

S—3032 filed by Senator Lloyd-Jones on February 6, 1989, to page 1 and the title page.

S—3033 filed by Senator Lloyd-Jones on February 6, 1989, to page 1.

S—3034 filed by Senator Lloyd-Jones on February 6, 1989, to page 1 and the title page.

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

On the question “Shall the bill pass?” (S.F. 96) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom

Palmer
Rensink
Scott
Tieden
Welsh

Pate
Rife
Sturgeon
Tinsman

Peterson
Riordan
Szymoniak
Vande Hoef

Priebe
Running
Taylor
Varn

Nays, none.

Absent or not voting, 1:

Soorholtz

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

Senator Hutchins asked and received unanimous consent that **Senate File 96** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 191, by Hester, a bill for an act relating to the official language of the state of Iowa.

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

Senate File 192, by Dieleman, a bill for an act relating to the custody of a child and the criteria for determining the child's best interest.

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

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate Concurrent Resolution 5**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hutchins and Hultman

Senate File 127

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Szymoniak, Chair;
Boswell and Rife

Senate File 163
(Revised)

APPPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden

Senate File 164
(Revised)

APPPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden

Senate File 165
(Revised)

APPPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden

Senate File 166
(Revised)

APPPROPRIATIONS: Welsh, Chair; Lloyd-Jones and Tieden

Senate File 167

WAYS AND MEANS: Hester, Chair; Husak and Fuhrman

Senate File 168

WAYS AND MEANS: Murphy, Chair; Bruner and Drake

Senate File 172

APPPROPRIATIONS: Riordan, Chair; Gronstal and Lind

Senate File 173

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

Senate File 175

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

Senate File 179

TRANSPORTATION: Nystrom, Chair; Lloyd-Jones and Scott

Senate File 180

LOCAL GOVERNMENT: Miller, Chair; Fraise and Tinsman

House File 123

LOCAL GOVERNMENT: Fraise, Chair; Jensen and Kinley

SSB 187

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Scott and Szymoniak

SSB 203

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

SSB 204

ENVIRONMENT AND ENERGY UTILITIES: Carr, Chair; Deluhery and Rife

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: February 8, 1989, 4:10 p.m.

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

Members Absent: Welsh (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 23 as a committee bill; amended and recommended passage of Senate File 104.

Adjourned: 4:30 p.m.

STUDY BILLS RECEIVED

SSB 202 Agriculture

Relating to the plugging of abandoned wells, by requesting assistance from the federal soil conservation service, appropriating moneys from the agriculture management account, making a civil penalty applicable, providing an effective date, and providing for repeal of the Act.

SSB 203 Environment & Energy Utilities

Eliminating the ability of utilities division staff to file a complaint with the utilities board alleging that a utility's rates are excessive following an investigation by division staff, a special audit, continuous review of operations, or review of annual reports.

SSB 204 Environment & Energy Utilities

Relating to the statewide expansion of the used motor oil collection program.

BILL RETURNED TO CALENDAR (Senate File 124)

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on February 1, 1989, on Senate Journal page 236, **Senate File 124** was returned to the Senate Regular Calendar from the committee on **Ways and Means** at 5:00 p.m., Thursday, February 9, 1989, without committee recommendation.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	181	Transportation
S. F.	183	Environment & Energy Utilities
S. F.	184	Local Government
S. F.	188	Judiciary
S. F.	189	Environment & Energy Utilities
S. F.	191	State Government
S. F.	192	Judiciary

H.F.	163	Transportation
H.F.	165	Natural Resources

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Murphy, Horn, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, 1: Taylor. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 193 (SSB 116), a bill for an act relating to the time period for which an annual accounting report for the revolving farm fund is filed.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: * SENATE FILE 194 (SSB 113), a bill for an act exempting corporations from state corporate income tax when their sole business activity in the state is placing liquor in bailment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Nystrom, Drake, Fraise, Gentleman, Horn, Rife and Running. Nays, 5: Lloyd-Jones, Dieleman, Gronstal, Hannon and Vande Hoef. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

* Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 194 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 193, by the committee on State Government, a bill for an act relating to the time period for which an annual accounting report for the revolving farm fund is filed.

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

Senate File 194, by the committee on State Government, a bill for an act exempting corporations from state corporate income tax when their sole business activity in the state is placing liquor in bailment.

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

AMENDMENTS FILED

S—3053	S.F.	120	Don E. Gettings
S—3054	S.F.	118	Joe Welsh
S—3055	S.F.	118	Jim Lind
S—3056	S.F.	96	Al Sturgeon Jack Rife Bob Carr Julia Gentleman
S—3057	H.F.	17	John Peterson Al Sturgeon Don E. Gettings Richard Running Tom Mann, Jr. William D. Palmer
S—3058	S.F.	96	Berl E. Priebe
S—3059	S.F.	124	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:45 p.m., until 11:00 a.m., Monday, February 13, 1989.

JOURNAL OF THE SENATE

THIRTY-SIX CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 13, 1989

The Senate met in regular session at 11:14 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend W. Michael Biklen, pastor of the United Methodist Church, Pella, Iowa.

The Journal of Thursday, February 9, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Riordan and Mann for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 8, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 125, a bill for an act relating to the acceptance of the provisions and benefits of federal rehabilitation acts.

ALSO: That the House has on February 8, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 29, a bill for an act relating to the recovery of unemployment compensation overpayments.

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

House File 166, a bill for an act relating to the authority of county conservation boards, by authorizing the charging of certain county park fees and by prohibiting the exclusive use of county parks by one or more organizations.

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

House File 190, a bill for an act relating to the time period for which an annual accounting report for the revolving farm fund is filed.

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

House File 194, a bill for an act relating to providing criminal history information to licensed private child-caring and child-placing agencies and certified adoption investigators.

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

ALSO: That the House has on February 9, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 195, a bill for an act relating to a mandatory assignment of unemployment benefits by the child support recovery unit.

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

House File 196, a bill for an act relating to the collection of certain adoption information according to federal regulations.

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

House File 197, a bill for an act to limit operation of motor vehicles in streambeds and making penalties applicable.

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

House File 217, a bill for an act authorizing the department of agriculture and land stewardship to establish dates for renewal of brands of record.

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

SPECIAL GUESTS

Senator Lloyd-Jones escorted Alexander and Olga Khomenko and their daughter Xenia, to the well and presented them to the Senate.

The Khomenkos are Soviet citizens spending seven months in Iowa as guests of the Iowa Peace Institute and the Friendship Force International. Mr. and Mrs. Khomenko are instructors of Russian as a foreign language and are visiting high schools and colleges around the state. The Khomenkos addressed the Senate with brief remarks.

INTRODUCTION OF BILL

Senate File 195, by Husak, Soorholtz, Hagerla, Murphy and Riordan, a bill for an act relating to Iowa lottery revenues and making an appropriation for major maintenance and repair of facilities operated by the department of human services.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards, departments and commissions pursuant to 1987 and/or 1989 Iowa Code Sections:

April 12, 1988

Paul Grossheim, Waukee, Dallas County, for appointment as Director of the Department of Corrections pursuant to Section 246.107 for a term beginning immediately, serving at the pleasure of the governor, to be reconfirmed every four years. (appointment deferred by Senate Resolution 112 on April 15, 1988.)

April 29, 1988

Beverly Jo Jackson, Marshalltown, Marshall County, for appointment to the Campaign Finance Disclosure Commission pursuant to Section 56.9 for a term beginning May 1, 1988, and ending April 30, 1989.

May 11, 1988

Dr. William Anderson, Des Moines, Polk County, for appointment to the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2 for a term beginning immediately and ending April 30, 1993.

June 30, 1988

For appointment to the Board of Physician Assistant Examiners pursuant to Section 147.14(12):

Dr. Dale L. Christensen, Lake City, Calhoun County, for a term beginning immediately and ending April 30, 1990.

Barbara A. Muir, Winterset, Madison County, for a term beginning immediately and ending April 30, 1991.

Kathy A. Rapp, West Des Moines, Polk County, for appointment to the Commission on the Deaf pursuant to Section 601K.112 (1987, as amended), for a term beginning immediately and ending April 30, 1990.

For appointment to the Commission on the Status of Blacks pursuant to Section 601K.142:

Vernon A. Avant, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1992.

Yvonne J. Brockington, Davenport, Scott County, for a term beginning immediately and ending April 30, 1990.

Gerald Fields, Sioux City, Woodbury County, for a term beginning immediately and ending April 30, 1992.

Jonathan R. Narcisse, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1990.

Deatra Robinson, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1992.

George A. Rossum, Council Bluffs, Pottawattamie County, for a term beginning immediately and ending April 30, 1990.

McKenzly Wilson, Cedar Rapids, Linn County, for a term beginning immediately and ending April 30, 1990.

Jolee L. Belzung, Des Moines, Polk County, for appointment to the Engineering and Land Surveying Examining Board pursuant to Section 114.3 for a term beginning immediately and ending April 30, 1991.

Charles A. Long, Sioux City, Woodbury County, for reappointment to the Iowa Economic Development Board pursuant to Section 15.103 for a term beginning immediately and ending April 30, 1992.

Carmen E. Halverson, Cedar Falls, Black Hawk County, for appointment to the Iowa Railway Finance Authority pursuant to Section 307B.6 for a term beginning July 1, 1988, and ending April 30, 1994.

Joel H. Weinstein, Ankeny, Polk County, for appointment to the State Health Facilities Council pursuant to Section 135.62 for a term beginning July 1, 1988, and ending April 30, 1989.

Richard P. Canella, Fort Madison, Lee County, for appointment to the State Racing Commission for a term beginning immediately and ending April 30, 1989.

July 14, 1988

For appointment to the Commission on the Status of Women pursuant to Section 601K.52:

Michael D. Montgomery, Monroe, Jasper County, for a term beginning immediately and ending April 30, 1992.

Tom Morain, Ames, Story County, for a term beginning immediately and ending April 30, 1990.

Mark H. Snell, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1992.

George Lee Stigler, Waterloo, Black Hawk County, for a term beginning immediately and ending April 30, 1992.

July 21, 1988

Mary Powers, Cedar Falls, Black Hawk County, for appointment to the Commission on the Status of Blacks pursuant to Section 601K.142 for a term beginning immediately and ending April 30, 1992.

July 24, 1988

For appointment to the Commission on the Status of Women pursuant to Section 601K.52:

Patricia R. Boesen, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1992.

Naomi L. Christensen, Hastings, Mills County, for a term beginning immediately and ending April 30, 1992.

Ruth I. Holtan, Forest City, Winnebago County, for a term beginning immediately and ending April 30, 1990.

Mignon Manelli, Ames, Story County, for a term beginning immediately and ending April 30, 1990.

Mary M. Wiberg, Ankeny, Polk County, for a term beginning immediately and ending April 30, 1990.

July 29, 1988

Ann Jorgensen, Garrison, Benton County, for appointment to the Iowa Economic Development Board pursuant to Section 15.103 for a term beginning immediately and ending April 30, 1991.

August 1, 1988

Lenola Allen-Sommerville, Des Moines, Polk County, for appointment to the Commission on the Status of Blacks pursuant to Section 601K.142 for a term beginning immediately and ending April 30, 1992.

August 2, 1988

Almo J. Hawkins, Des Moines, Polk County, for appointment to the commission on Children, Youth, and Families pursuant to Section 601K.33 for a term beginning immediately and ending June 30, 1992.

August 5, 1988

For appointment to the Board of Physician Assistant Examiners pursuant to Section 147.14(12):

Dr. Robert Carleton, Morning Sun, Louisa County, for a term beginning immediately and ending April 30, 1989.

Elizabeth A. Coyte, Des Moines, Polk County, for a term beginning immediately and ending April 30, 1989.

William W. Crews, Melbourne, Marshall County, for a term beginning immediately and ending April 30, 1990.

Jane Dubberke, Hubbard, Hardin County, for a term beginning immediately and ending April 30, 1991.

Thomas L. Mills, Eldora, Hardin County, for a term beginning immediately and ending April 30, 1991.

September 26, 1988

Joan B. Poe, Cedar Falls, Black Hawk County, for appointment to the Alcoholic Beverages Commission pursuant to Section 123.5 for a term beginning immediately and ending April 30, 1990.

Michael S. Blue, Des Moines, Polk County, for appointment to the Board of Nursing Examiners pursuant to Section 147.14(3) for a term beginning immediately and ending April 30, 1991.

Lois H. Eichacker, Fort Madison, Lee County, for appointment to the Iowa Economic Development Board pursuant to Section 15.103 for a term beginning immediately and ending April 30, 1990.

Deborah S. Krauth, Cherokee, Cherokee County, for appointment to the Iowa Finance Authority pursuant to Section 220.2 for a term beginning immediately and ending April 30, 1993.

October 6, 1988

Dr. Marilee Fredericks, Des Moines, Polk County, for appointment to the Mental Health and Mental Retardation Commission pursuant to Section 225C.5 for a term beginning immediately and ending April 30, 1991.

October 10, 1988

Jerry R. Foxhoven, West Des Moines, Polk County, for appointment to the State Foster Care Review Board pursuant to Section 237.16 for a term beginning immediately and ending April 30, 1990.

October 21, 1988

William L. Wegman, New Hampton, Chickasaw County, for appointment as State Public Defender pursuant to Section 13B.2 for a period beginning December 15, 1988, to serve at the pleasure of the Governor.

November 18, 1988

Margaret Clements, Oskaloosa, Mahaska County, for appointment to the Iowa Finance Authority pursuant to Section 220.2 for a term beginning immediately and ending April 30, 1991.

Richard P. Sulzbach, Sioux City, Woodbury County, for appointment to the Iowa Lottery Board pursuant to Section 99E.5 for a term beginning immediately and serving at the pleasure of the Governor.

John C. Botkin, Marion, Linn County, for appointment to the State Health Facilities Council pursuant to Section 135.62 for a term beginning immediately and ending April 30, 1993.

November 30, 1988

Lyle L. Simpson, Des Moines, Polk County, for appointment to the State Health Facilities Council pursuant to Section 135.62 for a term beginning immediately and ending April 30, 1993.

December 7, 1988

John A. Rodriguez, Des Moines, Polk County, for appointment as Administrator of the Division of Spanish-speaking people pursuant to Section 601K.2 for a term beginning January 17, 1989, to serve at the pleasure of the Governor.

December 16, 1988

Edra E. Broich, Gray, Aububon County, for appointment to the Medical Examining Board pursuant to Section 147.14(2) for a term beginning immediately and ending April 30, 1990.

December 19, 1988

David Roederer, Des Moines, Polk County, for appointment as Director of the Department of Commerce pursuant to Section 546.2 for a term beginning October 1, 1988, and serving at the pleasure of the Governor.

Richard G. Moore, Des Moines, Polk County, for appointment as Administrator of the Division of the Criminal and Juvenile Justice Advisory Council pursuant to Section 601K.2 for a term beginning November 4, 1988, and serving at the pleasure of the Governor.

Gary L. Lawson, Des Moines, Polk County, for appointment as Administrator of the Division on the Status of Blacks pursuant to Section 601K.2 for a term beginning November 4, 1988, and serving at the pleasure of the Governor.

Diana E. Hoogestraat, Glenwood, Mills County, for appointment to the Mortuary Science Examining Board pursuant to Section 147.14(1) for a term beginning immediately and ending April 30, 1991.

Nancy E. Welter, Cedar Rapids, Linn County, for appointment to the Respiratory Care Advisory Committee pursuant to Section 135F.13 for a term beginning immediately and ending April 30, 1991.

January 24, 1989

For appointment as members of the Commission of Elder Affairs pursuant to Section 249D.11:

Herbert J. Haas, Oelwein, Fayette County, for a term beginning immediately and ending April 30, 1991.

Clemmie Hightower, Clinton, Clinton County, for a term beginning immediately and ending April 30, 1989.

February 1, 1989

Charles Palmer, Des Moines, Polk County, for appointment as Director of Human Services pursuant to Section 217.5 for a term beginning January 23, 1989, to serve at the pleasure of the Governor.

February 6, 1989

James E. Forney, Sioux City, Woodbury County, for appointment as Superintendent of Credit Unions pursuant to Section 533.55 for a term beginning July, 1988, and serving at the pleasure of the Governor.

February 8, 1989

Darrel Rensink, Ames, Story County, for appointment as Director of Transportation pursuant to Section 307.11 for a term beginning May 4, 1988, and serving at the pleasure of the Governor.

Sincerely,
TERRY E. BRANSTAD
Governor

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:40 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 9, 1989, 9:52 a.m.

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

Members Absent: none.

Committee Business: Budget presentations by the Department of Elder Affairs and Iowa Civil Rights Commission; FY 1989 performance oversight reports, CRC (FY 1988 and FY 1989).

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 9, 1989, 10:00 a.m.

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

Members Absent: none.

Committee Business: John Walsh and Daniel Caughlin, gave a presentation and distributed information on the SAFER Foundation; presentation by Beth Lenstra, LFB and Jeanette Bucklew regarding county jails.

Adjourned: 11:12 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 9, 1989, 9:45 a.m.

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

Members Absent: Palmer.

Committee Business: Follow-up on Foster Care Review Board and the Department of Employment Services.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 9, 1989, 9:37 a.m.

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

Members Absent: Coleman, Vice Chair (excused).

Committee Business: Reports by the sub-subcommittees and discussion.

Adjourned: 10:50 a.m.

EDUCATION

Convened: February 9, 1989, 12:09 p.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate File 149 and discussed and deferred action on SSB 174.1.

Adjourned: 1:33 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 9, 1989, 8:10 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Miller, Peterson, Scott and Vande Hoef.

Members Absent: Lind, Pate, Rife and Szymoniak (all excused).

Committee Business: Presentation by Rick Kramer and staff of the Iowa Small Business and Economic Development Council; approved SSB 21 as a committee bill.

Adjourned: 8:55 a.m.

STATE GOVERNMENT

Convened: February 9, 1989, 1:42 p.m.

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

Members Absent: Soorholtz (excused).

Committee Business: Assigned bills to subcommittees and approved SSBs 113 and 116 as committee bills.

Adjourned: 2:28 p.m.

WAYS AND MEANS

Convened: February 9, 1989, 2:13 p.m.

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

Members Absent: Soorholtz (excused).

Committee Business: Adopted amendment to Senate File 124.

Adjourned: 2:16 p.m.

MOTION TO RECONSIDER

(Filed February 9, 1989)

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 39 passed the Senate on February 9, 1989.

BILL HUTCHINS

CERTIFICATE OF RECOGNITION

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

Emma Cornelis, Fort Madison — For longtime dedication to helping the needy. Senator Fraise (February 9, 1989).

PETITIONS

The following petitions were presented and placed on file by:

Senator Scott from eighteen residents of Howard County opposing legislation allowing nonresidents to hunt deer in Iowa.

Senator Pate from fourteen members of the Marion Police Department favoring legislation relating to the notification or testing of persons receiving health or correctional services regarding the human immunodeficiency virus (Senate File 48 and House File 52).

AMENDMENTS FILED

S—3060	H.F.	17	Calvin O. Hultman
S—3061	H.F.	17	Berl E. Priebe
S—3062	S.F.	154	Richard F. Drake Wally E. Horn
S—3063	S.F.	194	Richard F. Drake Wally E. Horn

AFTERNOON SESSION

The Senate reconvened at 2:37 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 196, by Pate, a bill for an act relating to the licensing of nonresident bait dealers who sell at wholesale to licensed dealers in Iowa for resale.

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

Senate File 197, by Nystrom, a bill for an act relating to transactions subject to a local option sales and services tax and providing that a local option sales and services tax shall not be applied in certain locations where delivery is made.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

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

The Senate resumed session, President Zimmerman presiding.

UNFINISHED BUSINESS (Deferred February 9, 1989)

Senate File 118

The Senate resumed consideration of Senate File 118, a bill for an act relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce, and amendment S—3055 by Senator Lind to page 1 of the bill, deferred February 9, 1989.

Senator Gronstal raised the point of order that amendment S—3055 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3055 out of order.

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

On the question "Shall the bill pass?" (S.F. 118) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Varn
Welsh			

Nays, 5:

Hedge	Jensen	Rensink	Taylor
Vande Hoef			

Absent or not voting, 4:

Dieleman	Hester	Mann	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 153

On motion of Senator Kibbie, Senate File 153, a bill for an act relating to the department of inspections and appeals by providing for income tax refund and rebate setoff procedures by the investigations division, and exempting certain nonprofit intermediate care facilities from the sales, service, and use tax, was taken up for consideration.

Senator Kibbie offered amendment S—3036 filed by him on February 7, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3036 was adopted by a voice vote.

Senator Lind offered amendment S—3067 filed by Senators Lind, Murphy and Carr from the floor to page 5 and the title page of the bill.

Senator Dieleman raised the point of order that amendment S—3067 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3067 out of order.

Senator Kibbie offered amendment S—3037 filed by Senators Kibbie and Taylor on February 7, 1989, to page 5 and the title page of the bill.

Senator Dieleman raised the point of order that amendment S—3037 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3037 out of order.

Senator Bruner withdrew amendment S—3066 filed by him from the floor to page 5 of the bill.

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

On the question “Shall the bill pass?” (S.F. 153) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Riordan

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 120 and House File 72.

Senate File 120

On motion of Senator Gettings, Senate File 120, a bill for an act relating to the allowable length of stinger-steered automobile transporters and certain semitrailers when operated on highways designated by the state transportation commission, was taken up for consideration.

Senator Gettings offered amendment S—3053 filed by him on February 9, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3053 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 120) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon

Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 6:

Carr	Corning	Gentleman	Murphy
Palmer	Tinsman		

Absent or not voting, 2:

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

House File 72

On motion of Senator Murphy, House File 72, a bill for an act relating to the notification of the city development board of public hearings for proposed urban revitalization plans, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 72) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none.

Absent or not voting, 3:

Mann	Riordan	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 17.

House File 17

On motion of Senator Peterson, House File 17, a bill for an act relating to minimum wage requirements, with report of committee recommending passage, was taken up for consideration.

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

The Senate resumed session, Senator Deluhery presiding.

Senator Rife offered amendment S—3068 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

President Zimmerman took the chair at 4:38 p.m.

Senator Peterson raised the point of order that amendment S—3068 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3068 out of order.

Senator Peterson offered amendment S—3057 filed by Senators Peterson, et. al., on February 9, 1989, to page 1 of the bill.

Senator Lind offered amendment S—3069 filed by him from the floor to amendment S—3057 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3069 to amendment S—3057 be adopted?" (H.F. 17) the vote was:

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

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—3069 lost.

Senator Peterson offered amendment S—3064 filed by him from the floor to amendment S—3057 and moved its adoption.

Amendment S—3064 was adopted by a voice vote.

Senator Peterson moved the adoption of amendment S—3057 as amended, which motion prevailed by a voice vote.

Senator Hultman offered amendment S—3060 filed by him from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3060 be adopted?” (H.F. 17) the vote was:

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

Ayes, 26:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Husak	Jensen
Kinley	Lind	Nystrom	Pate
Priebe	Rensink	Rife	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 24:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Riordan
Running	Sturgeon	Varn	Welsh

Amendment S—3060 was adopted.

With the adoption of amendment S—3060, the Chair ruled amendment S—3061 filed by Senator Priebe from the floor to page 1 of the bill, out of order.

Senator Welsh withdrew amendment S—3071 filed by him from the floor to page 1 of the bill.

Senator Drake offered amendment S—3065 filed by Senators Drake and Hultman from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3065 be adopted?” (H.F. 17) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Scott
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—3065 lost.

Senator Lind offered amendment S—3070 filed by Senators Lind, et. al., from the floor to page 1 of the bill.

Senator Coleman raised the point of order that amendment S-3070 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3070 in order.

Senator Lind moved the adoption of amendment S—3070 and requested a record roll call.

On the question “Shall amendment S—3070 be adopted?” (H.F. 17) the vote was:

Ayes, 21:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Priebe	Rensink	Rife
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Nays, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Riordan	Running	Scott
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 1:

Mann

Amendment S—3070 lost.

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

On the question “Shall the bill pass?” (H.F. 17) the vote was:

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

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 21:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Priebe	Rensink
Rife	Taylor	Tieden	Tinsman
Vande Hoef			

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

Senator Hutchins asked and received unanimous consent that **House File 17** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 198, by Tieden and Vande Hoef, a bill for an act relating to child support by establishing a support obligation for a grandparent under certain conditions.

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

Senate File 199, by Lloyd-Jones, a bill for an act relating to group day care home requirements.

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

Senate File 200, by Nystrom, a bill for an act relating to the construction of anaerobic lagoons and disposal systems near a state park, and providing an effective date.

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

Senate File 201, by committee on Judiciary, a bill for an act expanding the definition of sex act and making more acts subject to penalties.

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

Senate File 202, by committee on Judiciary, a bill for an act relating to the timely notification of the chairperson of the proper judicial nominating commission of a vacancy in the supreme court, the court of appeals, or the district court.

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

Senate File 203, by committee on Judiciary, a bill for an act relating to escorts during the transfer of inmates committed to the custody of the director of the department of corrections.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 5, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 156

STATE GOVERNMENT: Nystrom, Chair; Vande Hoef and Fraise

Senate File 160

STATE GOVERNMENT: Gronstal, Chair; Vande Hoef and Running

Senate File 171

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

Senate File 177

STATE GOVERNMENT: Gronstal, Chair; Soorholtz and Hannon

Senate File 184

LOCAL GOVERNMENT: Kinley, Chair; Murphy and Goodwin

Senate File 188

JUDICIARY: Doyle, Chair; Mann and Hester

Senate File 192

JUDICIARY: Gentleman, Chair; Horn and Carr

House File 133

EDUCATION: Kibbie, Chair; Dieleman and Tieden

House File 157

EDUCATION: Szymoniak, Chair; Kibbie and Hedge

SSB 206

LOCAL GOVERNMENT: Szymoniak, Chair; Miller and Tinsman

SSB 207

JUDICIARY: Mann, Chair; Doyle and Gentleman

SSB 208

JUDICIARY: Mann, Chair; Deluhery and Gentleman

SSB 209

JUDICIARY: Horn, Chair; Coleman and Hester

PETITION

The following petition was presented and placed on file by:

Senator Goodwin from fifty-seven residents of Wapello County opposing legislation allowing nonresidents to hunt deer and turkey in Iowa.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	176	Local Government
S. F.	195	Appropriations
S. F.	196	Natural Resources
S. F.	197	Ways & Means
S. F.	198	Judiciary
S. F.	199	Human Resources
S. F.	200	Environment & Energy Utilities
H. F.	29	Business & Labor Relations
H. F.	166	Natural Resources
H. F.	194	Human Resources
H. F.	195	Human Resources
H. F.	196	Human Resources
H. F.	197	Natural Resources
H. F.	217	Agriculture

STUDY BILLS RECEIVED**SSB 205 Education**

Relating to institutions, programs, and funds for which the college aid commission acts as a guaranteeing agency.

SSB 206 Local Government

Relating to the annexation of territory including secondary roads.

SSB 207 Judiciary

Relating to the joinder of parties in an action for damages under comparative fault.

SSB 208 Judiciary

Relating to violations of an individual's civil rights by prohibiting harm, or fear of harm, to person or property, while violating an individual's civil rights; by providing civil rights victims statutory civil relief; by requiring the department of public safety to establish a program to assimilate and disseminate information regarding civil rights violations; and by making penalties applicable.

SSB 209 Judiciary

Requiring the department of public safety to reimburse a county for charges and expenses incurred for medical aid provided to a prisoner handed over to the county sheriff by a member of the department.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 148, a bill for an act prohibiting certain actions against police service dogs, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3072.

Final Vote: Ayes, 12: Doyle, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Varn and Welsh. Nays, none. Absent or not voting, 3: Mann, Deluhery and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 201 (SSB 173), a bill for an act expanding the definition of sex act and making more acts subject to penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 2: Mann and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 202 (SSB 27), a bill for an act relating to the timely notification of the chairperson of the proper judicial nominating commission of a vacancy in the supreme court, the court of appeals, or the district court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 2: Mann and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 203 (SSB 45), a bill for an act relating to escorts during the transfer of inmates committed to the custody of the director of the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, 1: Welsh. Absent or not voting, 2: Mann and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 138, a bill for an act to change the name of the county board of supervisors to the board of county commissioners.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 69, a bill for an act relating to the dissolution of the Eldora Cemetery Society, Incorporated and the disposition of its property, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 5, a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3064	H.F.	17	John A. Peterson
S—3065	H.F.	17	Richard F. Drake
			Calvin O. Hultman
S—3066	S.F.	153	Charles Bruner
S—3067	S.F.	153	Jim Lind
			Larry Murphy
			Bob Carr
S—3068	H.F.	17	Jack Rife
S—3069	H.F.	17	Jim Lind
S—3070	H.F.	17	Jim Lind
			Richard F. Drake
			Maggie Tinsman
			John Soorholtz
S—3071	H.F.	17	Joe Welsh
S—3072	S.F.	148	Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:26 p.m., until 9:00 a.m., Tuesday, February 14, 1989.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 14, 1989

The Senate met in regular session at 9:08 a.m., President Zimmerman presiding.

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

The Journal of Monday, February 13, 1989, was approved.

RECESS

On motion of Senator Horn, the Senate recessed at 9:11 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: February 13, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Gentleman, Ranking Member; Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

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

Committee Business: Recommended passage of Senate File 148; approved SSBs 45, 173 and 27 as committee bills; amended and approved SSB 26 as a committee bill.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: February 13, 1989, 1:38 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Priebe (arrived 1:40) and Tinsman.

Members Absent: Kinley and Murphy (excused).

Committee Business: Assigned bills to subcommittees and recommended passage of Senate File 138 and House File 69.

Adjourned: 1:50 p.m.

RULES AND ADMINISTRATION

Convened: February 13, 1989, 2:45 p.m.

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

Members Absent: none.

Committee Business: Approved a proposed committee resolution relating to gubernatorial appointments requiring senate confirmation; assigned bills to subcommittees; approved employment of Minority Caucus Staff Director.

Adjourned: 2:55 p.m.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions and departments to standing committees as indicated for investigation on February 14, 1989:

COMMERCE

James E. Forney — Superintendent of Credit Unions.

David Roederer — Director of the Department of Commerce.

EDUCATION

Dr. William Anderson — First in the Nation in Education Foundation Governing Board.

HUMAN RESOURCES

Dr. Dale L. Christensen, Barbara A. Muir, William W. Crews, Thomas L. Mills, Jane Dubberke, Elizabeth A. Coyte and Dr. Robert Carleton — Board of Physician Assistant Examiners.

Herbert J. Haas and Clemmie Hightower — Commission of Elder Affairs.

Charles Palmer — Director of Human Services.

Jerry R. Foxhoven — State Foster Care Review Board.

Dr. Marilee Fredericks — Mental Health and Mental Retardation Commission.

John C. Botkin, Lyle L. Simpson and Joel H. Weinstein — State Health Facilities Council.

John A. Rodriguez — Administrator of the Division of Spanish-speaking people.

Almo J. Hawkins — Commission on Children, Youth, and Families.

Michael D. Montgomery, Tom Morain, Mark H. Snell, George Lee Stigler, Patricia R. Boesen, Naomi L. Christensen, Ruth I. Holtan, Mignon Manelli and Mary M. Wiberg — Commission on the Status of Women.

Kathy A. Rapp — Commission on the Deaf.

JUDICIARY

Richard G. Moore — Administrator of the Division of the Criminal and Juvenile Justice Advisory Council.

William L. Wegman — State Public Defender.

Paul Grossheim — Director of the Department of Corrections.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Lois H. Eichacker, Charles A. Long and Ann Jorgensen — Iowa Economic Development Board.

STATE GOVERNMENT

Gary L. Lawson — Administrator of the Division on the Status of Blacks.

Lenola Allen-Sommerville, Mary Powers, Vernon A. Avant, Yvonne J. Brockington, Gerald Fields, Jonathan R. Narcisse, Deatra Robinson, George A. Rossum and McKenzly Wilson — Commission on the Status of Blacks.

Edra E. Broich — Medical Examining Board.

Diana E. Hoogestraat — Mortuary Science Examining Board.

Nancy E. Welter — Respiratory Care Advisory Committee.

Richard P. Canella — State Racing Commission.

Michael S. Blue — Board of Nursing Examiners.

Beverly Jo Jackson — Campaign Finance Disclosure Commission.

Richard P. Sulzbach — Iowa Lottery Board.

Jolee L. Belzung — Engineering and Land Surveying Examining Board.

Joan B. Poe — Alcoholic Beverages Commission.

TRANSPORTATION

Darrel Rensink — Director of Transportation.

WAYS AND MEANS

Carmen E. Halverson — Iowa Railway Finance Authority.

Margaret Clements and Deborah S. Krauth — Iowa Finance Authority.

BILL HUTCHINS, Chair

SUBCOMMITTEE ASSIGNMENTS

Senate File 181

TRANSPORTATION: Drake, Chair; Coleman and Gettings

Senate File 183

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

Senate File 189

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

Senate File 191

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

Senate File 196

NATURAL RESOURCES: Husak, Chair; Mann and Goodwin

Senate File 198

JUDICIARY: Carr, Chair; Coleman and Drake

Senate File 199

HUMAN RESOURCES: Tinsman, Chair; Bruner and Riordan

House File 29

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

House File 141

NATURAL RESOURCES: Priebe, Chair; Mann and Hedge

House File 163

TRANSPORTATION: Doyle, Chair; Coleman and Drake

House File 165

NATURAL RESOURCES: Tieden, Chair; Priebe and Kibbie

House File 166

NATURAL RESOURCES: Hester, Chair; Kibbie and Rensink

House File 194

HUMAN RESOURCES: Murphy, Chair; Riordan and Hagerla

House File 195

HUMAN RESOURCES: Bruner, Chair; Hannon and Tinsman

House File 196

HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman

House File 197

NATURAL RESOURCES: Priebe, Chair; Kibbie and Tieden

SSB 205

EDUCATION: Varn, Chair; Rensink and Horn

SSB 211

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

SSB 213

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Sturgeon and Vande Hoef

SSB 214

JUDICIARY: Gronstal, Chair; Coleman and Hester

SSB 215

JUDICIARY: Mann, Chair; Varn and Gentleman

SSB 216

JUDICIARY: Mann, Chair; Welsh and Taylor

SSB 217

JUDICIARY: Varn, Chair; Gronstal and Hagerla

SSB 218

JUDICIARY: Doyle, Chair; Varn and Fuhrman

SSB 219

JUDICIARY: Doyle, Chair; Varn and Fuhrman

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 52, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3074.

Final Vote: Ayes, 11: Murphy, Boswell, Bruner, Corning, Deluhery, Kibbie, Lind, Lloyd-Jones, Szymoniak, Tinsman and Varn. Nays, 4: Taylor, Hedge, Rensink and Tieden. Absent or not voting, 2: Horn and Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 133, a bill for an act relating to the election of the president of the state board of education.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Murphy, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 3: Horn, Dieleman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 11, a bill for an act relating to expense reimbursement for representatives to the older Iowans legislature.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gronstal, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Gentleman. Absent or not voting, 2: Nystrom and Hannon.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 210 Agriculture

Relating to the state soil conservation committee, by providing for the composition of the committee and its powers and duties.

SSB 211 Business & Labor Relations

Relating to obtaining workers' compensation benefits through fraudulent practices and providing criminal penalties and civil remedies.

SSB 212 Education

Relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, and payment of costs of children enrolled in districts other than the district of residence, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

SSB 213 Business & Labor Relations

Relating to the scope of negotiations for purposes of public employment collective bargaining.

SSB 214 Judiciary

Relating to rent-to-own regulations.

SSB 215 Judiciary

Prohibiting the manufacture, delivery, possession with intent to manufacture or deliver, or possession of a controlled substance, a counterfeit substance, or a simulated controlled substance, and providing penalties.

SSB 216 Judiciary

Relating to workers' compensation by revising provisions governing the release of employee medical information.

SSB 217 Judiciary

Relating to recovery of merchandise or damages and providing for civil penalties.

SSB 218 Judiciary

Imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge, such as a bad check fee, in excess of the amount permitted by law.

SSB 219 Judiciary

Relating to the termination of a guardianship or conservatorship.

SSB 220 Judiciary

Relating to the priority of advances under line-of-credit mortgages.

AMENDMENTS FILED

S—3073	S. F.	141	Judiciary
S—3074	S. F.	52	Education
S—3075	S. R.	5	Calvin O. Hultman

AFTERNOON SESSION

The Senate reconvened at 3:55 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 204, by Taylor, a bill for an act relating to the possession and delivery of alcoholic liquor, wine, or beer by a person under legal age.

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

Senate File 205, by Dieleman, a bill for an act relating to the credentialing and regulation of respiratory care practitioners.

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

Senate File 206, by Gentleman, Vande Hoef, Rensink, Hagerla, Hedge, Rife, Taylor, Jensen, Nystrom, Hultman, Tieden, Goodwin, Pate, Hester, Fuhrman, Drake, Lind and Tinsman, a bill for an act relating to the maximum liability for all noneconomic damages awarded in certain tort actions.

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

Senate File 207, by Gentleman and Running, a bill for an act relating to workers' compensation liability under the comparative fault tort law.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 158, 155, and 159.

Senate File 158

On motion of Senator Miller, Senate File 158, a bill for an act relating to demolition insurance reserves for property in cities, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 158) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann Szymoniak

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

Senate File 155

On motion of Senator Varn, Senate File 155, a bill for an act relating to the availability of counseling services to children who are members of a household where an incident involving domestic abuse has occurred, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 155) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Nystrom	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 159

On motion of Senator Goodwin, Senate File 159, a bill for an act relating to the sale or contracting for goods and services between a civil service commissioner and a city, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 159) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott

Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

Senate File 169

On motion of Senator Lloyd-Jones, Senate File 169, a bill for an act relating to the rate filing requirements of common carriers, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 169) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hagerla	Mann	Running	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the afternoon on request of Senator Horn.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 170

On motion of Senator Carr, Senate File 170, a bill for an act relating to personnel serving the consumer advocate division of the department of justice and the utilities division of the department of commerce, deleting provisions relating to the consumer advocate's authority to utilize employees of the utilities division, expanding the authority to employ consultants and technical advisors pursuant to contract, revising provisions relating to compensation, and providing effective dates, was taken up for consideration.

Senator Carr offered amendment S—3048 filed by him on February 8, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3048 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 170) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Mann

Peterson

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 5.

Senate Resolution 5

On motion of Senator Hultman, Senate Resolution 5, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Hultman offered amendment S—3075 filed by him from the floor to page 7 of the resolution and moved its adoption.

Amendment S—3075 was adopted by a voice vote.

Senator Hultman moved the adoption of Senate Resolution 5 as amended, which motion prevailed by a voice vote.

INTRODUCTION OF BILLS

Senate File 208, by Gronstal, a bill for an act relating to real estate practices, permitting certain activities to be conducted through a corporation owned by a real estate broker associate or salesperson, and providing properly related matters.

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

Senate File 209, by Riordan, a bill for an act relating to the creation of an artificial lake or impoundment by the department of natural resources.

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

Senate File 210, by Dieleman, a bill for an act relating to reports and records of motor vehicle registrations and certificates of title kept by county treasurers, imposing penalty fees for delinquencies, and providing an effective date.

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

Senate File 211, by Sturgeon, a bill for an act relating to employee rights.

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

Senate File 212, by Carr, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources.

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

Senate File 213, by Fraise, a bill for an act exempting from the sales, services, and use tax the sale of certain films, tapes, discs, and records to a person engaged in the business of leasing or renting these items and providing effective and retroactive effective dates.

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

Senate File 214, by committee on Human Resources, a bill for an act relating to the registration, regulation, and inspection of swimming pools, spas, and bathing beaches and providing penalties.

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

Senate File 215, by Doyle, a bill for an act relating to the sales and use tax and providing an exemption from tax for certain irrigation equipment.

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

UNFINISHED BUSINESS
(Deferred February 6, 1989)

Senate Joint Resolution 3

The Senate resumed consideration of Senate Joint Resolution 3, a joint resolution to nullify an administrative rule of the natural resource commission relating to the funding of multiuse trail projects and providing an effective date, deferred February 6, 1989.

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

On the question "Shall the resolution be adopted?" (S.J.R. 3) the vote was:

Ayes, 34:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Miller	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Vande Hoef		

Nays, 15:

Bruner	Carr	Corning	Deluhery
Gentleman	Gronstal	Hannon	Lloyd-Jones
Murphy	Peterson	Running	Sturgeon
Tinsman	Varn	Welsh	

Absent or not voting, 1:

Mann

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

WITHDRAWN

Senator Welsh asked and received unanimous consent that **Senate File 177** be **withdrawn** from further consideration of the Senate.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 190** be referred from the Regular Calendar to the committee on **Agriculture**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	204	Judiciary
S. F.	205	State Government
S. F.	206	Judiciary
S. F.	207	Business and Labor Relations
S. F.	208	Commerce
S. F.	209	Natural Resources
S. F.	210	Transportation
S. F.	211	Business and Labor Relations
S. F.	212	Environment & Energy Utilities
S. F.	213	Ways and Means
S. F.	215	Ways and Means

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 14, 1989, to investigate the appointment of the following Governor's appointees:

JUDICIARY

As Administrator of the Division of the Criminal and Juvenile Justice Advisory Council:

RICHARD G. MOORE: Mann, Chair; Gentleman and Welsh

As Director of the Department of Corrections:

PAUL GROSSHEIM: Carr, Chair; Mann and Taylor

As State Public Defender:

WILLIAM L. WEGMAN: Varn, Chair; Doyle and Gentleman

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As members of the Iowa Economic Development Board:

LOIS H. EICHACKER: Hannon, Chair; Miller and Lind

ANN JORGENSEN: Boswell, Chair; Szymoniak and Pate

CHARLES A. LONG: Peterson, Chair; Kibbie and Vande Hoef

TRANSPORTATION

As Director of Transportation:

DARREL RENSINK: Coleman, Chair; Drake and Gettings

FINAL REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the Governor's appointment of Darrel Rensink as Director of Transportation, completed its investigation on February 14, 1989, and recommended the appointee be confirmed.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber when the final vote was taken on Senate File 169.

Had I been present, I would have voted "aye".

MARK R. HAGERLA

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 194, a bill for an act relating to providing criminal history information to licensed private child-caring and child-placing agencies and certified adoption investigators.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Corning, Carr, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 2: Bruner and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 214 (SSB 95), a bill for an act relating to the registration, regulation, and inspection of swimming pools and spas, and bathing beaches and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hannon, Corning, Carr, Horn, Murphy, Riordan, Sturgeon and Tinsman. Nays, 3: Gentleman, Hagerla and Taylor. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 216 (SSB 17), a bill for an act relating to the inspection of a body by the state medical examiner or a county medical examiner prior to cremation of the body, providing reporting requirements, providing for the payment of costs, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 216, by committee on Human Resources, a bill for an act relating to the inspection of a body by the state medical examiner or a county medical examiner prior to cremation of the body, providing reporting requirements, providing for the payment of costs, and making penalties applicable.

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

AMENDMENT FILED

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:48 p.m., until 9:00 a.m., Wednesday, February 15, 1989.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 15, 1989

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

Prayer was offered by the Honorable John P. Kibbie, member of the Senate from Palo Alto County, Emmetsburg, Iowa.

The Journal of Tuesday, February 14, 1989, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 13, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 5, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits.

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

INTRODUCTION OF BILLS

Senate File 217, by Running, a bill for an act relating to the inspection and certification of deer meat, and providing penalties.

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

Senate File 218, by Deluhery and Lind, a bill for an act relating to the investments of credit unions, by permitting investment in corporate bonds as defined by rule of the administrator.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 11** be referred from the Regular Calendar to the committee on **Appropriations**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 3:45 p.m.

APPENDIX

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of February, 1989:

SENATE FILE 125.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

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

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

Members Absent: Mann (excused).

Committee Business: Reports from sub-subcommittees.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 9, 1989, 9:45 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by the Department of Economic Development on enhanced rural development programs.

Adjourned: 11:38 a.m.

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

Convened: February 14, 1989, 9:43 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentations by Small Business Development Centers, Iowa State Fair Board and Iowa Lottery agency.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 14, 1989, 9:45 a.m.

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

Members Absent: none.

Committee Business: Presentations by the University of Iowa Hospitals and Clinics, Iowa School for the Deaf and the Iowa School for the Blind.

Adjourned: 12:00 noon.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN
RIGHTS**

Convened: February 14, 1989, 9:45 a.m.

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

Members Absent: none.

Committee Business: Conclusion of budget presentation by the Department of Public Health.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 14, 1989, 9:51 a.m.

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

Members Absent: none.

Committee Business: Discussed juvenile justice programs and Iowa Veteran's Home.

Adjourned: 11:17 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 14, 1989, 10:00 a.m.

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

Members Absent: none.

Committee Business: Rick George from the Parole Board gave a presentation on admissions and parole report.

Adjourned: 11:28 a.m.

EDUCATION

Convened: February 14, 1989, 8:06 a.m.

Members Present: Murphy, Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Horn, Vice Chair and Dieleman (both excused).

Committee Business: Recommended passage of House File 133; recommended passage of Senate File 52 as amended; amended and approved SSB 174.1 as a committee bill.

Adjourned: 9:08 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 14, 1989, 3:10 p.m.

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

Members Absent: Carr and Miller (both excused).

Committee Business: Amended SSB 170 and ordered redrafted for final approval as a committee bill; discussed SSBs 203 and 171.

Adjourned: 3:30 p.m.

HUMAN RESOURCES

Convened: February 14, 1989, 2:25 p.m.

Members Present: Hannon, Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Bruner, Vice Chair.

Committee Business: Recommended passage of House File 194; approved SSBs 95 and 17 as committee bills; SSB 91 failed approval as a committee bill.

Adjourned: 3:12 p.m.

NATURAL RESOURCES

Convened: February 14, 1989, 1:30 p.m.

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

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees and discussed and deferred action on House File 88.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: February 14, 1989, 1:36 p.m.

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

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

Committee Business: Assigned Senate File 191 to a subcommittee and recommended passage of Senate File 11.

Adjourned: 1:55 p.m.

CERTIFICATE OF RECOGNITION

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

Amalgamated UAW Local 893, Marshalltown — For celebration of their 25th anniversary. Senator Soorholtz (April 8, 1989).

PRESENTATION OF VISITORS

The following visitors were present in the Senate chamber:

Senator Boswell welcomed Timothy W. Teel, 1988-89 Iowa FFA President from Osceola, who is a sophomore at Iowa State University studying agriculture journalism. Tim will be attending the FFA Legislative Symposium in Des Moines on February 23.

Senator Priebe welcomed Tonya Hansen, 1988-89 Miss Iowa Angus from Wheatland, who attends Callamus-Wheatland High School. Tonya is presently attending the Iowa Beef Expo in Des Moines.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees to investigate the appointment of the following Governor's appointees:

COMMERCE (February 15, 1989)

As Director of the Department of Commerce:

DAVID ROEDERER: Rife, Chair; Gronstal and Welsh

As Superintendent of the Credit Unions:

JAMES E. FORNEY: Jensen, Chair; Hannon and Priebe

EDUCATION
(February 14, 1989)

As a member of the First in the Nation in Education Foundation Governing Board:

DR. WILLIAM ANDERSON: Szymoniak, Chair; Corning and Lind

HUMAN RESOURCES
(February 15, 1989)

As Administrator of the Division of Spanish-speaking people:

JOHN A. RODRIGUEZ: Horn, Chair; Murphy and Gentleman

As members of the Board of Physician Assistant Examiners:

DR. ROBERT CARLETON: Taylor, Chair; Bruner and Carr
DR. DALE L. CHRISTENSEN: Tinsman, Chair; Bruner and Riordan
ELIZABETH A. COYTE: Hagerla, Chair; Carr and Bruner
WILLIAM W. CREWS: Hannon, Chair; Sturgeon and Gentleman
JANE DUBBERKE: Riordan, Chair; Carr and Taylor
THOMAS L. MILLS: Murphy, Chair; Sturgeon and Tinsman
BARBARA A. MUIR: Tinsman, Chair; Riordan and Murphy

As members of the Commission of Elder Affairs:

HERBERT J. HAAS: Horn, Chair; Murphy and Tinsman
CLEMMIE HIGHTOWER: Hagerla, Chair; Sturgeon and Carr

As a member of the Commission on Children, Youth, and Families:

ALMO J. HAWKINS: Bruner, Chair; Murphy and Hagerla

As a member of the Commission on the Deaf:

KATHY A. RAPP: Gentleman, Chair; Carr and Horn

As members of the Commission on the Status of Women:

PATRICIA R. BOESEN: Gentleman, Chair; Hannon and Carr
NAOMI L. CHRISTENSEN: Murphy, Chair; Carr and Taylor
RUTH I. HOLTAN: Tinsman, Chair; Murphy and Hannon
MIGNON MANELLI: Corning, Chair; Bruner and Hannon
MICHAEL D. MONTGOMERY: Corning, Chair; Sturgeon and Carr
TOM MORAIN: Sturgeon, Chair; Bruner and Corning
MARK H. SNELL: Carr, Chair; Sturgeon and Gentleman
GEORGE LEE STIGLER: Riordan, Chair; Murphy and Corning

MARY M. WIBERG: Hannon, Chair; Bruner and Corning

As Director of Human Services:

CHARLES PALMER: Bruner, Chair; Hannon and Gentleman

As a member of the Mental Health and Mental Retardation Commission:

DR. MARILEE FREDERICKS: Taylor, Chair; Carr and Sturgeon

As a member of the State Foster Care Review Board:

JERRY R. FOXHOVEN: Hagerla, Chair; Bruner and Murphy

As members of the State Health Facilities Council:

JOHN C. BOTKIN: Gentleman, Chair; Riordan and Hannon

LYLE L. SIMPSON: Carr, Chair; Sturgeon and Gentleman

JOEL H. WEINSTEIN: Sturgeon, Chair; Hannon and Taylor

WAYS AND MEANS

(February 14, 1989)

As members of the Iowa Finance Authority:

MARGARET CLEMENTS: Fraise, Chair; Fuhrman and Hester

DEBORAH S. KRAUTH: Kibbie, Chair; Riordan and Soorholtz

As a member of the Iowa Railway Finance Authority:

CARMEN E. HALVERSON: Drake, Chair; Gentleman and Szymoniak

SUBCOMMITTEE ASSIGNMENTS

Senate File 162

RULES AND ADMINISTRATION: Gettings, Chair; Kinley and Hultman

Senate File 195

APPROPRIATIONS: Welsh, Chair; Tieden and Riordan

Senate File 200

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

Senate File 204

JUDICIARY: Carr, Chair; Coleman and Gentleman

Senate File 206

JUDICIARY: Doyle, Chair; Mann and Gentleman

Senate File 207

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

Senate File 208

COMMERCE: Kinley, Chair; Gronstal and Tieden

Senate File 211

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

Senate File 212

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

House File 98

COMMERCE: Kinley, Chair; Priebe and Rife

SSB 220

JUDICIARY: Varn, Chair; Doyle and Drake

SSB 221

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Tinsman

SSB 222

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Corning

AMENDMENTS FILED

S—3077	S. F.	154	William W. Dieleman
S—3078	S. F.	141	Judiciary

AFTERNOON SESSION

The Senate reconvened at 3:55 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 219, by Pate, a bill for an act relating to petroleum underground storage tanks, by establishing certain charges, authorizing revenue bond issues to finance remedial actions, tank improvements, and an insurance program to permit owners and operators to comply with federal regulations mandating physical tank and monitoring standards and the maintenance of proof of financial responsibility, such as insurance, providing certain penalties, certain future automatic repeal dates, and effective dates.

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

Senate File 220, by Murphy and Lind, a bill for an act relating to the unclaimed winnings from and the taxes imposed on pari-mutuel wagering at racetracks in the state and providing applicability and effective dates.

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

Senate File 221, by Tieden, Hagerla and Taylor, a bill for an act relating to the licensing of fur dealers and subjecting violators to an existing penalty.

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

Senate File 222, by Vande Hoef, a bill for an act relating to charging an employer's account for unemployment compensation benefits.

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

Senate File 223, by committee on Education, a bill for an act relating to early childhood programs.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

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

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 14, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 17, a bill for an act relating to minimum wage requirements (S—3081 to H—3150).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 17

Senator Peterson called up for consideration House File 17, a bill for an act relating to minimum wage requirements, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3081 to Senate amendment H—3150 filed February 15, 1989.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 17) the vote was:

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

Ayes, 20:

Bruner	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Gronstal
Horn	Hutchins	Kibbie	Lloyd-Jones
Murphy	Palmer	Peterson	Riordan
Running	Sturgeon	Varn	Welsh

Nays, 28:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hannon	Hedge	Hester	Hultman
Husak	Jensen	Kinley	Lind
Miller	Nystrom	Pate	Priebe
Rensink	Rife	Scott	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 2:

Mann	Soorholtz
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The motion lost and the Senate **refused to concur** in the House amendment to the Senate amendment.

INTRODUCTION OF BILLS

Senate File 224, by committee on Education, a bill for an act relating to student exercise of free expression in the public schools.

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

Senate File 225, by committee on Environment and Energy Utilities, a bill for an act allowing the utilities board to reject an application for new or changed rates, charges, schedules, or regulations by a public utility without a hearing in certain circumstances.

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

Senate File 226, by committee on Commerce, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions.

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

Senate File 227, by committee on Business and Labor Relations, a bill for an act relating to obtaining workers' compensation benefits through fraudulent practices and providing criminal penalties and civil remedies.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	217	Agriculture
S. F.	218	Commerce
S. F.	219	Environment and Energy Utilities
S. F.	220	Ways and Means
S. F.	221	Natural Resources
S. F.	222	Business and Labor Relations

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 15, 1989, to investigate the appointment of the following Governor's appointees:

STATE GOVERNMENT

As Administrator of the Division on the Status of Blacks:

GARY L. LAWSON: Carr, Chair; Lloyd-Jones and Nystrom

As a member of the Alcoholic Beverages Commission:

JOAN B. POE: Soorholtz, Chair; Vande Hoef and Fraise

As a member of the Board of Nursing Examiners:

MICHAEL S. BLUE: Hannon, Chair; Horn and Vande Hoef

As a member of the Campaign Finance Disclosure Commission:

BEVERLY JO JACKSON: Lloyd-Jones, Chair; Nystrom and Coleman

As members of the Commission on the Status of Blacks:

VERNON A. AVANT: Vande Hoef, Chair; Rife and Fraise

YVONNE J. BROCKINGTON: Running, Chair; Gronstal and Nystrom

GERALD FIELDS: Gronstal, Chair; Hannon and Soorholtz

JONATHAN R. NARCISSE: Gentleman, Chair; Lloyd-Jones and Horn

MARY POWERS: Gentleman, Chair; Lloyd-Jones and Horn
 DEATRA ROBINSON: Running, Chair; Gronstal and Nystrom
 GEORGE A. ROSSUM: Gronstal, Chair; Running and Nystrom
 LENOLA ALLEN-SOMMERVILLE: Gentleman, Chair; Lloyd-Jones and Horn
 McKENZLY WILSON: Running, Chair; Gronstal and Nystrom

As a member of the Engineering and Land Surveying Examining Board:

JOLEE L. BELZUNG: Soorholtz, Chair; Vande Hoef and Fraise

As a member of the Iowa Lottery Board:

RICHARD P. SULZBACH: Coleman, Chair; Dieleman and Soorholtz

As a member of the Medical Examining Board:

EDRA E. BROICH: Vande Hoef, Chair; Hannon and Gentleman

As a member of the Mortuary Science Examining Board:

DIANA E. HOOGESTRAAT: Vande Hoef, Chair; Rife and Fraise

As a member of the Respiratory Care Advisory Committee:

NANCY E. WELTER: Dieleman, Chair; Gentleman and Running

As a member of the State Racing Commission:

RICHARD P. CANELLA: Fraise, Chair; Dieleman and Rife

STUDY BILLS RECEIVED

SSB 221 Human Resources

Relating to human immunodeficiency virus-related testing and counseling, and eliminating certain penalties.

SSB 222 Human Resources

Relating to involuntary hospitalization procedures applicable to the mentally ill and substance abusers.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 227 (SSB 211), a bill for an act relating to

obtaining workers' compensation benefits through fraudulent practices and providing criminal penalties and civil remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Palmer, Taylor and Vande Hoef. Nays, 1: Running. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 130, a bill for an act relating to the establishment and operation of point-of-sale and automatic teller machine terminals and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3079.

Final Vote: Ayes, 10: Palmer, Jensen, Gronstal, Hannon, Kinley, Lind, Nystrom, Rife, Running and Tieden. Nays, 1: Priebe. Absent or not voting, 4: Deluhery, Mann, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 226 (SSB 105), a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Gronstal, Hannon, Kinley, Nystrom, Priebe, Rife and Running. Nays, 1: Lind. Absent or voting, 6: Deluhery, Jensen, Mann, Pate, Tieden and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 223 (SSB 174.1), a bill for an act relating to early childhood programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Dieleman and Kibbie.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 224 (SSB 55), a bill for an act relating to student exercise of free expression in the public schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Dieleman and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 225 (SSB 170), a bill for an act allowing the utilities board to reject an application for new or changed rates, charges, schedules, or regulations by a public utility without a hearing in certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 229 (SSB 171), a bill for an act allowing a complainant or public utility to petition the utilities board to initiate a formal proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 230 (SSB 78), a bill for an act relating to

increasing license fees for certain persons engaged in the commercial care of animals.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION BILLS

Senate File 228, by Fraise, a bill for an act relating to the liability of a municipality for prejudgment interest.

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

Senate File 229, by committee on Environment and Energy Utilities, a bill for an act allowing a complainant or public utility to petition the utilities board to initiate a formal proceeding.

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

Senate File 230, by committee on Ways and Means, a bill for an act relating to increasing license fees for certain persons engaged in the commercial care of animals.

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

NOTICE OF HEARING

Richard P. Canella, appointed by the Governor to the State Racing Commission, will appear before the Senate State Government investigating committee on February 21, 1989, at 8:00 a.m., Room 24, State Capitol Building.

EUGENE FRAISE, Chair
SENATE INVESTIGATING COMMITTEE

AMENDMENTS FILED

S—3079

S. F.

130

Commerce

S—3080	S.F.	223	Maggie Tinsman Larry Murphy Charles Bruner Richard Varn Jean Lloyd-Jones Joy Corning Dale L. Tieden Jim Lind
S—3081	H.F.	17	House amendment

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Thursday, February 16, 1989.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 16, 1989

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

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

The Journal of Wednesday, February 15, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:11 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 15, 1989, 9:45 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Budget presentations by the Jobs Now program and the National Guard; presentation by U.S. Senator Tom Harkin concerning state/federal cooperation in economic development research in Iowa universities.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 15, 1989, 9:45 a.m.

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

Members Absent: none.

Committee Business: Presentation by U.S. Senator Tom Harkin regarding economic development, and office budget presentation by the Board of Regents.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 15, 1989, 10:00 a.m.

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

Members Absent: none.

Committee Business: Presentation by Jeff Nall on JTPA funds; Beth Lenstra, LFB, distributed information regarding the Luster Heights Lagoon and gave presentations on leased CBC facilities/federal prisoners/farms/CBC fee information/beds/weekly population counts and indigent defense history.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 15, 1989, 9:40 a.m.

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

Members Absent: Palmer.

Committee Business: Approved appropriations bill for the Department of Inspections and Appeals.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 15, 1989, 9:40 a.m.

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

Members Absent: none.

Committee Business: Reports from the sub-subcommittees.

Adjourned: 11:00 a.m.

AGRICULTURE

Convened: February 15, 1989, 8:06 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed SSB 202 and ordered redrafted as a committee bill; presentation by Bob Furleigh, Director of the Agricultural Stabilization and Conservation Service.

Adjourned: 9:05 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 15, 1989, 1:35 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Assigned bills to subcommittees and amended and approved SSB 211 as a committee bill.

Adjourned: 1:45 p.m.

COMMERCE

Convened: February 15, 1989, 2:15 p.m.

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

Members Absent: Deluhery, Vice Chair; Mann, Pate and Welsh (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 130 as amended; approved SSB 105 as a committee bill.

Adjourned: 2:40 p.m.

EDUCATION

Convened: February 15, 1989, 12:57 p.m.

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

Members Absent: Dieleman and Kibbie.

Committee Business: Approved SSBs 174.1 and 55 as committee bills.

Adjourned: 1:23 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 15, 1989, 4:10 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Sturgeon and Varn.

Members Absent: Soorholtz.

Committee Business: Approved SSBs 170 and 171 as committee bills.

Adjourned: 4:15 p.m.

WAYS AND MEANS

Convened: February 15, 1989, 3:10 p.m.

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

Members Absent: Soorholtz.

Committee Business: Assigned bills and Governor's appointees to subcommittees; approved SSB 78 as a committee bill.

Adjourned: 3:45 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 11

APPROPRIATIONS: Gronstal, Chair; Tieden and Peterson

Senate File 176

LOCAL GOVERNMENT: Murphy, Chair; Priebe and Jensen

Senate File 197

WAYS AND MEANS: Gentleman, Chair; Murphy and Bruner

Senate File 205

STATE GOVERNMENT: Hannon, Chair; Dieleman and Vande Hoef

Senate File 210

TRANSPORTATION: Dieleman, Chair; Gettings and Goodwin

Senate File 213

WAYS AND MEANS: Fraise, Chair; Palmer and Szymoniak

Senate File 215

WAYS AND MEANS: Husak, Chair; Kibbie and Soorholtz

Senate File 219

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

House File 217

AGRICULTURE: Palmer, Chair; Priebe and Boswell

SSB 202

AGRICULTURE: Priebe, Chair; Husak, Rensink, Coleman and Fuhrman

SSB 210

AGRICULTURE: Riordan, Chair; Boswell and Fuhrman

SSB 223

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

SSB 224

JUDICIARY: Horn, Chair; Coleman and Drake

SSB 225

JUDICIARY: Gentleman, Chair; Hagerla and Deluhery

SSB 226

STATE GOVERNMENT: Horn, Chair; Carr and Soorholtz

AFTERNOON SESSION

The Senate reconvened at 3:09 p.m., Senator Kinley presiding.

INTRODUCTION OF BILL

Senate File 231, by Bruner, a bill for an act relating to the regulation of alternate operator services and making civil penalties applicable.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by Hutchins and Hultman, a concurrent resolution relating to the revenue estimating conference and its meetings.

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

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Files 185, 154 and 186.

Senate File 185

On motion of Senator Dieleman, Senate File 185, a bill for an act relating to the hotel and motel tax and providing an exemption, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 185) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Hedge	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 154

On motion of Senator Dieleman, Senate File 154, a bill for an act relating to the state's cigarette and tobacco products tax; fuel tax; withholding tax; corporate and personal income tax; sales, services and use tax; franchise tax; hotel and motel tax; property tax exemptions; and inheritance and estate taxes; and providing a penalty, was taken up for consideration.

Senator Lind withdrew amendment S—3082 filed by him from the floor to page 1 of the bill.

Senator Dieleman offered amendment S—3077 filed by him on February 15, 1989, to page 10 of the bill and moved its adoption.

Amendment S—3077 was adopted by a voice vote.

Senator Drake offered amendment S—3062 filed by Senators Drake and Horn on February 13, 1989, to pages 10 and 20 of the bill.

Senator Dieleman raised the point of order that amendment S—3062 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3062 in order.

Senator Drake moved the adoption of amendment S—3062 and requested a record roll call.

On the question “Shall amendment S—3062 be adopted?” (S.F. 154) the vote was:

Ayes, 20:

Carr	Corning	Drake	Fuhrman
Goodwin	Hagerla	Hedge	Hester
Horn	Hultman	Jensen	Lind
Nystrom	Pate	Rensink	Rife
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 29:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hannon	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 1:

Mann

Amendment S—3062 lost.

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

On the question “Shall the bill pass?” (S.F. 154) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones

Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 17** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 186

On motion of Senator Szymoniak, Senate File 186, a bill for an act relating to the updating of the reference to the Internal Revenue Code, and providing refund provisions for certain income and inheritance tax payments, and providing applicability and effective dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 186) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn

Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Files 117 and 149.

Senate File 117

On motion of Senator Hannon, Senate File 117, a bill for an act relating to medical assistance requirements and providing for eligibility of certain recipients of federal Medicare, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 117) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

Senate File 149

On motion of Senator Deluhery, Senate File 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties, with report of committee on Education recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3084 filed by her from the floor to pages 1, 4 and 9 of the bill.

Senator Szymoniak offered amendment S—3087 filed by Senators Szymoniak and Deluhery from the floor to amendment S—3084 and moved its adoption.

Amendment S—3087 was adopted by a voice vote.

Senator Szymoniak moved the adoption of amendment S—3084 as amended, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—3085 filed by Senators Murphy, et al., from the floor to pages 5, 7 and 8 of the bill and moved its adoption.

Amendment S—3085 was adopted by a voice vote.

Senator Gentleman offered amendment S—3083 filed by her from the floor to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 26.

Amendment S—3083 lost.

Senator Gronstal took the chair at 4:50 p.m.

Senator Kinley took the chair at 5:05 p.m.

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

On the question "Shall the bill pass?" (S.F. 149) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Fuhrman	Gentleman
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Soorholtz	Sturgeon	Szymaniak	Tinsman
Varn	Welsh		

Nays, 14:

Coleman	Drake	Fraise	Goodwin
Hagerla	Hedge	Hultman	Jensen
Nystrom	Rife	Scott	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

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

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has, on February 16, 1989, **insisted on its amendment to House File 17**, a bill for an act relating to minimum wage requirements, and the members of the **conference committee**, on the part of the House are: The Representative from Polk, Mr. Sherzan, chair; the Representative from Linn, Mr. Brammer, the Representative from Polk, Mr. Connors, the Representative from Pottawattamie, Mrs. Hester, and the Representative from Iowa, Mr. Tyrell.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 17** on the part of the Senate: Senators Peterson, Chair; Gettings, Kinley, Hultman and Drake.

INTRODUCTION OF BILL

Senate File 232, by Peterson, a bill for an act relating to special fuel tax by amending the definition of special fuel holding tank.

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

Senate Concurrent Resolution 7, by the committee on Transportation, a concurrent resolution urging the national economic commission to reject proposals to increase the federal motor fuel tax and to find other, more equitable and less damaging ways of reducing the federal budget deficit.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 223 State Government

Relating to the classification of certain positions in the department of employment services.

SSB 224 Judiciary

Relating to the foreclosure and sale of real property.

SSB 225 Judiciary

Relating to the uniform anatomical gift Act, providing effective and applicability dates, and providing a penalty.

SSB 226 State Government

Relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	6	Appropriations
S. F.	228	Judiciary
S. F.	231	Commerce
S. F.	232	Ways and Means

SUBCOMMITTEE ASSIGNMENTS

Senate File 222

BUSINESS AND LABOR RELATIONS: Vande Hoef, Chair; Fuhrman and Running

LSB 2294

TRANSPORTATION: Coleman, Chair; Dieleman and Scott

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 117 passed the Senate on February 16, 1989.

CALVIN O. HULTMAN

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 195, a bill for an act relating to a mandatory assignment of unemployment benefits by the child support recovery unit.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 7, a concurrent resolution urging the national economic commission to reject proposals to increase the federal motor fuel tax and to find other, more equitable and less damaging ways of reducing the federal budget deficit.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 179, a bill for an act allowing the issuance of seven-alphanumeric character personalized registration plates upon its enactment.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3082	S. F.	154	Jim Lind
S—3083	S. F.	149	Julia Gentleman
S—3084	S. F.	149	Elaine Szymoniak
S—3085	S. F.	149	Larry Murphy
			Patrick Deluhery
			Jean Lloyd-Jones
			Maggie Tinsman
S—3086	S. F.	229	Michael E. Gronstal
S—3087	S. F.	149	Elaine Szymoniak
			Patrick Deluhery
S—3088	S. F.	124	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:30 p.m., until 10:00 a.m., Monday, February 20, 1989.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 20, 1989

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend S. Gale Hawhee, pastor of the Salem United Methodist Church, Cedar Rapids, Iowa.

The Journal of Thursday, February 16, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 10, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 178, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters.

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

ALSO: That the House has on February 13, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 149, a bill for an act relating to the time of collection of the fee for a marriage license by the clerk of the district court.

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

ALSO: That the House has on February 15, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 272, a bill for an act relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa products and services, authorizing the establishment of guidelines, and providing an effective date.

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

House File 273, a bill for an act relating to economic development corporations in Iowa.

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

INTRODUCTION OF BILLS

Senate File 233, by Varn, a bill for an act providing for DNA profiling of certain criminal offenders.

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

Senate File 234, by Vande Hoef, Pate, Hagerla and Lind, a bill for an act relating to the certificate of need program, providing a fee, and providing penalties.

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

Senate File 235, by Sturgeon, a bill for an act relating to residential landlord and tenant relationships by requiring a residential landlord to maintain liability insurance on the leased property, and providing penalties.

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

Senate File 236, by Sturgeon, a bill for an act to limit the amount of funds certain candidates' committees may accept from certain political committees and subjecting violators to a penalty.

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

Senate File 237, by Vande Hoef, a bill for an act relating to private and home education and providing a penalty.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 4.

Senate Concurrent Resolution 4

On motion of Senator Fuhrman, Senate Concurrent Resolution 4, a concurrent resolution relating to the federal feed grain buy-down program, with report of committee recommending passage, was taken up for consideration.

Senator Fuhrman moved the adoption of Senate Concurrent Resolution 4, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 193, 138, 148, 201 and 202.

Senate File 193

On motion of Senator Drake, Senate File 193, a bill for an act relating to the time period for which an annual accounting report for the revolving farm fund is filed, was taken up for consideration.

Senator Drake asked and received unanimous consent that **House File 190** be substituted for **Senate File 193**.

House File 190

On motion of Senator Drake, House File 190, a bill for an act relating to the time period for which an annual accounting report for the revolving farm fund is filed, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 190) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Mann	Running	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Drake asked and received unanimous consent that Senate File 193 be withdrawn from further consideration of the Senate.

Senate File 138

On motion of Senator Jensen, Senate File 138, a bill for an act to change the name of the county board of supervisors to the board of county commissioners, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 138) the vote was:

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

Ayes, 26:

Carr	Corning	Drake	Gentleman
Goodwin	Hagerla	Hedge	Hester
Horn	Hultman	Jensen	Kinley
Miller	Murphy	Nystrom	Pate
Rensink	Rife	Scott	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 21:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hannon	Husak
Hutchins	Kibbie	Lind	Lloyd-Jones
Palmer	Priebe	Riordan	Running
Sturgeon			

Absent or not voting, 3:

Mann	Peterson	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 148

On motion of Senator Gronstal, Senate File 148, a bill for an act prohibiting certain actions against police service dogs, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3072 filed by the committee on Judiciary on February 13, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3072 was adopted by a voice vote.

Senator Gronstal offered amendment S—3076 filed by him on February 14, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3076 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 148) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

Senate File 201

On motion of Senator Hagerla, Senate File 201, a bill for an act expanding the definition of sex act and making more acts subject to penalties, was taken up for consideration.

Senator Hagerla offered amendment S—3090 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3090 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 201) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Drake Mann

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

Senate File 202

On motion of Senator Varn, Senate File 202, a bill for an act relating to the timely notification of the chairperson of the proper judicial nominating commission of a vacancy in the supreme court, the court of appeals, or the district court, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 202) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate

Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Mann	Running
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 203, House File 69 and Senate Files 214 and 216.

Senate File 203

On motion of Senator Gentleman, Senate File 203, a bill for an act relating to escorts during the transfer of inmates committed to the custody of the director of the department of corrections, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 203) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, 2:

Murphy

Welsh

Absent or not voting, 2:

Mann

Running

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

House File 69

On motion of Senator Fraise, House File 69, a bill for an act relating to the dissolution of the Eldora Cemetary Society, Incorporated and the disposition of its property, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 69) the vote was:

Ayes, 48:

Boswell
Corning
Drake
Gettings
Hannon
Hultman
Kibbie
Miller
Pate
Rife
Sturgeon
Tinsman

Bruner
Deluhery
Fraise
Goodwin
Hedge
Husak
Kinley
Murphy
Peterson
Riordan
Szymoniak
Vande Hoef

Carr
Dieleman
Fuhrman
Gronstal
Hester
Hutchins
Lind
Nystrom
Priebe
Scott
Taylor
Varn

Coleman
Doyle
Gentleman
Hagerla
Horn
Jensen
Lloyd-Jones
Palmer
Rensink
Soorholtz
Tieden
Welsh

Nays, none.

Absent or not voting, 2:

Mann

Running

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

Senate File 214

On motion of Senator Horn, Senate File 214, a bill for an act relating to the registration, regulation, and inspection of swimming pools, spas, and bathing beaches and providing penalties, was taken up for consideration.

Senator Hultman raised the point of order that Senate File 214 should be referred to the committee on Ways and Means under Senate Rule 38.

Senator Hutchins asked and received unanimous consent that **Senate File 214** be referred to the committee on **Ways and Means** and returned to the Senate Calendar by 5:00 p.m., March 9, 1989.

Senate File 216

On motion of Senator Murphy, Senate File 216, a bill for an act relating to the inspection of a body by the state medical examiner or a county medical examiner prior to cremation of the body, providing reporting requirements, providing for the payment of costs, and making penalties applicable, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **Senate File 216** be deferred.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 14, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions.

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

INTRODUCTION OF BILLS

Senate File 238, by Jensen, Hagerla and Vande Hoef, a bill for an act relating to compensation of persons suffering loss as a result of medical malpractice, by establishing a limitation on noneconomic damages, requiring expert certification of claims by affidavit, affecting the statute of limitations for claims brought by minors and mentally ill persons, and providing for periodic payment of certain judgments for future injuries.

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

Senate File 239, by Peterson, a bill for an act relating to bulk fuel tanks, by permitting any licensed servicer to break the seal and recalibrate meters on a bulk fuel tank.

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

Senate File 240, by Lind, Pate, Vande Hoef and Hagerla, a bill for an act relating to the source of funds for payments to claimants under the Iowa tort claims Act, by requiring reimbursement to the general fund of the state in certain cases.

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

Senate File 241, by Lind, a bill for an act relating to individual income tax by giving capital gain deduction treatment to limited amounts of long-term capital gains, making the capital gain deduction subject to minimum tax, repealing the provision for special refunds for limited amounts of long-term capital gains, and providing retroactive applicability and effective dates.

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

Senate File 242, by Fuhrman, a bill for an act permitting the use of fully interactive telecommunications systems as the exclusive means to provide required courses in certain school districts and permitting a teacher's aide to be the supervising teacher at the place where the telecommunications are being received.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 16, 1989, 10:05 a.m.

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

Members Absent: Mann (excused) and Soorholtz.

Committee Business: Discussed target figures for appropriations committee bill.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 16, 1989, 9:53 a.m.

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

Members Absent: Nystrom (excused).

Committee Business: Presentation by the Department of Education on merged area school issues.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 16, 1989, 10:10 a.m.

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

Members Absent: none.

Committee Business: Sub-subcommittees met to discuss the departments requests and the Governor's recommendation.

Adjourned: 10:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 16, 1989, 10:10 a.m.

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

Members Absent: Running, Chair (excused) and Palmer.

Committee Business: Final budget presentations by the Department of Inspections and Appeals, State Foster Care Review Board and Labor/Industrial Services.

Adjourned: 11:40 a.m.

HUMAN RESOURCES

Convened: February 16, 1989, 1:40 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy (arrived 1:50), Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of House File 195; assigned bills and Governor's appointees to subcommittees; discussed SSB 193.

Adjourned: 2:20 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 16, 1989, 8:10 a.m.

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

Members Absent: none.

Committee Business: Presentations by: Deets Neve, Chairman and Chris Nannenga, founder of Area Community Commonwealth; Eddie Saylor, Regional Coordinating Counselor of Southwest Iowa, and Pat Chiles, Director of Satellite Center Regional Coordinating Council.

Adjourned: 9:05 a.m.

STATE GOVERNMENT

Convened: February 16, 1989, 2:25 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees and discussed and deferred action on Senate File 82.

Adjourned: 2:45 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Bruner from one thousand two hundred nine residents of Iowa opposing legislation removing the WIN and IETP programs from the Department of Human Services.

Senator Hutchins from fifteen residents of Guthrie and Audubon Counties opposing land or water casino gambling in Iowa.

Senator Scott from one hundred sixty-six residents of Floyd, Howard and Mitchell Counties opposing legislation allowing nonresidents to hunt deer in Iowa.

Senator Goodwin from forty-seven residents of Clinton County favoring legislation legalizing riverboat gambling in Iowa.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 201 passed the Senate on February 20, 1989.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 138 passed the Senate on February 20, 1989.

WALLY E. HORN

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 17, 1989, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 125—Relating to the acceptance of the provisions and benefits of federal rehabilitation acts.

COMMUNICATIONS RECEIVED

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

AUDITOR OF STATE

The Auditor's Reports, Financial Statements and Supplemental Information, pursuant to Chapter 11.25(1), Code of Iowa.

DEMONSTRATION WAIVER PROJECT COMMITTEE

A recommendation to the 73rd Iowa General Assembly on Iowa's Demonstration Waiver Project, pursuant to Chapter 1246, Section 206(5)(5), 1986 Acts of the 72nd General Assembly.

DEPARTMENT OF COMMERCE

Annual Report of the Iowa State Utilities Board for 1987, pursuant to Iowa Code subsection 17.10.

DEPARTMENT OF CULTURAL AFFAIRS

The Iowa Public Library Statistics for 1985-86 and 1986-87.

DEPARTMENT OF HUMAN SERVICES

The Child Support Modification Demonstration Report, pursuant to Chapter 234.203(4), 1988 Acts of the 72nd General Assembly.

A report of the Payment Systems for Eligible Recipients of Section 225C.28, pursuant to Chapter 234, 1988 Acts of the 72nd General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report on Feasibility of Local and Regional Tourism Organizations Exhibiting at the Iowa State Fair, pursuant to Chapter 1273, Section 1(2), 1988 Acts of the Seventy-second General Assembly.

DEPARTMENT OF EMPLOYMENT SERVICES

A status report on the unemployment compensation trust fund, pursuant to Chapter 96.35 of the Iowa Employment Security Law.

DEPARTMENT OF REVENUE AND FINANCE

Annual Report for the fiscal year ending June 30, 1988.

DEPARTMENT OF TRANSPORTATION

Annual Report on the State Aircraft Pool, pursuant to Section 328.56(5), Code of Iowa.

ENERGY FUND DISBURSEMENT COUNCIL

The Annual Report regarding the earnings of and disbursements from the Energy Conservation Trust Fund, pursuant to Senate File 2305 and Senate File 517.

IOWA FINANCE AUTHORITY

Annual Report for fiscal year ending June 30, 1987, pursuant to Chapter 220, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS**Senate File 209**

NATURAL RESOURCES: Priebe, Chair; Mann and Hester

Senate File 221

NATURAL RESOURCES: Priebe, Chair; Doyle and Goodwin

Senate File 228

JUDICIARY: Varn, Chair; Carr and Drake

SSB 227

NATURAL RESOURCES: Priebe, Chair; Doyle and Tieden

SSB 228

NATURAL RESOURCES: Doyle, Chair; Mann and Tieden

SSB 229

NATURAL RESOURCES: Mann, Chair; Kibbie and Hedge

SSB 230

NATURAL RESOURCES: Kibbie, Chair; Doyle and Hester

SSB 237

JUDICIARY: Gentleman, Chair; Horn and Mann

SSB 238

JUDICIARY: Gentleman, Chair; Horn and Mann

SSB 239

JUDICIARY: Gronstal, Chair; Carr and Fuhrman

AMENDMENTS FILED

S—3089	H.F.	88	Larry Murphy
S—3090	S.F.	201	Mark R. Hagerla
S—3091	S.F.	201	Joe Welsh
			Bob Carr
S—3092	S.F.	216	Larry Murphy
S—3093	H.F.	199	Michael Gronstal

AFTERNOON SESSION

The Senate reconvened at 3:54 p.m., Senator Coleman presiding.

INTRODUCTION OF BILLS

Senate File 243, by Sturgeon, a bill for an act relating to regulation of public utilities and their affiliates, by prohibiting certain business practices by utilities and affiliates, by granting further regulatory authority to the utilities board of the department of commerce, by granting additional access to the utilities board, and prescribing penalties.

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

Senate File 244, by Hagerla and Pate, a bill for an act relating to the Iowa conservation corps program.

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

Senate File 245, by Hagerla, Pate and Vande Hoef, a bill for an act relating to the operation of a watercraft by a person who is intoxicated and providing penalties.

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

Senate File 246, by Hagerla and Lind, a bill for an act relating to the Iowa lottery by repealing the statutory provision which abolishes the lottery July 1, 1990.

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

Senate File 247, by Scott, a bill for an act relating to inspections and repairs of boilers used for exhibition use only.

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

Senate File 248, by Corning, a bill for an act authorizing members of an ambulance service to use blue flashing lights on their privately owned motor vehicles, with a penalty applicable.

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

APPENDIX

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 138 passed the Senate on February 20, 1989.

JOHN W. JENSEN

STUDY BILLS RECEIVED

SSB 227 Natural Resources

A joint resolution to nullify an administrative rule of the department of natural resources relating to the permanent closure of trails in state parks and providing an effective date.

SSB 228 Natural Resources

Relating to the enforcement of outdoor recreation and natural resource laws, by defining degrees of repeat offenders, by requiring the reporting of firearm accidents, by providing for the suspension of licenses, permits, and certificates, by providing penalties, and by providing retroactive applicability.

SSB 229 Natural Resources

Relating to the regulation of outdoor firearm shooting ranges, and providing a penalty for violations.

SSB 230 Natural Resources

Relating to forest development, by establishing a forest renewal fund, developing programs relating to forest management and forest product promotion, and establishing fees.

SSB 231 Appropriations

Relating to the use in the budget and budget process of the revenue estimate agreed to by the revenue estimating conference.

SSB 232 Agriculture

Amending the definition of agricultural purpose as it relates to various commercial transactions and providing for the Act's applicability.

SSB 233 Small Business & Economic Development

Establishing a science and technology foundation, authorizing the issuance of bonds, and providing an effective date.

SSB 234 Small Business & Economic Development

Establishing primary and satellite research and marketing centers for economic development programs and services.

SSB 235 Small Business & Economic Development

Relating to an exemption from the state sales, services, and use taxes of the gross receipts from the sales of replacement parts for certain vehicles used substantially in interstate commerce.

SSB 236 Agriculture

Relating to the sale of milk products, by providing for the issuance of permits.

SSB 237 Judiciary

Relating to the juvenile justice code and provisions regarding child abuse, child in need of assistance, termination of parental rights, and confidentiality of information.

SSB 238 Judiciary

Relating to juvenile justice by providing certain requirements regarding shelter care, detention hearings, the state juvenile institutions, and the costs of a child's care, and providing effective dates.

SSB 239 Judiciary

Amending the definition of disability relating to individual civil rights.

SSB 240 State Government

Relating to the investment and use of moneys in the perpetual care funds of a cemetery.

SSB 241 Ways & Means

Relating to inheritance taxation of deferred estates.

SSB 242 Environment & Energy Utilities

Relating to the promotion of waste reduction and recycling, by establishing programs to encourage waste reduction and recycling by Iowa businesses, industries, and governments; establishing programs that promote the development and use of Iowa-made degradable materials for packaging, containers, and disposable products; affecting state sales tax provisions; and providing penalties.

SSB 243 Environment & Energy Utilities

Relating to the development of regulatory strategies for groundwater contamination by the department of natural resources.

NOTICE OF HEARING

Charles Palmer, appointed by the Governor as Director of Human Services, will appear before the Human Resources investigating committee on March 9, 1989, at 12:00 noon, Senate Room 22, State Capitol Building.

CHARLES BRUNER, Chair
SENATE INVESTIGATING COMMITTEE

BILLS ASSIGNED TO COMMITTEE

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

S. F.	233	Judiciary
S. F.	234	Human Resources
S. F.	235	Commerce
S. F.	236	State Government
S. F.	237	Education
S. F.	238	Judiciary
S. F.	239	State Government
S. F.	240	Appropriations
S. F.	241	Ways and Means
S. F.	242	Education
S. F.	243	Environment & Energy Utilities
S. F.	244	Appropriations
S. F.	245	Natural Resources

S.F.	246	Small Business & Economic Development
S.F.	247	Business and Labor Relations
S.F.	248	Transportation
H.F.	149	Judiciary
H.F.	272	Small Business & Economic Development
H.F.	273	Small Business & Economic Development

AMENDMENTS FILED

S—3094	S.F.	141	Judiciary
S—3095	S.F.	141	Judiciary

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:58 p.m., until 9:00 a.m., Tuesday, February 21, 1989.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 21, 1989

The Senate met in regular session at 9:06 a.m., Senator Hannon presiding.

Prayer was offered by the Reverend Al Hazelton, pastor of the Assembly of God Church, Atlantic, Iowa.

The Journal of Monday, February 20, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 89, a bill for an act relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting requirements with respect to departmental approval of colleges in which the professions are taught.

Senate File 91, a bill for an act to repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies.

Senate File 113, a bill for an act relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of nonresidents on incomes from agricultural products, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions.

ALSO: That the House has on February 16, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 254, a bill for an act relating to the regulation of oxygenate octane enhancers.

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

House File 256, a bill for an act relating to the elimination of the risk management division of the department of general services.

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

House File 270, a bill for an act relating to the membership of the long-term care coordinating unit within the department of elder affairs.

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

House File 292, a bill for an act relating to increasing license fees for certain persons engaged in the commercial care of animals.

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

House File 293, a bill for an act relating to gifts, contributions, bequests, endowments, and other moneys for purposes of the library division of the department of cultural affairs.

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

House File 301, a bill for an act relating to the rulemaking authority of the labor commissioner.

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

INTRODUCTION OF BILLS

Senate File 249, by Pate, a bill for an act relating to the college aid commission including making appropriations and combining certain scholarship and grant programs.

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

Senate File 250, by Pate, a bill for an act relating to making appropriations to the department of corrections.

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

Senate File 251, by Pate, Hagerla and Vande Hoef, a bill for an act relating to providing assistance to retrain workers in existing businesses and providing for an evaluation of retraining programs.

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

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:25 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: February 20, 1989, 2:30 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Assigned Senate File 222 to a subcommittee.

Adjourned: 2:32 p.m.

JUDICIARY

Convened: February 20, 1989, 1:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees Richard G. Moore and William L. Wegman; placed Governor's appointee Paul Grossheim on the Individual Confirmation Calendar without committee recommendation; recommended passage of Senate File 61 and House File 9; approved SSBs 220, 62 and 77 as committee bills; amended Senate File 141.

Adjourned: 2:30 p.m.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 61, a bill for an act relating to an order for attachment in dissolution of marriage proceedings to guarantee support payments and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 253 (SSB 62), a bill for an act relating to the time within which a postconviction relief may be brought which arises out of a prison disciplinary proceeding and providing an effective date and an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 254 (SSB 77), a bill for an act relating to the appointment of an interpreter for a hearing impaired person and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 255 (SSB 220), a bill for an act relating to the priority of advances under line-of-credit mortgages.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 9, a bill for an act relating to the imposition of judgment, upon which execution will lie, against a criminal offender on probation who fails to comply with a court-ordered plan of restitution.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 82, a bill for an act relating to jurisdiction over and discipline of members of the Iowa national guard.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Nystrom, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 131, a bill for an act relating to the purchase by the state and its political subdivisions of products made by handicapped Iowans.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Nystrom, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 233

JUDICIARY: Varn, Chair; Gronstal and Hagerla

Senate File 234

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Corning

Senate File 236

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

Senate File 238

JUDICIARY: Doyle, Chair; Mann and Hagerla

Senate File 239

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

Senate File 240

APPROPRIATIONS: Welsh, Chair; Gronstal and Tieden

Senate File 244

APPROPRIATIONS: Welsh, Chair; Gronstal and Tieden

Senate File 248

TRANSPORTATION: Doyle, Chair; Coleman and Nystrom

SSB 240

STATE GOVERNMENT: Nystrom, Chair; Coleman and Soorholtz

SSB 242

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

SSB 243

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

SSB 245

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Dieleman

SSB 246

TRANSPORTATION: Scott, Chair; Doyle and Goodwin

SSB 247

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Tinsman

SSB 248

JUDICIARY: Deluhery, Chair; Carr and Taylor

SSB 249

JUDICIARY: Doyle, Chair; Horn and Gentleman

House File 149

JUDICIARY: Gentleman, Chair; Hester and Horn

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigations on February 20, 1989, and recommended the appointees be confirmed:

Richard G. Moore as Administrator of the Division of the Criminal and Juvenile Justice Advisory Council.

William L. Wegman as State Public Defender.

(Place nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the appointment of Paul Grossheim as Director of the Department of Corrections, completed its investigation on February 20, 1989, and made no recommendation.

STUDY BILLS RECEIVED**SSB 244 Small Business & Economic Development**

Establishing a tuition reimbursement and loan program for medical students and physicians practicing in certain communities.

SSB 245 Transportation

A concurrent resolution relating to the implementation of a state transit fund distribution formula recommended by the public transit assistance distribution study steering committee.

SSB 246 Transportation

Relating to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce as required

by rules adopted under section 321.450 regarding transportation of hazardous material and providing an effective date.

SSB 247 Human Resources

Establishing a family building Act which relates to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of infertility treatment coverage under certain conditions.

SSB 248 Judiciary

Relating to the reporting of terminations of pregnancy and establishing a penalty.

SSB 249 Judiciary

Relating to the definition of agency under the administrative procedure Act.

SSB 250 Commerce

Relating to savings and loan associations and their regulation by the superintendent of savings and loans.

SSB 251 Commerce

Relating to mortgage brokers and mortgage bankers.

SSB 252 Commerce

Relating to securities and investments and properly related matters, by offering a venture capital tax credit, altering allowed exemptions from registration, creating a new class of registration by filing, eliminating certain filing requirements, imposing minimum share prices as a condition for eligibility for certain exemptions and procedures, eliminating the broker-dealer bond requirement for broker-dealers who are members of the securities investors protection corporation, granting the administrator authority to prohibit certain blind pools and direct participation offering, incorporating additional legislative intent language to guide interpretation of the Blue Sky Law, expanding the permitted investments of Iowa insurers to include certain venture capital and small business investments, among other provisions, and mandating a study be prepared by the securities bureau

concerning investor protection and the impact of this Act, and repealing limits on securities registered by qualification.

AMENDMENT FILED

S—3096

S.F.

38

House amendment

AFTERNOON SESSION

The Senate reconvened at 3:54 p.m., President pro tempore Mann presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 38, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended (S—3096).

ALSO: That the House has on February 16, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 6, a bill for an act relating to issuance of hunting licenses to landowners and tenants for deer and wild turkey.

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

House File 234, a bill for an act relating to entities and subject matter regulated by the department of commerce, division of banking, including banks, regulated loans, and industrial loan companies.

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

INTRODUCTION OF BILLS

Senate File 252, by Hultman and Gronstal, a bill for an act relating to title insurance, by legalizing the issuance of title insurance and permitting savings and loan associations to collect title insurance premiums in connection with a loan.

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

Senate File 253, by committee on Judiciary, a bill for an act relating to the time within which a postconviction relief action may be brought which arises out of a prison disciplinary proceeding and providing an effective date and an applicability provision.

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

Senate File 254, by committee on Judiciary, a bill for an act relating to the appointment of an interpreter for a hearing impaired person and providing a penalty.

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

Senate File 255, by committee on Judiciary, a bill for an act relating to the priority of advances under line-of-credit mortgages.

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

Senate File 256, by Coleman, a bill for an act relating to the allowable axle weights for vehicles transporting raw materials which are removed from a road under construction.

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

Senate File 257, by Peterson, a bill for an act relating to state agencies' and certain other tax-exempt or tax-supported entities' competition with for-profit private enterprise, by restricting the commercial activities of the state board of regents' institutions, changing provisions with regard to generally accepted accounting principles, altering the authority of the citizens' aide to investigate claims of unfair competition and make recommendations, and subjecting tax-exempt nonprofit entities to reporting requirements regarding competition with for-profit enterprises, imposing restrictions, and providing penalties.

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

Senate File 258, by Jensen, a bill for an act relating to the authority of township trustees to order the rebuilding or repair of certain fences.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	249	Appropriations
S.F.	250	Appropriations
S.F.	251	Business & Labor Relations
S.F.	252	Commerce
S.F.	256	Transportation
S.F.	257	Education
S.F.	258	Local Government
H.F.	6	Natural Resources
H.F.	178	State Government
H.F.	234	Commerce
H.F.	256	State Government
H.F.	270	Human Resources
H.F.	293	State Government
H.F.	301	State Government
H.F.	254	Agriculture

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on February 21, 1989, and recommended the appointees be confirmed:

Dr. Robert Carleton, Elizabeth A. Coyte, William W. Crews and Thomas L. Mills as members of the Board of Physician Assistant Examiners.

Clemmie Hightower as a member of the Commission of Elder Affairs.

Almo J. Hawkins as a member of the Commission on Children, Youth and Families.

Mary M. Wiberg as a member of the Commission on the Status of Women.

Dr. Marilee Fredericks as a member of the Mental Health and Mental Retardation Commission.

Jerry R. Foxhoven as a member of the State Foster Care Review Board.

(Place nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the appointment of Charles Palmer as Director of Human Services, completed its investigation on February 21, 1989, and recommended the appointee be confirmed.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 6, a concurrent resolution relating to the revenue estimating conference and its meetings.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Boswell, Tieden, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Peterson, Rensink, Running and Tinsman. Nays, none. Absent or not voting, 7: Bruner, Corning, Gettings, Lloyd-Jones, Riordan, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 260 (SSB 203), a bill for an act eliminating the ability of utilities division staff to file a complaint with the utilities board alleging that a utility's rates are excessive following an investigation by division staff, a special audit, continuous review of operations, or review of annual reports.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Gronstal, Pate, Hedge, Miller, Soorholtz and Varn. Nays, none. Absent or not voting, 4: Deluhery, Carr, Rife and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 14, a bill for an act relating to the employment of manicurists, authorizing beauty salons to employ manicurists who are not licensed cosmetologists, and providing an exception to licensing requirements for manicurists employed by beauty salons or barbershops.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3099.

Final Vote: Ayes, 8: Hannon, Bruner, Carr, Gentleman, Horn, Riordan, Sturgeon and Tinsman. Nays, 1: Hagerla. Absent or not voting, 3: Corning, Murphy and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 79, a bill for an act relating to the certificate of need program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3098.

Final Vote: Ayes, 7: Hannon, Bruner, Carr, Horn, Murphy, Riordan and Sturgeon. Nays, 5: Corning, Gentleman, Hagerla, Taylor and Tinsman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 124, a bill for an act to increase the fee for the wildlife habitat stamp.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Mann, Peterson, Priebe, Rensink and Tieden. Nays, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 259, by Gronstal, a bill for an act relating to the liability of an association or corporation resulting from services provided by the association or corporation.

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

Senate File 260, by committee on Environment and Energy Utilities, a bill for an act eliminating the ability of utilities division staff to file a complaint with the utilities board alleging that a utility's rates are excessive following an investigation by division

staff, a special audit, continuous review of operations, or review of annual reports.

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

Senate File 261, by Welsh, a bill for an act exempting certain railroad corporations from filing annual reports with the state department of transportation.

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

Senate File 262, by Bruner, a bill for an act relating to public officials and employees, candidates for public office, and lobbyists by providing for regulation and disclosure of certain assets, income, expenditures, gifts, and campaign contributions, providing for public financing of gubernatorial candidates, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, providing penalties, providing other properly related matters, and providing for the delayed applicability of certain provisions of the Act.

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

AMENDMENTS FILED

S—3097	S. F.	194	Jim Lind
S—3098	S. F.	79	Human Resources
S—3099	S. F.	14	Human Resources

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:58 p.m., until 9:00 a.m., Wednesday, February 22, 1989.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 22, 1989

The Senate met in regular session at 9:05 a.m., Senator Welsh presiding.

Prayer was offered by the Honorable Kenneth D. Scott, member of the Senate from Cerro Gordo County, Clear Lake, Iowa.

The Journal of Tuesday, February 21, 1989, was approved.

INTRODUCTION OF BILLS

Senate File 263, by Vande Hoef, a bill for an act relating to the allocation of responsibilities in the conduct of administrative hearings and appeals in connection with certain professional and occupational licensing matters and the administration of the department of revenue and finance and the department of commerce, providing additional responsibilities of the appeals and fair hearings division of the department of inspections and appeals, and providing properly related matters.

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

Senate File 264, by Hannon, a bill for an act requiring a multicultural, nonsexist approach in all accredited schools.

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

Senate File 265, by Murphy and Lind, a bill for an act providing a state sales and services tax exemption for certain city and county services.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 21, 1989, 10:25 a.m.

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

Members Absent: Mann (excused).

Committee Business: Discussed priorities for each state department.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 21, 1989, 10:25 a.m.

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

Members Absent: none.

Committee Business: Budget decisions.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 21, 1989, 10:25 a.m.

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

Members Absent: none.

Committee Business: Sub-subcommittees met upon subcommittee adjournment.

Adjourned: 10:27 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 21, 1989, 10:25 a.m.

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

Members Absent: Palmer.

Committee Business: Presentation by the State Racing Commission, Labor Services Division.

Adjourned: 11:55 a.m.

APPROPRIATIONS

Convened: February 21, 1989, 4:00 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Peterson, Rensink, Running and Tinsman.

Members Absent: Bruner, Corning, Gettings, Lloyd-Jones, Riordan, Sturgeon and Varn.

Committee Business: Recommended passage of Senate Concurrent Resolution 6.

Adjourned: 4:05 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 21, 1989, 3:15 p.m.

Members Present: Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Soorholtz and Varn.

Members Absent: Deluhery, Chair; Carr, Sturgeon (all excused) and Rife.

Committee Business: Assigned bills to subcommittees and approved SSB 203 as a committee bill.

Adjourned: 3:20 p.m.

HUMAN RESOURCES

Convened: February 21, 1989, 2:35 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; recommended passage of Senate Files 14 and 79 as amended.

Adjourned: 3:20 p.m.

NATURAL RESOURCES

Convened: February 21, 1989, 1:30 p.m.

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

Members Absent: none.

Committee Business: Presentation by the president of Pheasants Galore; recommended passage of House File 124; discussed House File 88.

Adjourned: 2:25 p.m.

STATE GOVERNMENT

Convened: February 21, 1989, 1:35 p.m.

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

Members Absent: Coleman (excused).

Committee Business: Recommended passage of Senate Files 82 and 131; assigned bills to subcommittees; recommended confirmation of Governor's appointees.

Adjourned: 2:12 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on February 21, 1989, and recommended the appointees be confirmed:

Gary L. Lawson as Administrator of the Division on the Status of Blacks.

Jonathan R. Narcisse as a member of the Commission on the Status of Blacks.

Nancy E. Welter as a member of the Respiratory Care Advisory Committee.

Richard P. Canella as a member of the State Racing Commission.

SUBCOMMITTEE ASSIGNMENTS

Senate File 190

AGRICULTURE: Riordan, Chair; Boswell and Soorholtz

Senate File 217

AGRICULTURE: Hester, Chair; Vande Hoef and Fuhrman

Senate File 218

COMMERCE: Deluhery, Chair; Kinley and Nystrom

Senate File 231

COMMERCE: Gronstal, Chair; Hannon and Tieden

Senate File 243

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Sturgeon and Hedge

Senate File 247

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Taylor and Sturgeon.

Senate File 256

TRANSPORTATION: Drake, Chair; Coleman and Gettings

SSB 232

AGRICULTURE: Husak, Chair; Soorholtz and Scott

SSB 236

AGRICULTURE: Fraise, Chair; Boswell and Vande Hoef

SSB 250

COMMERCE: Running, Chair; Priebe and Nystrom

SSB 251

COMMERCE: Gronstal, Chair; Hannon and Tieden

SSB 252

COMMERCE: Rife, Chair; Gronstal and Kinley

SSB 253

LOCAL GOVERNMENT: Kinley, Chair; Szymoniak and Tinsman

SSB 257

LOCAL GOVERNMENT: Szymoniak, Chair; Murphy and Goodwin

SSB 258

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Miller

SSB 259

BUSINESS AND LABOR RELATIONS: Running, Chair; Mann and Taylor

SSB 260

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Fuhrman and Peterson

STUDY BILLS RECEIVED**SSB 253 Local Government**

Relating to the common boundary for a voluntary annexation.

SSB 254 Education

Relating to the authority of the state board of education over extracurricular interscholastic activities of school districts and nonpublic schools and providing for the appointment of an advisory committee.

SSB 255 Education

Relating to vocational education.

SSB 256 Agriculture

Relating to agricultural land used for farming, including a mortgagor's right of redemption and right of first refusal, and providing effective and retroactive applicability dates.

SSB 257 Local Government

Relating to the filing of campaign finance disclosure reports by city and school elective offices and for local ballot issues.

SSB 258 Local Government

Relating to notice and approval of tax increment expenditures by a municipality.

SSB 259 Business & Labor Relations

Establishing an employment rights information and referral service in the division of labor services of the department of employment services.

SSB 260 Business & Labor Relations

Relating to the adoption by the division of labor services of the department of employment services of rules based on the most recent federal occupational safety and health administration's standards.

SSB 261 State Government

Relating to canteen funds under the authority of the director of the department of corrections.

SSB 262 Local Government

Authorizing the board of supervisors to waive a tax penalty, interest, or cost if a clerical error is found.

SSB 263 Local Government

Providing a homestead tax credit to certain persons occupying homesteads on land held by a partnership or corporation.

AMENDMENTS FILED

S—3100	S. F.	213	Eugene Fraise
S—3101	S. F.	32	Al Sturgeon
S—3102	S. F.	216	Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 3:47 p.m., President pro tempore Mann presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 1989, adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 3, a joint resolution to nullify an administrative rule of the natural resource commission relating the funding of multiuse trail projects and providing an effective date.

ALSO: That the House has on February 20, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 255, a bill for an act relating to forms for the registration of voters.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 266, by Varn and Gronstal, a bill for an act requiring electric utilities to have in effect a comprehensive energy management program before new or changed rates, charges, schedules, and regulations may be approved by the utilities board.

Read first time and **passed on file**.

Senate File 267, by Sturgeon, a bill for an act relating to insurance, mandating coverage under group and individual policies of accident and health insurance, group and individual hospital or medical and surgical service contracts, and health maintenance organization health care services plans, 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 **passed on file.**

Senate File 268, by Scott, a bill for an act relating to the size of spacing units for pooling interests for the production of gas and oil.

Read first time and **passed on file.**

Senate File 269, by Hagerla, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements.

Read first time and **passed on file.**

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Welsh called up the motion to reconsider Senate File 201 filed by him on February 20, 1989, found on page 448 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 201) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Welsh			

Nays, 4:

Fuhrman

Rife

Tieden

Vande Hoef

Absent or not voting, 1:

Hester

The motion prevailed.

Senator Welsh moved to reconsider the vote by which Senate File 201 went to its last reading, which motion prevailed by a voice vote.

Senate File 201

On motion of Senator Hagerla, Senate File 201, a bill for an act expanding the definition of sex act and making more acts subject to penalties, was taken up for reconsideration.

Senator Welsh offered amendment S—3091 filed by Senators Welsh and Carr on February 20, 1989, to page 1 of the bill.

Senator Hannon offered amendment S—3105 filed by Senators Mann, et al., from the floor to amendment S—3091 and moved its adoption.

Amendment S—3105 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—3091 as amended, which motion prevailed by a voice vote.

Senator Hagerla moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 201) the vote was:

Ayes, 50:

Boswell
Corning
Drake
Gettings
Hannon
Hultman
Kibbie
Mann

Bruner
Deluhery
Fraise
Goodwin
Hedge
Husak
Kinley
Miller

Carr
Dieleman
Fuhrman
Gronstal
Hester
Hutchins
Lind
Murphy

Coleman
Doyle
Gentleman
Hagerla
Horn
Jensen
Lloyd-Jones
Nystrom

Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred February 20, 1989)

Senate File 216

The Senate resumed consideration of Senate File 216, a bill for an act relating to the inspection of a body the state medical examiner or a county medical examiner prior to cremation of the body, providing reporting requirements, providing for the payment of costs, and making penalties applicable, deferred on February 20, 1989.

Senator Murphy offered amendment S—3092 filed by him on February 20, 1989, to page 1 and the title page of the bill.

Senator Murphy offered amendment S—3102 filed by him from the floor to amendment S—3092 and moved its adoption.

Amendment S—3102 was adopted by a voice vote.

Senator Gentleman offered amendment S—3103 filed by her from the floor to amendment S—3092 and moved its adoption.

Amendment S—3103 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3092 as amended, which motion prevailed by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 216) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 133.

House File 133

On motion of Senator Kibbie, House File 133, a bill for an act relating to the election of the president of the state board of education, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 133) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla

Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 194

On motion of Senator Murphy, House File 194, a bill for an act relating to providing criminal history information to licensed private child-caring and child-placing agencies and certified adoption investigators, with report of committee recommending passage, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 194) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 130

On motion of Senator Deluhery, Senate File 130, a bill for an act relating to the establishment and operation of point-of-sale and automatic teller machine terminals and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3079 filed by the committee on Commerce on February 15, 1989, to pages 1, 3 and 6 of the bill and moved its adoption.

Amendment S—3079 was adopted by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 130) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Peterson	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 223

On motion of Senator Bruner, Senate File 223, a bill for an act relating to early childhood programs, was taken up for consideration.

Senator Kibbie offered amendment S—3104 filed by Senators Kibbie, et al., from the floor to page 2 of the bill and moved its adoption.

Amendment S—3104 was adopted by a voice vote.

Senator Tinsman offered amendment S—3080 filed by Senators Tinsman, et al., on February 15, 1989, to page 5 of the bill and moved its adoption.

Amendment S—3080 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 223 be deferred.**

Senator Hutchins asked and received unanimous consent to take up out order Senate File 194.

Senate File 194

On motion of Senator Drake, Senate File 194, a bill for an act exempting corporations from state corporate income tax when their sole business activity in the state is placing liquor in bailment, was taken up for consideration.

Senator Lind offered amendment S—3097 filed by him on February 21, 1989, to page 1 and the title page of the bill.

Senator Hutchins raised the point of order that amendment S—3097 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3097 out of order.

Senator Drake offered amendment S—3063 filed by Senators Drake and Horn on February 13, 1989, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3063 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 194) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Carr	Corning	Doyle
Fraise	Fuhrman	Goodwin	Hagerla
Hester	Horn	Hultman	Hutchins
Lind	Lloyd-Jones	Murphy	Pate
Priebe	Rensink	Rife	Running
Szymoniak	Tieden	Tinsman	Welsh

Nays, 21:

Bruner	Deluhery	Dieleman	Drake
Gentleman	Gettings	Gronstal	Hannon
Hedge	Husak	Kibbie	Kinley
Mann	Miller	Palmer	Peterson
Scott	Soorholtz	Sturgeon	Vande Hoef
Varn			

Absent or not voting, 5:

Coleman	Jensen	Nystrom	Riordan
Taylor			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

INTRODUCTION OF BILLS

Senate File 270, by Hagerla and Lind, a bill for an act relating to the board of parole, by providing for notification to a victim and the department of corrections of a hearing at which an offender will be interviewed, and providing that the department of corrections make the offender available at the hearing.

Read first time and **passed on file**.

Senate File 271, by Peterson, a bill for an act providing a minimum wage for entry level employees of certain businesses receiving government assistance.

Read first time and **passed on file**.

Senate File 272, by committee on Commerce, a bill for an act relating to insurance by providing for notice and review of contracts between insurers and managing general agents and providing for regulation of third-party administrators.

Read first time and **placed on calendar**.

APPENDIX

NOTICE OF HEARING

Charles A. Long, appointed by the Governor to the Iowa Economic Development Board, will appear before the Senate Small Business and Economic Development investigating committee on February 28, 1989, at 3:00 p.m., Room 116, State Capitol Building.

JOHN A. PETERSON, Chair
SENATE INVESTIGATING COMMITTEE

REPORT OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following Governor's appointments, completed its investigations on February 22, 1989, and recommended the appointees be confirmed:

David Roederer as Director of the Department of Commerce.

James E. Forney as Superintendent of Credit Unions.

COMMUNICATION

February 20, 1989

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 5 claims of a general nature that were denied by the State Appeal Board February 13, 1989. This supplements our filing of January 5, 1989.

Index attached shows number of claim, name and address of claimant, amount of claim and action taken.

Sincerely,
 Richard D. Johnson
 Chairman
 STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
 Secretary of the Senate

The foregoing items have been filed with the Senate Appropriations Subcommittee on Claims.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Sue Yenger, former member of the Senate from Wapello County, who was present in the Senate chamber.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	257	Small Business & Economic Development — (Corrected)
S. F.	259	Judiciary
S. F.	261	Transportation
S. F.	262	State Government
S. F.	263	State Government
S. F.	264	Education
S. F.	265	Ways & Means
S. F.	266	Environment & Energy Utilities
S. F.	267	Human Resources
S. F.	268	Environment & Energy Utilities
S. F.	269	Human Resources
S. F.	270	Judiciary
S. F.	271	Business & Labor Relations
H. F.	255	State Government

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 272 (SSB 168), a bill for an act relating to insurance by providing for notice and review of contracts between insurers and managing general agents and providing for regulation of third-party administrators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 167, a bill for an act specifying that under certain circumstances a city is not contiguous to another for purposes of a local option sales and services tax.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Drake, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 213, a bill for an act exempting from the sales, services, and use tax the sale of certain films, tapes, discs, and records to a person engaged in the business of leasing or renting these items and providing effective and retroactive effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 215, a bill for an act relating to the sales and use tax and providing an exemption from tax for certain irrigation equipment.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Drake, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Bruner and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 194 failed to pass the Senate on February 22, 1989.

RICHARD F. DRAKE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 194 failed to pass the Senate on February 22, 1989.

MICHAEL E. GRONSTAL

INTRODUCTION OF BILL

Senate File 273, by Lind, a bill for an act relating to child day care by amending certain definitions.

Read first time under Rule 28 and **passed on file.**

AMENDMENTS FILED

S—3103	S. F.	216	Julia Gentleman
S—3104	S. F.	223	John P. Kibbie
			Maggie Tinsman
			Dale Tieden
			Larry Murphy
S—3105	S. F.	201	Tom Mann, Jr.
			Beverly A. Hannon
			Elaine Szymoniak
			Charles Bruner
			Jim Lind
			Maggie Tinsman
			Paul Pate
			Julia Gentleman

S—3106	S. F.	79	Jim Riordan
S—3107	S. F.	223	Dale L. Tieden
S—3108	H. F.	199	Julia Gentleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Thursday, February 23, 1989.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 23, 1989

The Senate met in regular session at 9:07 a.m., Senator Corning presiding.

Prayer was offered by the Right Reverend C. Christopher Epting, Bishop of the Episcopal Diocese of Iowa, Des Moines, Iowa.

The Journal of Wednesday, February 22, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller for the morning on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 274, by Hedge, a bill for an act relating to medical malpractice insurance by providing for the state and regional pricing of medical malpractice insurance.

Read first time and **passed on file**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 255** be referred from the Regular Calendar to the committee on **Commerce**.

ADOPTION OF RESOLUTION
(Appropriations Calendar)

Senate Concurrent Resolution 6

On motion of Senator Welsh, Senate Concurrent Resolution 6, a concurrent resolution relating to the revenue estimating conference and its meetings, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved the adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 6** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:19 a.m., until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:31 a.m., Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:41 a.m., until 2:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 22, 1989, 9:50 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair and Jensen, Ranking Member.

Members Absent: Mann (excused) and Soorholtz.

Committee Business: Overview of proposed appropriations bill.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 16, 1989, 10:15 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by the Department of Economic Development.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 21, 1989, 10:15 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Presentation by the Department of Cultural Affairs and Eastern Iowa Farm Feeders Cooperative (concerning budget request).

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 22, 1989, 9:40 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Rensink, Ranking Member; Murphy and Nystrom.

Members Absent: none.

Committee Business: Presentation by the Department of Education on area education agency issues; approved Federal Block Grant appropriations bill.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 22, 1989, 9:55 a.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member and Hannon.

Members Absent: Gentleman.

Committee Business: Discussed block grant bill.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 22, 1989, 9:59 a.m.

Members Present: Bruner, Chair; Lloyd-Jones, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Reviewed decision packages for budget.

Adjourned: 11:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 22, 1989, 9:50 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Carr and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by Walt Saur from the Board of Parole; reviewed proposed appropriations bill; reviewed study bill from Iowa State Industries.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 22, 1989, 9:40 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Recommendations for Labor Services, Campaign Finance Disclosure Commission, Public Employment Relations Board, Commerce and Employment Services.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 22, 1989, 9:45 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member; Husak and Pate.

Members Absent: none.

Committee Business: Discussed bills.

Adjourned: 11:22 a.m.

AGRICULTURE

Convened: February 22, 1989, 8:07 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair.

Committee Business: Assigned bills to subcommittees; committee discussed LSB 1998 regarding abandoned wells and appointed a subcommittee for further study.

Adjourned: 8:40 a.m.

COMMERCE

Convened: February 22, 1989, 2:20 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Rife, Running, Tieden and Welsh.

Members Absent: Priebe (excused).

Committee Business: Approved SSB 168 as a committee bill and recommended confirmation of Governor's appointees.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: February 22, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 111; approved SSBs 150 and 151 as committee bills; amended SSBs 217 and 136 and ordered redrafted as committee bills.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: February 22, 1989, 3:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner.

Committee Business: Recommended passage of Senate Files 213, 215 and 167; assigned bills to subcommittees; recommended confirmation of Governor's appointees.

Adjourned: 3:43 p.m.

NOTICE OF HEARING

Paul Grosshein, appointed by the Governor as Director of the Department of Corrections, will appear before the Senate Judiciary investigating committee on March 2, 1989, at 1:00 p.m., Room 22, State Capitol Building.

BOB CARR, Chair
SENATE INVESTIGATING COMMITTEE

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 111, a bill for an act relating to foreign money judgments and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 275 (SSB 150), a bill for an act relating to the administration of an estate and changing certain notice provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 276 (SSB 151), a bill for an act relating to the registration of federal liens.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 214

WAYS AND MEANS: Fuhrman, Chair; Gentleman and Szymoniak

Senate File 220

WAYS AND MEANS: Murphy, Chair; Dieleman and Hultman

Senate File 232

WAYS AND MEANS: Husak, Chair; Drake and Palmer

Senate File 241

WAYS AND MEANS: Husak, Chair; Palmer and Gentleman

Senate File 245

NATURAL RESOURCES: Mann, Chair; Kibbie and Hedge

Senate File 266

ENVIRONMENT AND ENERGY UTILITIES: Carr, Chair; Varn and Soorholtz

Senate File 268

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Carr and Soorholtz

Senate File 271

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Sturgeon and Taylor

House File 6

NATURAL RESOURCES: Priebe, Chair; Kibbie and Tieden

SSB 241

WAYS AND MEANS: Drake, Chair; Riordan and Kibbie

SSB 244

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Scott and Vande Hoef

SSB 262

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Szymoniak

SSB 263

LOCAL GOVERNMENT: Priebe, Chair; Vande Hoef and Fraise

AFTERNOON SESSION

The Senate reconvened at 2:25 p.m., President pro tempore Mann presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 332, a bill for an act allowing a physician, as defined in section 135.1, to issue a statement attesting to a person's handicap for the purpose of issuing a handicapped plate, identification device, or sticker, and providing an effective date.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 275, by committee on Judiciary, a bill for an act relating to the administration of an estate and changing certain notice provisions.

Read first time and **placed on calendar**.

Senate File 276, by committee on Judiciary, a bill for an act relating to the registration of federal liens.

Read first time and **placed on calendar**.

Senate File 277, by Corning, a bill for an act relating to the establishment of resident councils.

Read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the afternoon on request of Senator Hultman.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 32.

Senate File 32

On motion of Senator Sturgeon, Senate File 32, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3101 filed by him on February 22, 1989, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3101 was adopted by a voice vote.

With the adoption of amendment S—3101, the Chair ruled amendment S—3028 filed by Senator Mann on February 2, 1989, to page 1 and the title page of the bill, out of order.

Senator Sturgeon asked and received unanimous consent that **House File 5** be substituted for **Senate File 32** as amended.

House File 5

On motion of Senator Sturgeon, House File 5, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that further action on **House File 5** be deferred.

Senator Horn asked and received unanimous consent to take up out of order Senate Files 225, 227, 229 and 179.

Senate File 225

On motion of Senator Varn, Senate File 225, a bill for an act allowing the utilities board to reject an application for new or changed rates, charges, schedules, or regulations by a public utility without a hearing in certain circumstances, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 225) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Mann

Absent or not voting, 1:

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 227

On motion of Senator Hultman, Senate File 227, a bill for an act relating to obtaining workers' compensation benefits through fraudulent practices and providing criminal penalties and civil remedies, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **Senate File 227** be **deferred**.

Senate File 229

On motion of Senator Sturgeon, Senate File 229, a bill for an act allowing a complainant or public utility to petition the utilities board to initiate a formal proceeding, was taken up for consideration.

Senator Gronstal withdrew amendment S—3086 filed by him on February 16, 1989, to page 1 of the bill.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 229) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 179

On motion of Senator Nystrom, Senate File 179, a bill for an act allowing the issuance of seven-alphanumeric character personalized registration plates upon its enactment, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 179) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 278, by Deluhery, a bill for an act relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties.

Read first time and **passed on file**.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate File 251**

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Vande Hoef and Running

Senate File 259

JUDICIARY: Varn, Chair; Mann and Drake

Senate File 262

STATE GOVERNMENT: Carr, Chair; Lloyd-Jones, Nystrom, Drake and Gronstal

Senate File 263

STATE GOVERNMENT: Carr, Chair; Lloyd-Jones, Nystrom, Dieleman and Drake

Senate File 270

JUDICIARY: Carr, Chair; Doyle and Gentleman

House File 178

STATE GOVERNMENT: Carr, Chair; Lloyd-Jones, Nystrom, Dieleman and Drake

House File 255

STATE GOVERNMENT: Gronstal, Chair; Drake and Carr

House File 256

STATE GOVERNMENT: Dieleman, Chair; Gronstal and Vande Hoef

House File 293

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Horn

House File 301

STATE GOVERNMENT: Running, Chair; Horn and Soorholtz

SSB 261

STATE GOVERNMENT: Vande Hoef, Chair; Fraise and Gentleman

SSB 265

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Sturgeon and Taylor

STUDY BILLS RECEIVED**SSB 264 Environment & Energy Utilities**

Relating to income and property tax incentives and rate incentives for operating an electric generating facility which is a waste management, resource recovery, or refuse-derived fuel facility and providing for the Act's applicability.

SSB 265 Business & Labor Relations

Relating to unemployment compensation benefit duration and eligibility and to liability as a successor employer, providing penalties, providing for the Act's applicability, and providing an effective date.

SSB 266 Local Government

Authorizing a city to seek a judgment against a property owner for improvements made to the property.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	273	Human Resources
S.F.	274	Commerce
S.F.	277	Human Resources
S.F.	278	Human Resources
H.F.	332	Transportation

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointments, completed its investigations on February 22, 1989, and recommended the appointees be confirmed:

Margaret Clements as a member of the Iowa Finance Authority.

Carmen E. Halverson as a member of the Iowa Railway Finance Authority.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Edgar H. Holden, former member of the Senate from Scott County, who was present in the Senate chamber.

COMMITTEE REPORTS

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 88, a bill for an act providing for nonresident hunting licenses for deer and wild turkey.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3109.

Final Vote: Ayes, 7: Scott, Kibbie, Goodwin, Hedge, Mann, Priebe and Rensink. Nays, 1: Hester. Absent or not voting, 4: Doyle, Husak, Peterson and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 45, a bill for an act relating to reciprocity in continuing education requirements for persons licensed to practice a profession or occupation in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 87, a bill for an act relating to the posting of inspection ratings for food service establishments.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Rife, Soorholtz and Vande Hoef. Nays, 1: Running. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 205, a bill for an act relating to the credentialing and regulation of respiratory care practitioners.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3110.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Hannon, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Gronstal. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 279 (SSB 240), a bill for an act relating to the investment and use of moneys in the perpetual care funds of a cemetery.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 279, by committee on State Government, a bill for an act relating to the investment and use of moneys in the perpetual care funds of a cemetery.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S—3109	H.F.	88	Natural Resources
S—3110	S.F.	205	State Government
S—3111	S.F.	226	Maggie Tinsman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:20 p.m., until 10:00 a.m., Monday, February 27, 1989.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 27, 1989

The Senate met in regular session at 10:07 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend John Heman, pastor of the St. Patrick's Church, Cedar Rapids, Iowa.

The Journal of Thursday, February 23, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 280, by committee on Small Business and Economic Development, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions.

Read first time and **placed on calendar**.

Senate File 281, by committee on Small Business and Economic Development, a bill for an act establishing a tuition reimbursement and loan program for medical students and physicians practicing in certain communities.

Read first time and **placed on calendar**.

Senate File 282, by committee on Small Business and Economic Development, a bill for an act relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa

products and services, authorizing the establishment of guidelines, and providing an effective date.

Read first time and placed on calendar.

Senate File 283, by Gronstal, a bill for an act relating to insurance, by requiring payment of interest on delayed claim payments in certain circumstances and providing that failure to pay interest on a claim settlement when required is an unfair claim settlement practice subject to penalties.

Read first time and passed on file.

Senate File 284, by Kibbie, a bill for an act requiring a law enforcement officer to forward a copy of a uniform citation and complaint to the parent or legal guardian of a cited person under the age of eighteen.

Read first time and passed on file.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Mann presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 167.

Senate File 167

On motion of Senator Hester, Senate File 167, a bill for an act specifying that under certain circumstances a city is not contiguous to another for purposes of a local option sales and services tax,

with report of committee recommending passage, was taken up for consideration.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 167) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 38

Senator Varn called up for consideration Senate File 38, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended, amended by the House, and moved that the Senate concur in House amendment S-3096 filed February 21, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 38) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 213 and 215.

Senate File 213

On motion of Senator Fraise, Senate File 213, a bill for an act exempting from the sales, services, and use tax the sale of certain films, tapes, discs, and records to a person engaged in the business of leasing or renting these items and providing effective and

retroactive effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S—3100 filed by him on February 22, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Peterson asked and received unanimous consent that further action on amendment S—3100 and **Senate File 213** be **deferred**.

Senate File 215

On motion of Senator Doyle, Senate File 215, a bill for an act relating to the sales and use tax and providing an exemption from tax for certain irrigation equipment, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 215) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Mann
Miller	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn			

Nays, 8:

Carr	Corning	Gentleman	Lind
Nystrom	Peterson	Tinsman	Welsh

Absent or not voting, 1:

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 174 and 182.

Senate File 174

On motion of Senator Husak, Senate File 174, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the Act and an effective date, was taken up for consideration.

Senator Coleman took the chair at 11:37 a.m.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 174) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 182

On motion of Senator Mann, Senate File 182, a bill for an act relating to the commencement in the district court of certain civil rights actions involving administrative closures, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 182) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 226.

Senate File 226

On motion of Senator Priebe, Senate File 226, a bill for an act relating to individual and group accident and sickness insurance,

nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions, was taken up for consideration.

Senator Priebe asked and received unanimous consent that **House File 199** be substituted for **Senate File 226**.

House File 199

On motion of Senator Priebe, House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions, was taken up for consideration.

Senator Gentleman offered amendment S—3108 filed by her on February 22, 1989, to strike everything after the enacting clause of the bill.

Senator Gentleman asked and received unanimous consent that further action on amendment S—3108 and **House File 199** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 195 and Senate File 14.

House File 195

On motion of Senator Bruner, House File 195, a bill for an act relating to a mandatory assignment of unemployment benefits by the child support recovery unit, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 195) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Mann Peterson

Absent or not voting, 1:

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 14

On motion of Senator Sturgeon, Senate File 14, a bill for an act relating to the employment of manicurists, authorizing beauty salons to employ manicurists who are not licensed cosmetologists, and providing an exception to licensing requirements for manicurists employed by beauty salons or barbershops, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3099 filed by the committee on Human Resources on February 21, 1989, to page 1 and the title page of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—3099 and **Senate File 14** be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senate File 117

Senator Hultman withdrew the motion to reconsider Senate File 117, a bill for an act relating to medical assistance requirements and providing for eligibility of certain recipients of federal Medicare, filed by him on February 16, 1989, and found on page 433 of the Senate Journal.

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Murphy, a senate joint resolution to nullify an administrative rule of the department of education relating to identification markings allowed on school buses and providing an effective date.

Read first time and **passed on file**.

Senate File 285, by Peterson, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date.

Read first time and **passed on file**.

Senate File 286, by Riordan, a bill for an act relating to the injury of animals, by providing definitions; prohibiting animal cruelty, animal neglect, animal abandonment, and certain exhibitions involving animals; providing for the care or destruction of disabled animals; providing for the forfeiture of animals, the assessment of certain costs, and the disposition of animals; and providing penalties.

Read first time and **passed on file**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 241, a bill for an act relating to the authority of fire chiefs and their officers at fire scenes and emergencies, and providing a penalty for violations.

This bill was read first time and **passed on file**.

House File 331, a bill for an act relating to standards for apples established by the secretary of agriculture, providing for the establishment of fees, and providing penalties.

This bill was read first time and **passed on file**.

House File 333, a bill for an act providing for the confidentiality of records submitted to the agricultural diversification bureau of the department of agriculture and land stewardship for the purposes of assisting persons in business planning.

This bill was read first time and **passed on file**.

House File 343, a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:10 p.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 23, 1989, 9:55 a.m.

Members Present: Gronstal, Chair; Dieleman, Vice Chair; Jensen, Ranking Member; Mann and Soorholtz

Members Absent: none.

Committee Business: Subcommittee approved and submitted appropriations bill to the full Appropriations Committee.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 23, 1989, 10:00 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Rensink, Ranking Member; Murphy and Nystrom.

Members Absent: none.

Committee Business: Budget discussion with the Board of Regents.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 23, 1989, 9:56 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Discussed LSB 2279.

Adjourned: 11:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 23, 1989, 9:50 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Budget recommendations for the State Auditor, State Racing Commission and Employment Services.

Recessed: 11:30 a.m.

Reconvened: February 23, 1989, 3:55 p.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Subcommittee amended and approved LSB 2436 to the full Appropriations Committee.

Adjourned: 4:18 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 23, 1989, 10:00 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member; Husak and Pate.

Members Absent: none.

Committee Business: Discussed bills.

Adjourned: 11:00 a.m.

NATURAL RESOURCES

Convened: February 23, 1989, 1:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Hedge, Hester, Husak, Mann, Priebe and Rensink.

Members Absent: Doyle, Peterson and Tieden.

Committee Business: Recommended passage of House File 88.

Adjourned: 1:50 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 23, 1989, 8:05 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: Miller (excused).

Committee Business: Presentation by Gene Smith, concessionaire at Nine Eagles Park in Decatur County; approved SSBs 244 and 129 as committee bills; recommended passage of Senate File 187.

Adjourned: 9:08 a.m.

STATE GOVERNMENT

Convened: February 23, 1989, 1:35 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 87, 45 and 205; approved SSB 240 as a committee bill.

Adjourned: 2:30 p.m.

COMMITTEE REPORTS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 280, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 281 (SSB 244), a bill for an act establishing a tuition reimbursement and loan program for medical students and physicians practicing in certain communities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boswell, Hannon, Hagerla, Kibbie, Lind, Pate, Rife, Scott, Szymoniak and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 282 (SSB 129), a bill for an act relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa products and services, authorizing the establishment of guidelines, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 256, a bill for an act relating to the allowable axle weights for vehicles transporting raw materials which are removed from a road under construction.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen and Nystrom. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 267 Judiciary**

Relating to the identification of persons engaged in private investigation and private security businesses.

SSB 268 Human Resources

Relating to the establishment of an intermediary procedure for the voluntary disclosure of adoption records under specified circumstances and of an adoption contact registry to match voluntary consents to the disclosure of identifying information by persons related to the same adoption, and providing penalties.

SSB 269 Judiciary

Relating to written credit agreements between a creditor and debtor and rights of action on that agreement.

SSB 270 Judiciary

Relating to stockholder indemnity and contribution.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)**STATE GOVERNMENT**

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on February 23, 1989, and recommended the appointees be confirmed:

Joan B. Poe as a member of the Alcoholic Beverages Commission.

Michael S. Blue as a member of the Board of Nursing Examiners.

Beverly Jo Jackson as a member of the Campaign Finance Disclosure Commission.

Gerald Fields, Lenola Allen-Sommerville and George A. Rossum as members of the Commission on the Status of Blacks.

Jolee L. Belzung as a member of the Engineering and Land Surveying Examining Board.

PETITIONS

The following petitions were presented and placed on file by:

Senator Goodwin from six hundred twenty-one residents of Clinton County opposing legislation legalizing riverboat gambling in Iowa.

Senator Fraise from one hundred eighteen residents of Van Buren County requesting the reconstruction of the scenic trail around Lake Lacey in Lacey-Keosauqua State Park.

SUBCOMMITTEE ASSIGNMENTS

Senate File 261

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Gettings

Senate File 267

HUMAN RESOURCES: Murphy, Chair; Sturgeon and Corning

Senate File 269

HUMAN RESOURCES: Bruner, Chair; Carr and Hagerla

Senate File 273

HUMAN RESOURCES: Bruner, Chair; Hannon and Hagerla

Senate File 277

HUMAN RESOURCES: Sturgeon, Chair; Riordan and Corning

Senate File 278

HUMAN RESOURCES: Hannon, Chair; Riordan and Gentleman

House File 332

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

SSB 264

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Miller and Rife

SSB 266

LOCAL GOVERNMENT: Murphy, Chair; Szymoniak and Goodwin

SSB 267

JUDICIARY: Doyle, Chair; Horn and Fuhrman

SSB 268

HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman

SSB 269

JUDICIARY: Gronstal, Chair; Horn and Hester

SSB 270

JUDICIARY: Varn, Chair; Gronstal and Fuhrman

AMENDMENTS FILED

S—3112	S.F.	111	John W. Jensen
S—3113	S.F.	52	Wally E. Horn
			Dale L. Tieden
S—3114	H.F.	199	Maggie Tinsman
S—3115	H.F.	199	Julia Gentleman
S—3116	S. J. R.	5	Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 3:53 p.m., President pro tempore Mann presiding.

INTRODUCTION OF BILL

Senate File 287, by Nystrom, a bill for an act relating to the actual, assessed, and taxable value of certain property.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

BUSINESS PENDING

House File 199

The Senate resumed consideration of House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions, and amendment S—3108 by Senator Gentleman to strike everything after the enacting clause of the bill, previously deferred.

Senator Gentleman offered amendment S—3115 filed by her from the floor to amendment S—3108 and moved its adoption.

Amendment S—3115 was adopted by a voice vote.

Senator Gentleman moved the adoption of amendment S—3108 as amended, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

House File 199

The Senate resumed consideration of House File 199.

With the adoption of amendment S—3108 as amended, the Chair ruled the following amendments out of order:

Amendment S—3093 filed by Senator Gronstal on February 20, 1989, to page 1 of the bill.

Amendment S—3114 filed by Senator Tinsman from the floor to page 1 of the bill.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 199) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Dieleman

Absent or not voting, 3:

Lloyd-Jones Murphy Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate File 226** be **withdrawn** from further consideration of the Senate.

BUSINESS PENDING

Senate File 14

The Senate resumed consideration of Senate File 14, a bill for an act relating to the employment of manicurists, authorizing beauty salons to employ manicurists who are not licensed cosmetologists, and providing an exception to licensing requirements for manicurists employed by beauty salons or barbershops, and amendment S—3099 by the committee on Human Resources to page 1 and the title page of the bill, previously deferred.

Senator Sturgeon moved the adoption of amendment S—3099.

A non record roll call was requested.

The ayes were 30, nays 15.

Amendment S—3099 was adopted.

Senator Coleman took the chair at 4:19 p.m.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 14) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Scott
Soorholtz	Sturgeon	Tinsman	Varn
Welsh			

Nays, 11:

Fuhrman	Gentleman	Hedge	Hester
Hultman	Rensink	Running	Szymoniak
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Lloyd-Jones	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 61 and 82.

Senate File 61

On motion of Senator Mann, Senate File 61, a bill for an act relating to an order for attachment in dissolution of marriage proceedings to guarantee support payments and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **Senate File 61** be deferred.

Senate File 82

On motion of Senator Dieleman, Senate File 82, a bill for an act relating to jurisdiction over and discipline of members of the Iowa national guard, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 82) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Coleman Scott

Absent or not voting, 3:

Lloyd-Jones Murphy Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILLS

Senate File 288, by Vande Hoef, a bill for an act relating to obscenity law, providing penalties, and making penalties applicable.

Read first time and **passed on file**.

Senate File 289, by committee on Appropriations, a bill for an act making supplemental appropriation to the department of general services and providing an effective date.

Read first time and **placed on Appropriations calendar**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 131.

Senate File 131

On motion of Senator Hannon, Senate File 131, a bill for an act relating to the purchase by the state and its political subdivisions of products made by handicapped Iowans, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 131) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Lloyd-Jones Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 289, a bill for an act making a supplemental appropriation to the department of general services and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, 1: Lind. Absent or not voting, 3: Gettings, Lloyd-Jones and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 289.

Senate File 289

On motion of Senator Welsh, Senate File 289, a bill for an act making a supplemental appropriation to the department of general services and providing an effective date, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 289) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 1:

Lind

Absent or not voting, 3:

Lloyd-Jones	Riordan	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 289** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 213

The Senate resumed consideration of Senate File 213, a bill for an act exempting from the sales, services, and use tax the sale of certain films, tapes, discs, and records to a person engaged in the business of leasing or renting these items and providing effective and retroactive effective dates, and amendment S—3100 by Senator Fraise to strike everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Fraise moved the adoption of amendment S—3100, which motion prevailed by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 213) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Vande Hoef	Varn		

Nays, 6:

Hedge	Jensen	Peterson	Tieden
Tinsman	Welsh		

Absent or not voting, 2:

Lloyd-Jones

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. J. R.	5	Education
S. F.	283	Commerce
S. F.	284	Judiciary
S. F.	285	Local Government
S. F.	286	Agriculture
S. F.	287	Ways and Means
S. F.	288	Judiciary
H. F.	241	Local Government
H. F.	331	Agriculture
H. F.	333	Agriculture
H. F.	343	Human Resources

REPORTS OF STANDING COMMITTEE

(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on February 27, 1989, and recommended the appointees be confirmed:

John A. Rodriguez as Administrator of the Division of Spanish-speaking people.

Dr. Dale L. Christensen, Jane Dubberke and Barbara A. Muir as members of the Board of Physician Assistant Examiners.

Patricia R. Boesen, Ruth I. Holtan, Mignon Manelli, Michael D. Montgomery, Tom Morain, Mark H. Snell and George Lee Stigler as members of the Commission on the Status of Women.

John C. Botkin and Lyle L. Simpson as members of the State Health Facilities Council.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 108, a bill for an act appropriating funds for the restoration and repair of a dam on the Cedar river in the city of Nashua.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3120.

Final Vote: Ayes, 17: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 4: Gettings, Lloyd-Jones, Peterson and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 233, a bill for an act providing for DNA profiling of certain criminal offenders.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Gentleman, Deluhery, Drake, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, 4: Mann, Carr, Coleman and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 290 (SSB 99), a bill for an act relating to a spouse relinquishing rights in a homestead and other inchoate dower rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 291 (SSB 101), a bill for an act relating to security interests in mobile homes by permitting the secured party to retain the mobile home title, accompanied by a fixture filing to perfect the security interest and provide notice to third parties, and by permitting secured parties, including

mortgagees, to apply for reconversion of a mobile home from real property to personal property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 292 (SSB 102), a bill for an act relating to property rights and methods of enforcement by altering the relative rights of tenants and landlords, including, but not limited to, mobile home park tenants and landlords and by granting small claims concurrent jurisdiction over certain mobile home and personal property abandonment actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3118.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen and Nystrom. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 290, by committee on Judiciary, a bill for an act relating to a spouse relinquishing rights in a homestead and other inchoate dower rights.

Read first time under Rule 28 and placed on calendar.

Senate File 291, by committee on Judiciary, a bill for an act relating to security interests in mobile homes by permitting the secured party to retain the mobile home title, accompanied by a fixture filing to perfect the security interest and provide notice to third parties, and by permitting secured parties, including mortgagees, to apply for reconversion of a mobile home from real property to personal property.

Read first time under Rule 28 and **placed on calendar**.

Senate File 292, by committee on Judiciary, a bill for an act relating to property rights and methods of enforcement by altering the relative rights of tenants and landlords, including, but not limited to, mobile home park tenants and landlords and by granting small claims concurrent jurisdiction over certain mobile home and personal property abandonment actions.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENTS FILED

S—3117	S. F.	209	John E. Soorholtz
S—3118	S. F.	157	Transportation
S—3119	S. F.	224	Richard Varn
S—3120	S. F.	108	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Tuesday, February 28, 1989.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 28, 1989

The Senate met in regular session at 9:05 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Kurt Langland, pastor of the Nishna Church of Christ, Red Oak, Iowa.

The Journal of Monday, February 27, 1989, was approved.

INTRODUCTION OF BILL

Senate File 293, by Boswell, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides.

Read first time and **passed on file**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 52.

Senate File 52

On motion of Senator Corning, Senate File 52, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Corning offered amendment S—3074 filed by the committee on Education on February 14, 1989, to page 1 of the bill.

Senator Horn offered amendment S—3113 filed by Senators Horn and Tieden on February 27, 1989, to amendment S—3074, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3113 to amendment S—3074 be adopted?” (S.F. 52) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell	Coleman	Dieleman	Doyle
Fraise	Gettings	Hagerla	Hedge
Horn	Husak	Jensen	Kinley
Miller	Peterson	Rensink	Rife
Running	Scott	Taylor	Tieden
Vande Hoef			

Nays, 29:

Bruner	Carr	Corning	Deluhery
Drake	Fuhrman	Gentleman	Goodwin
Gronstal	Hannon	Hester	Hultman
Hutchins	Kibbie	Lind	Lloyd-Jones
Mann	Murphy	Nystrom	Palmer
Pate	Priebe	Riordan	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Amendment S—3113 lost.

Senator Corning moved the adoption of amendment S—3074 which motion prevailed by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 52) the vote was:

Ayes, 32:

Bruner	Carr	Corning	Deluhery
Doyle	Drake	Fuhrman	Gentleman
Goodwin	Gronstal	Hagerla	Hannon
Hester	Hultman	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann

Miller	Murphy	Palmer	Pate
Priebe	Riordan	Soorholtz	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 18:

Boswell	Coleman	Dieleman	Fraise
Gettings	Hedge	Horn	Husak
Jensen	Nystrom	Peterson	Rensink
Rife	Running	Scott	Taylor
Tieden	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILLS

Senate File 294, by committee on Judiciary, a bill for an act relating to interception of communications by electronic, mechanical, or other devices, providing a penalty and providing for the Act's repeal.

Read first time and **placed on calendar**.

Senate File 295, by Gettings, a bill for an act relating to school bus driver education requirements.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed until 11:00 a.m.

RECONVENED

The Senate reconvened at 11:12 a.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 224.

Senate File 224

On motion of Senator Varn, Senate File 224, a bill for an act relating to student exercise of free expression in the public schools, was taken up for consideration.

Senator Varn offered amendment S—3119 filed by him on February 27, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3119 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 224) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 12:

Fuhrman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Rensink
Rife	Taylor	Tieden	Vande Hoef

Voting present, 1:

Dieleman

Absent or not voting, 2:

Drake

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order Senate Files 79, 253 and 254.

Senate File 79

On motion of Senator Sturgeon, Senate File 79, a bill for an act relating to the certificate of need program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 79** be **deferred**.

Senate File 253

On motion of Senator Varn, Senate File 253, a bill for an act relating to the time within which a postconviction relief action may be brought which arises out of a prison disciplinary proceeding and providing an effective date and an applicability provision, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 253) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 254

On motion of Senator Varn, Senate File 254, a bill for an act relating to the appointment of an interpreter for a hearing impaired person and providing a penalty, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 254) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Fuhrman

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 260

On motion of Senator Varn, Senate File 260, a bill for an act eliminating the ability of utilities division staff to file a complaint with the utilities board alleging that a utility's rates are excessive following an investigation by division staff, a special audit, continuous review of operations, or review of annual reports, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 260) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 9

On motion of Senator Taylor, House File 9, a bill for an act relating to the imposition of judgment, upon which execution will lie, against a criminal offender on probation who fails to comply with a court-ordered plan of restitution, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 9) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILLS

Senate File 296, by Running, a bill for an act relating to consumer return of merchandise to a merchant, by requiring refund or credit of returns within a limited period of time.

Read first time and **passed on file**.

Senate File 297, by Running and Lind, a bill for an act relating to the establishment of real estate education programs and making an appropriation.

Read first time and **passed on file**.

Senate File 298, by Scott, a bill for an act relating to planting of vegetation by persons on public lands.

Read first time and **passed on file.**

RECESS

On motion of Senator Horn, the Senate recessed at 11:56 a.m., until 3:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 27, 1989, 3:10 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Gettings, Lloyd-Jones (excused) and Peterson.

Committee Business: Recommended passage of Senate File 108 as amended; approved LSB 2585 as a committee bill.

Adjourned: 3:30 p.m.

HUMAN RESOURCES

Convened: February 27, 1989, 1:35 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointments; discussed and deferred SSB 66.

Adjourned: 1:57 p.m.

JUDICIARY

Convened: February 27, 1989, 2:15 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 101, 102, 99 and 86 as committee bills; recommended passage of Senate File 233.

Adjourned: 3:15 p.m.

TRANSPORTATION

Convened: February 27, 1989, 1:35 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen and Nystrom.

Members Absent: Lloyd-Jones (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 157 as amended; recommended passage of Senate File 256.

Adjourned: 2:00 p.m.

PRESENTATION OF VISITORS

Senator Hutchins welcomed the following visitors who were present in the Senate chamber as his guests:

Tarja Hoffstrom from Finland and Carlos Lopez of Spain, AFS students attending Harlan Community High School. They were accompanied by JoAnn Feltz and Jan Stamp of Harlan.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 294 (SSB 86), a bill for an act relating to interception of communications by electronic, mechanical, or other devices, providing a penalty and providing for the Act's repeal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 123, a bill for an act relating to the compensation of election boards.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3125.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 300 (SSB 206), a bill for an act relating to the annexation of territory including secondary roads.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 271 State Government

Relating to liquor and beer sales on Sundays, by extending the permitted hours for sales on Sunday to include the hours between 6:00 a.m. and 2:00 a.m. the following Monday.

SSB 272 Judiciary

Relating to reporting county jail information to the director of the department of corrections.

SSB 273 State Government

Relating to the credentialing of mental health counselors, changing the name and composition of the board of social work examiners and adding powers and duties of the board with respect to mental health counselors, making penalties applicable, and providing other properly related matters.

SSB 274 State Government

Relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state.

SSB 275 Transportation

Relating to the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, subjecting violators to penalties, and providing effective dates.

SSB 276 State Government

Relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner.

SSB 277 Human Resources

Relating to the practice of acupuncture and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS**Senate File 249**

APPROPRIATIONS: Welsh, Chair

Senate File 250

APPROPRIATIONS: Welsh, Chair

Senate File 257

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Scott and Lind

Senate File 258

LOCAL GOVERNMENT: Miller, Chair; Jensen and Fraise

Senate File 284

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 288

JUDICIARY: Doyle, Chair; Mann and Hester

House File 241

LOCAL GOVERNMENT: Miller, Chair; Kinley and Goodwin

House File 272

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair;
Kibbie and Vande Hoef

House File 273

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Miller
and Rife

SSB 271

STATE GOVERNMENT: Horn, Chair; Rife and Running

SSB 272

JUDICIARY: Gronstal, Chair; Doyle and Taylor

SSB 273

STATE GOVERNMENT: Dieleman, Chair; Lloyd-Jones and Nystrom

SSB 274

STATE GOVERNMENT: Nystrom, Chair; Coleman and Running

SSB 275

TRANSPORTATION: Coleman, Chair; Doyle and Drake

SSB 276

STATE GOVERNMENT: Fraise, Chair; Drake and Running

AMENDMENTS FILED

S-3121	S. C. R.	7	Jim Lind C. Joseph Coleman Richard F. Drake Joe J. Welsh Tom Mann Jean Lloyd-Jones
S-3122	S. F.	79	Julia Gentleman
S-3123	S. F.	187	Linn Fuhrman William D. Palmer
S-3124	S. F.	205	Beverly A. Hannon

S—3125	H.F.	123	Local Government
S—3126	S.F.	79	Jim Riordan
			William W. Dieleman
			Jim Lind
			Julia Gentleman
			Joy Corning
			Maggie Tinsman
			Wally E. Horn
S—3127	S.F.	272	Paul Pate
S—3128	S.F.	157	Don Gettings

AFTERNOON SESSION

The Senate reconvened at 3:46 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

BUSINESS PENDING

Senate File 79

The Senate resumed consideration of Senate File 79, a bill for an act relating to the certificate of need program, previously deferred.

Senator Sturgeon offered amendment S—3098 filed by the committee on Human Resources on February 21, 1989, to pages 7 and 12 of the bill.

Senator Riordan called for a division of amendment S—3098: lines 2 through 5 as division S—3098A and lines 6 through 10 as division S—3098B.

Senator Hultman asked and received unanimous consent that action on division S—3098A be deferred.

Senator Sturgeon moved the adoption of division S—3098B.

A non record roll call was requested.

The ayes were 21, nays 29.

Division S—3098B lost.

Senator Riordan offered amendment S—3106 filed by him on February 22, 1989, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—3106 was adopted by a voice vote.

Senator Riordan offered amendment S—3126 filed by Senators Riordan, et al., from the floor to pages 7 and 8 of the bill.

Senator Sturgeon called for a division of amendment S—3126: line 2 as division S—3126A and line 3 as division S—3126B.

Senator Sturgeon asked and received unanimous consent that action on division S—3126A be deferred.

Senator Riordan moved the adoption of division S—3126B, which motion prevailed by a voice vote.

Senator Riordan moved the adoption of division S—3126A, previously deferred.

A record roll call was requested.

On the question “Shall division S—3126A be adopted?” (S.F. 79) the vote was:

Ayes, 34:

Boswell	Coleman	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hultman	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, 16:

Bruner	Carr	Deluhery	Gronstal
Hannon	Hester	Horn	Kibbie
Lind	Mann	Murphy	Peterson
Running	Sturgeon	Szymoniak	Varn

Division S—3126A was adopted.

With the adoption of divisions S—3126A and S—3126B, the Chair ruled division S—3098A by the committee on Human Resources to page 7 of the bill, previously deferred, and amendment S—3122 filed by Senator Gentleman from the floor to page 8 of the bill, out of order.

Senator Welsh offered amendment S—3129 filed by him from the floor to page 16 of the bill and moved its adoption.

Amendment S—3129 was adopted by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 79) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Dieleman	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred February 22, 1989)

Senate File 223

The Senate resumed consideration of Senate File 223, a bill for an act relating to early childhood programs, deferred February 22, 1989.

Senator Tieden offered amendment S—3107 filed by him on February 22, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3107 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 223) the vote was:

Ayes, 34:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 15:

Boswell	Doyle	Fuhrman	Hagerla
Hannon	Hedge	Hester	Hultman
Jensen	Peterson	Priebe	Rensink
Rife	Taylor	Vande Hoef	

Absent or not voting, 1:

Horn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 280** be referred from the Regular Calendar to committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate File 299, by Running, a bill for an act relating to withholding of income tax and providing that financial institutions and credit unions are withholding agents and providing an applicability date.

Read first time and **passed on file**.

Senate File 300, by committee on Local Government, a bill for an act relating to the annexation of territory including secondary roads.

Read first time and **placed on calendar**.

Senate File 301, by Hester, a bill for an act to rename the Loess Hills state historic forest as the Fontainebleau state forest.

Read first time and **passed on file**.

Senate File 302, by Hester, a bill for an act to rename part of the Loess Hills state historic forest as the Fontainebleau state forest.

Read first time and **passed on file**.

Senate File 303, by Peterson, a bill for an act providing an individual and corporate income tax credit for certain breeding cattle, providing a date of applicability, and providing for a repeal.

Read first time and **passed on file**.

Senate File 304, by committee on State Government, a bill for an act relating to gifts, contributions, bequests, endowments, and other moneys for purposes of the library division of the department of cultural affairs.

Read first time and **placed on calendar**.

Senate File 305, by committee on State Government, a bill for an act relating to canteen funds under the authority of the director of the department of corrections.

Read first time and **placed on calendar**.

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on February 28, 1989, and recommended the appointees be confirmed:

Vernon A. Avant, Yvonne J. Brockington, Mary Powers, Deatra Robinson and McKenzly Wilson as members of the Commission on the Status of Blacks.

Edra E. Broich as a member of the Medical Examining Board.

Diana E. Hoogestraat as a member of the Mortuary Science Examining Board.

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 83, a bill for an act relating to the prohibition of plastic beverage cans, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 189, a bill for an act relating to the establishment of a state environmental policy and requiring certain activities by governmental units regarding the state environmental policy and its implementation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3132.

Final Vote: Ayes, 7: Deluhery, Gronstal, Pate, Carr, Miller, Sturgeon and Varn. Nays, 3: Hedge, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 6, a bill for an act relating to issuance of hunting licenses to landowners and tenants for deer and wild turkey.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 141, a bill for an act relating to the approval of the natural resource commission of county conservation board acquisitions or developments.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3130.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 304 (SSB 191), a bill for an act relating to gifts, contributions, bequests, endowments, and other moneys for purposes of the library division of the department of cultural affairs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 305 (SSB 261), a bill for an act relating to canteen funds under the authority of the director of the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 168, a bill for an act relating to the filing date for income tax returns.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 214, a bill for an act relating to the registration, regulation, and inspection of swimming pools, spas, and bathing beaches and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3133.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 220, a bill for an act relating to the unclaimed winnings from and the taxes imposed on pari-mutuel wagering at racetracks in the state and providing applicability and effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3134.

Final Vote: Ayes, 11: Husak, Hester, Drake, Fraise, Gentleman, Hultman, Kibbie, Murphy, Palmer, Soorholtz and Szymoniak. Nays, 3: Dieleman, Bruner and Fuhrman. Absent or not voting, 1: Riordan.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Forrest V. Schwengels, former member of the Senate from Jefferson County, who was present in the Senate chamber.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	293	Environment & Energy Utilities
S.F.	295	Transportation
S.F.	296	Commerce
S.F.	297	Appropriations
S.F.	298	Natural Resources
S.F.	299	Ways and Means
S.F.	301	Natural Resources
S.F.	302	Natural Resources
S.F.	303	Agriculture

AMENDMENTS FILED

S-3129	S.F.	79	Joe Welsh
S-3130	H.F.	141	Natural Resources
S-3131	S.F.	282	Beverly Hannon
S-3132	S.F.	189	Environment/Energy Utilities
S-3133	S.F.	214	Ways and Means
S-3134	S.F.	220	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Wednesday, March 1, 1989.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 1, 1989

The Senate met in regular session at 9:07 a.m., President pro tempore Mann presiding.

Prayer was offered by Candy Boucher, Senate Secretary from Des Moines, Iowa, who vocally performed "Amazing Grace."

The Journal of Tuesday, February 28, 1989, was approved.

INTRODUCTION OF BILL

Senate File 306, by Running and Rensink, a bill for an act relating to health care providers, hospitals, and patients by providing for structured settlements, establishing a mediation system to assist in the resolution of disputes, establishing a limitation on liability, requiring certification of meritorious action, providing for certification of noninvolvement, establishing certain reporting requirements regarding claims, and establishing a time limitation within which certain minors must bring an action for medical malpractice.

Read first time and **passed on file**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 304** be referred from the Regular Calendar to the committee on **State Government**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 7.

Senate Concurrent Resolution 7

On motion of Senator Coleman, Senate Concurrent Resolution 7, a concurrent resolution urging the national economic commission to reject proposals to increase the federal motor fuel tax and to find other, more equitable and less damaging ways of reducing the federal budget deficit, was taken up for consideration.

Senator Lind offered amendment S—3121 filed by Senators Lind, et al., on February 28, 1989, to page 2 of the resolution and moved its adoption.

Amendment S—3121 was adopted by a voice vote.

Senator Coleman moved the adoption of Senate Concurrent Resolution 7 as amended, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 124.

Senate File 124

On motion of Senator Horn, Senate File 124, a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations, with amendment by the committee on Ways and Means and the bill with no recommendation, was taken up for consideration.

Senator Dieleman offered amendment S—3059 filed by the committee on Ways and Means on February 9, 1989, to pages 8, 9, 12 and 18 of the bill.

Senator Carr offered amendment S—3141 filed by him from the floor to amendment S—3059 and called for a division: lines 3 through 9 as division S—3141A and lines 10 through 15 as division S—3141B.

Senator Carr withdrew division S—3141B to amendment S—3059.

Senator Coleman took the chair at 9:56 a.m.

Senator Carr moved the adoption of division S—3141A to amendment S—3059, which motion prevailed by a voice vote.

Senator Fraise offered amendment S—3136 filed by him from the floor to amendment S—3059 and moved its adoption.

Amendment S—3136 was adopted by a voice vote.

Senator Dieleman moved the adoption of amendment S—3059 as amended, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3139 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3139 was adopted by a voice vote.

Senator Kinley offered amendment S—3137 filed by him from the floor to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3137 be adopted?” (S.F. 124) the vote was:

Ayes, 22:

Bruner	Dieleman	Fuhrman	Gentleman
Goodwin	Gronstal	Hannon	Hedge
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Murphy	Palmer	Peterson
Priebe	Rensink	Riordan	Scott
Soorholtz	Szymoniak		

Nays, 27:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Hagerla	Hester	Horn
Hultman	Husak	Hutchins	Lind
Nystrom	Pate	Rife	Running
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Absent or not voting, 1:

Mann

Amendment S—3137 lost.

Senator Hultman offered amendment S—3140 filed by him from the floor to page 3 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—3140 be deferred.

Senator Gronstal offered amendment S—3039 filed by him on February 7, 1989, to pages 5 and 9 of the bill and called for a division of the amendment: lines 2 through 6 as division S—3039A and lines 7 through 10 as division S—3039B.

Senator Gronstal withdrew division S—3039B of the amendment.

Senator Gronstal moved the adoption of division S—3039A.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 23, nays 26.

Division S—3039A lost.

Senator Lind offered amendment S—3138 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3138 was adopted by a voice vote.

Senator Carr offered amendment S—3029 filed by Senators Carr, Rife and Horn, on February 2, 1989, to page 7 of the bill.

President pro tempore Mann took the chair at 10:31 a.m.

Senator Carr moved the adoption of amendment S—3029.

A non record roll call was requested.

The ayes were 32, nays 15.

Amendment S—3029 was adopted.

Senator Hannon offered amendment S—3135 filed by Senators Hannon, et al., from the floor to page 6 of the bill.

Senator Hannon asked and received unanimous consent that action on amendment S—3135 be deferred.

With the adoption of amendment S—3059 as amended, the Chair ruled amendment S—3142 filed by Senator Horn from the floor to pages 8 and 9 of the bill, out of order.

Senator Szymoniak offered amendment S—3088 filed by her on February 16, 1989, to page 12 of the bill and moved its adoption.

Amendment S—3088 was adopted by a voice vote.

Senator Carr offered amendment S—3030 filed by Senators Carr, Rife and Horn, on February 2, 1989, to page 18 of the bill and moved its adoption.

Amendment S—3030 was adopted by a voice vote.

Senator Hultman withdrew amendment S—3140 to page 3 of the bill, previously deferred.

Senator Welsh offered amendment S—3143 filed by him from the floor to page 8 of the bill.

Senator Rife raised the point of order that amendment S—3143 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3143 in order.

Senator Carr asked and received unanimous consent that action on amendment S—3143 be deferred.

Senator Gentleman offered amendment S—3144 filed by her from the floor to pages 7 and 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 24.

Amendment S—3144 was adopted.

Senator Welsh offered amendment S—3145 filed by Senators Welsh and Drake from the floor to page 9 of the bill and moved its adoption.

Amendment S—3145 was adopted by a voice vote.

Senator Hannon offered amendment S—3146 filed by Senators Hannon, et al., from the floor to page 6 of the bill and moved its adoption.

Amendment S—3146 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent to withdraw amendment S—3135 by Senators Hannon, et al., to page 6 of the bill, previously deferred.

The Senate resumed consideration of amendment S—3143 by Senator Welsh to page 8 of the bill, previously deferred.

Senator Carr offered amendment S—3148 filed by him from the floor to amendment S—3143.

Senator Welsh called for a division of amendment S—3148: lines 3 through 9 as division S—3148A and line 10 as division S—3148B.

Senator Hagerla called for a further division of amendment S—3148: lines 3 and 4 as division S—3148A; lines 5 through 9 as division S—3148C and line 10 as division S—3148B.

Senator Carr moved the adoption of division S—3148A, which motion lost by a voice vote.

(Action on divisions S—3148B and S—3148C to amendment S—3143, amendment S—3143 and **Senate File 124** pending on recess).

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 282** be referred from the Regular Calendar to the committee on **Small Business and Economic Development**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1989, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution designating March 1989 as Iowa Women's History Month.

This resolution was read first time and **passed on file**.

ALSO: That the House has on February 27, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 344, a bill for an act relating to the substance abuse law.

This bill was read first time and **passed on file**.

House File 346, a bill for an act relating to the regulation of long-term care insurance and providing an applicability date.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 307, by Priebe, a bill for an act relating to the establishment of a hospital cost control board, making an appropriation and providing a civil penalty.

Read first time and **passed on file**.

Senate File 308, by Priebe, a bill for an act eliminating the amount representing costs in regard to the notice of delinquent property taxes.

Read first time and **passed on file**.

Senate File 309, by Varn, a bill for an act relating to guardians and conservators, by providing for notice to proposed wards, formation of state and local emergency medical boards, immunity from liability, waiver of filing fees and costs, training of guardians and conservators, and implementation of a representative payee project.

Read first time and **passed on file**.

Senate File 310, by Pate, a bill for an act relating to the establishment of benefited recreational lake districts.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 8, by Gronstal, a concurrent resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates.

Read first time and **passed on file**.

Senate Concurrent Resolution 9, by Lloyd-Jones, a concurrent resolution relating to the provision of health care coverage for all Americans who are uninsured.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:02 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 23, 1989, 9:55 a.m.

Members Present: Boswell, Chair; Kibbie, Vice Chair; Rife, Ranking Member; Hagerla and Szymoniak.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 12:00 noon.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 28, 1989, 2:30 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 83; recommended passage of Senate File 189 as amended.

Adjourned: 2:55 p.m.

LOCAL GOVERNMENT

Convened: February 28, 1989, 8:04 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley, Priebe and Tinsman.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 123 as amended; approved SSB 206 as a committee bill.

Adjourned: 8:14 a.m.

NATURAL RESOURCES

Convened: February 28, 1989, 1:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Peterson, Priebe, Rensink and Tieden.

Members Absent: Mann.

Committee Business: Recommended passage of House Files 6 and 141.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: February 28, 1989, 1:35 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Nystrom, Ranking Member.

Committee Business: Assigned bills to subcommittees and approved SSBs 261 and 191 as committee bills.

Adjourned: 1:55 p.m.

WAYS AND MEANS

Convened: February 28, 1989, 3:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 220 and 214 as amended; recommended passage of Senate File 168; recommended confirmation of Governor's appointee.

Adjourned: 3:40 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 1st day of March, 1989:

Senate Files 89 and 91.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the Governor's appointment of Deborah S. Krauth as a member of the Iowa Finance Authority, completed its investigation on February 28, 1989, and recommended the appointee be confirmed.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty high school students from Dubuque Senior High School, Dubuque, Iowa, accompanied by Chip Bishop. Senator Carr.

Third grade students from United Community School, Boone, Iowa, accompanied by Andee Duffy. Senator Nystrom.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3144 to Senate File 124 was adopted by the Senate on March 1, 1989.

MAGGIE TINSMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3137 to Senate File 124 failed to be adopted by the Senate on March 1, 1989.

WALLY E. HORN

SUBCOMMITTEE ASSIGNMENTS

Senate File 265

WAYS AND MEANS: Dieleman, Chair; Husak and Hester

Senate File 287

WAYS AND MEANS: Husak, Chair; Dieleman and Fuhrman

SSB 278

JUDICIARY: Doyle, Chair; Coleman and Taylor

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE FILE 217, a bill for an act relating to the inspection and certification of deer meat, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Riordan, Boswell, Coleman, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 3: Palmer, Rensink and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3135	S. F.	124	Beverly Hannon Tom Mann, Jr. John Kibbie Kenneth Scott William W. Dieleman Joy Corning Richard Vande Hoef Elaine Szymoniak Jack W. Hester John Jensen Julia Gentleman Don Gettings Mark R. Hagerla
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S-3136	S.F.	124	Eugene Fraise
S-3137	S.F.	124	George Kinley
S-3138	S.F.	124	Jim Lind
S-3139	S.F.	124	Joe Welsh
S-3140	S.F.	124	Calvin O. Hultman
S-3141	S.F.	124	Bob Carr
S-3142	S.F.	124	Wally Horn
S-3143	S.F.	124	Joe Welsh
S-3144	S.F.	124	Julia Gentleman
S-3145	S.F.	124	Joe Welsh
			Richard F. Drake
S-3146	S.F.	124	Beverly Hannon
			Leonard Boswell
			Eugene Fraise
			Jack Rife
S-3147	S.F.	214	Calvin O. Hultman
			Richard F. Drake
S-3148	S.F.	124	Bob Carr
S-3149	S.F.	124	Calvin O. Hultman

AFTERNOON SESSION

The Senate reconvened at 1:32 p.m., Senator Kinley presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

BUSINESS PENDING

Senate File 124

The Senate resumed consideration of Senate File 124, a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations, divisions S—3148B and S—3148C to amendment S—3143 and amendment S—3143, pending on recess.

Senator Carr withdrew division S—3148B to amendment S—3143.

Senator Carr moved the adoption of division S—3148C to amendment S—3143, which motion prevailed by a voice vote.

Senator Hultman offered amendment S—3149 filed by him from the floor to amendment S—3143, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3149 to amendment S—3143 be adopted?" (S.F. 124) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Bruner	Corning	Dieleman	Gentleman
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Hultman	Jensen
Kibbie	Lind	Lloyd-Jones	Priebe
Rensink	Riordan	Scott	Szymoniak
Taylor	Vande Hoef		

Nays, 27:

Boswell	Carr	Coleman	Deluhery
Doyle	Fraise	Fuhrman	Gettings
Horn	Husak	Hutchins	Kinley
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Rife
Running	Soorholtz	Sturgeon	Tieden
Tinsman	Varn	Welsh	

Absent or not voting, 1:

Drake

Amendment S—3149 lost.

President pro tempore Mann took the chair at 1:53 p.m.

Senator Welsh moved the adoption of amendment S—3143 as amended.

A record roll call was requested.

On the question "Shall amendment S—3143 as amended be adopted?" (S.F. 124) the vote was:

Ayes, 20:

Bruner	Carr	Deluhery	Dieleman
Gentleman	Gettings	Gronstal	Hannon
Husak	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Murphy	Riordan
Running	Szymoniak	Varn	Welsh

Nays, 29:

Boswell	Coleman	Corning	Doyle
Fraise	Fuhrman	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Hutchins	Lind	Miller	Nystrom

Palmer	Pate	Peterson	Priebe
Rensink	Rife	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Drake

Amendment S—3143 as amended lost.

Senator Tinsman called up the motion to reconsider the vote by which amendment S—3144 to Senate File 124 was adopted by the Senate on March 1, 1989, filed by her on March 1, 1989, found on page 580 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (S.F. 124) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Gettings
Hagerla	Horn	Husak	Hutchins
Kibbie	Kinley	Miller	Nystrom
Palmer	Pate	Peterson	Rife
Running	Soorholtz	Sturgeon	Tinsman
Varn	Welsh		

Nays, 23:

Bruner	Dieleman	Fuhrman	Gentleman
Goodwin	Gronstal	Hannon	Hedge
Hester	Hultman	Jensen	Lind
Lloyd-Jones	Mann	Murphy	Priebe
Rensink	Riordan	Scott	Szymoniak
Taylor	Tieden	Vande Hoef	

Absent or not voting, 1:

Drake

The motion prevailed and amendment S—3144 by Senator Gentleman to pages 7 and 10 of the bill, was taken up for reconsideration.

Senator Gentleman moved the adoption of amendment S—3144 and requested a record roll call.

On the question “Shall amendment S—3144 be adopted?” (S.F. 124) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bruner	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Gronstal	Hannon
Hedge	Hester	Hultman	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Peterson	Priebe	Rensink	Riordan
Scott	Szymoniak	Taylor	Vande Hoef

Nays, 25:

Boswell	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Hagerla
Horn	Husak	Hutchins	Kinley
Miller	Murphy	Nystrom	Palmer
Pate	Rife	Running	Soorholtz
Sturgeon	Tieden	Tinsman	Varn
Welsh			

Absent or not voting, 1:

Drake

Amendment S—3144 lost.

Senator Horn called up the motion to reconsider the vote by which amendment S—3137 to page 3 of Senate File 124 failed to be adopted by the Senate on March 1, 1989, filed by him on March 1, 1989, found on page 580 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 26.

The motion lost.

Senator Hutchins filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3143 as amended to Senate File 124 failed to be adopted by the Senate on March 1, 1989.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 30, nays 19.

The motion prevailed and amendment S—3143 as amended by Senator Welsh to page 8 of the bill, was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that action on amendment S—3143 be deferred.

(Action on Senate File 124 was temporarily deferred).

BILL ASSIGNED TO COMMITTEE

President pro tempore Mann announced the assignment of **House Concurrent Resolution 6** to the committee on **Rules and Administration**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

BUSINESS PENDING

Senate File 124

The Senate resumed consideration of Senate File 124, and amendment S—3143 as amended by Senator Welsh to page 8 of the bill.

Senator Hultman offered amendment S—3156 filed by him from the floor to amendment S—3143, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3156 to amendment S—3143 be adopted?” (S.F. 124) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Welsh			

Absent or not voting, 1:

Peterson

Amendment S—3156 lost.

Senator Welsh moved the adoption of amendment S—3143 as amended.

A record roll call was requested.

On the question “Shall amendment S—3143 as amended be adopted?” (S.F. 124) the vote was:

Ayes, 29:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Rife	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 21:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Pate	Peterson	Priebe
Rensink	Scott	Taylor	Tieden
Vande Hoef			

Amendment S—3143 as amended was adopted.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 124) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Carr	Coleman	Deluhery	Doyle
Fraise	Gettings	Hagerla	Hutchins
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Rife
Running	Sturgeon	Szymoniak	Tieden
Tinsman	Welsh		

Nays, 28:

Boswell	Bruner	Corning	Dieleman
Drake	Fuhrman	Gentleman	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Nystrom	Peterson
Priebe	Rensink	Riordan	Scott
Soorholtz	Taylor	Vande Hoef	Varn

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 6, a concurrent resolution designating March 1989 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 6.

House Concurrent Resolution 6

On motion of Senator Lloyd-Jones, House Concurrent Resolution 6, a concurrent resolution designating March 1989 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of House Concurrent Resolution 6, which motion prevailed by a voice vote.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost

to the parents or guardians and to provide an effective date (S—3157).

INTRODUCTION OF BILLS

Senate File 311, by Taylor, a bill for an act to allow telecommunications to be used by school districts to meet minimum educational standards.

Read first time and **passed on file**.

Senate File 312, by Taylor and Fuhrman, a bill for an act removing the scheduled decrease in the cigarette tax and providing an effective date.

Read first time and **passed on file**.

Senate File 313, by Running, a bill for an act providing for an amount of federal civil service and social security retirement benefits that may be excluded under the state individual income tax and providing a retroactive applicability date.

Read first time and **passed on file**.

Senate File 314, by Fuhrman, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions by counties and cities.

Read first time and **passed on file**.

Senate File 315, by Mann, a bill for an act relating to the delivery of controlled substances, and providing a penalty.

Read first time and **passed on file**.

Senate File 316, by Bruner, a bill for an act relating to juvenile justice provisions for termination of parental rights, child abuse, and foster care.

Read first time and **passed on file**.

Senate File 317, by committee on Agriculture, a bill for an act relating to the sale of milk products, by providing for the issuance of permits.

Read first time and **placed on calendar**.

Senate File 318, by committee on Agriculture, a bill for an act relating to the state soil conservation committee, by providing for the composition of the committee and its powers and duties.

Read first time and **placed on calendar**.

APPENDIX

STUDY BILLS RECEIVED

SSB 278 Judiciary

Relating to the administration and use of the civil reparations trust fund.

SSB 279 Agriculture

Relating to the definition of agricultural purpose as applied to certain commercial transactions and providing for the Act's applicability.

SSB 280 Agriculture

Relating to farm crisis relief, by extending the date of repeal of certain 1986 provisions, expending participation in farm mediation, requiring borrowers to file a list of creditors, providing for review of farm mediation service decisions, expanding the confidentiality of mediation information, providing for mediation fees, and providing limitations on liability and immunity from certain judicial actions.

SSB 281 Education

A Joint Resolution to nullify an administrative rule of the department of education relating to identification markings allowed on school buses and providing an effective date.

SSB 282 Ways & Means

Relating to the taxation of certain shareholders of corporations and providing a retroactive applicability date.

SSB 283 Judiciary

Relating to consent by a minor for an abortion and other health-related conditions, requiring notification of parents and guardians under certain circumstances, providing an alternative procedure, and providing penalties.

SSB 284 Judiciary

Relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act.

SSB 285 Judiciary

Providing for the commitment of certain persons convicted of operating a motor vehicle while intoxicated.

SSB 286 Agriculture

Relating to the establishment of prices for nursery stock by the department of natural resources.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 317 (SSB 236), a bill for an act relating to the sale of milk products, by providing for the issuance of permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Boswell, Coleman, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 3: Palmer, Rensink and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 318 (SSB 210), a bill for an act relating to the state soil conservation committee, by providing for the composition of the committee and its powers and duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Boswell, Coleman, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 3: Palmer, Rensink and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 5

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 237

EDUCATION: Dieleman, Chair; Horn, Szymoniak, Taylor and Corning

Senate File 242

EDUCATION: Varn, Chair; Boswell and Tieden

Senate File 264

EDUCATION: Kibbie, Chair; Lloyd-Jones and Corning

House File 343

HUMAN RESOURCES: Riordan, Chair; Bruner and Tinsman

SSB 212

EDUCATION: Murphy, Chair; Taylor, Corning, Horn and Dieleman

SSB 254

EDUCATION: Szymoniak, Chair; Taylor and Lind

SSB 255

EDUCATION: Dieleman, Chair; Kibbie and Rensink

SSB 277

HUMAN RESOURCES: Riordan, Chair; Carr and Corning

SSB 281

EDUCATION: Murphy, Chair; Horn and Lind

SSB 283

JUDICIARY: Taylor, Chair; Hester and Gronstal

SSB 284

JUDICIARY: Mann, Chair; Varn and Gentleman

SSB 285

JUDICIARY: Doyle, Chair; Mann and Taylor

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	8	State Government
S. C. R.	9	Human Resources
S. F.	306	Judiciary
S. F.	307	Human Resources
S. F.	308	Local Government
S. F.	309	Judiciary
S. F.	310	Natural Resources
S. F.	311	Education
S. F.	312	Ways and Means
S. F.	313	Ways and Means
S. F.	314	Small Business/Economic Development
S. F.	315	Judiciary
S. F.	316	Judiciary
H. F.	344	Human Resources
H. F.	346	Commerce

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 124 failed to pass the Senate on March 1, 1989.

WALLY E. HORN

INTRODUCTION OF BILLS

Senate File 319, by Nystrom, a bill for an act relating to the interest rate charged in connection with the extension of time under a retail motor vehicle installment contract.

Read first time under Rule 28 and **passed on file**.

Senate File 320, by Nystrom, a bill for an act relating to indexing for inflation for state individual and corporate income tax purposes and providing an applicability date.

Read first time under Rule 28 and **passed on file.**

Senate File 321, by Varn, a bill for an act relating to the provision of child day care to children of state employees and providing effective dates.

Read first time under Rule 28 and **passed on file.**

AMENDMENTS FILED

S—3150	S. F.	233	Tom Mann, Jr.
S—3151	S. F.	233	Tom Mann, Jr.
S—3152	S. F.	233	Tom Mann, Jr.
S—3153	S. F.	233	Tom Mann, Jr.
S—3154	S. F.	233	Tom Mann, Jr.
S—3155	S. F.	233	Tom Mann, Jr.
S—3156	S. F.	124	Calvin Hultman
S—3157	S. F.	59	House amendment
S—3158	S. F.	233	Tom Mann, Jr.
S—3159	S. F.	233	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:14 p.m., until 9:00 a.m., Thursday, March 2, 1989.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 2, 1989

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Larry Murphy, member of the Senate from Fayette County, Oelwein, Iowa.

The Journal of Wednesday, March 1, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom on request of Senator Hultman and Senator Dieleman on request of Senator Hutchins for the day and March 3, 1989.

INTRODUCTION OF BILL

Senate File 322, by Taylor, Jensen, Vande Hoef, Fuhrman, Hultman, Tieden and Rensink, a bill for an act relating to prohibited practices involving labor union membership and providing a remedy.

Read first time and **passed on file**.

COMMITTEE ON MEMORIALS

Senator Hutchins moved that a committee of four members be appointed to ascertain the names of the deceased members of the Senate and that the committee be authorized to appoint committees to prepare suitable memorial resolutions.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Coleman, Chair; Doyle, Tieden and Drake.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:25 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 1, 1989, 8:19 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hester, Husak, Miller, Scott and Vande Hoef.

Members Absent: Hedge, Palmer and Rensink.

Committee Business: Assigned bills to subcommittees; approved SSBs 236 and 210 as committee bills; recommended passage of Senate File 217.

Adjourned: 8:32 a.m.

EDUCATION

Convened: March 1, 1989, 4:30 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner, Deluhery and Dieleman (all excused).

Committee Business: Discussed SSB 212 (School Finance).

Adjourned: 5:44 p.m.

RULES AND ADMINISTRATION

Convened: March 1, 1989, 2:50 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Recommended passage of House Concurrent Resolution 6.

Adjourned: 2:55 p.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Richard P. Canella be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

BILL HUTCHINS

STUDY BILLS RECEIVED**SSB 197.1 Commerce**

Relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable.

SSB 212.1 Education

Relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

SSB 287 Small Business & Economic Development

Relating to employers' liability and workers' compensation insurance, by prohibiting a finding that such insurance is offered in a competitive market.

SSB 288 Education

Relating to private and home education and providing a penalty.

SSB 289 Commerce

Relating to industrial loan companies, repealing the Iowa industrial loan corporation thrift guaranty law, and amending restrictions on selling senior debt by industrial loan companies.

SSB 290 Commerce

Specifying the required contents of a plan for bank merger or consolidation.

SSB 291 Judiciary

Relating to obtaining depositions in a foreign jurisdiction.

SSB 292 Judiciary

Relating to the location of the personal office space and equipment, and facilities for a secretary and law clerk of a judge of the court of appeals.

SSB 293 Judiciary

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to guarantee that a person has the right to keep and bear arms.

SSB 294 Education

Relating to educational standards, including flexible scheduling within a school year and waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team.

SSB 295 State Government

Allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

SSB 296 State Government

Revising certain provisions relating to dispute resolution, transferring authority over specified dispute resolution activities to the Iowa peace institute, and generally relating to dispute resolution.

SSB 297 Human Resources

Relating to the medical assistance subrogation rights of the department of human services.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 9**

HUMAN RESOURCES: Carr, Chair; Horn and Hagerla

Senate File 178

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Kibbie, Chair; Scott and Hagerla

Senate File 235

COMMERCE: Kinley, Chair; Priebe and Tieden

Senate File 252

COMMERCE: Welsh, Chair; Gronstal and Nystrom

Senate File 255

COMMERCE: Rife, Chair; Lind and Priebe

Senate File 274

COMMERCE: Kinley, Chair; Mann and Tieden

Senate File 283

COMMERCE: Running, Chair; Deluhery and Lind

Senate File 286

AGRICULTURE: Coleman, Chair; Miller and Vande Hoef

Senate File 293

ENVIRONMENT & ENERGY UTILITIES: Miller, Chair; Sturgeon and Rife

Senate File 295

TRANSPORTATION: Jensen, Chair; Nystrom and Dieleman

Senate File 296

COMMERCE: Mann, Chair; Jensen and Priebe

Senate File 303

AGRICULTURE: Boswell, Chair; Hedge and Soorholtz

Senate File 306

JUDICIARY: Mann, Chair; Doyle and Gentleman

Senate File 307

HUMAN RESOURCES: Sturgeon, Chair; Carr and Taylor

Senate File 309

JUDICIARY: Varn, Chair; Horn and Drake

Senate File 315

JUDICIARY: Mann, Chair; Horn and Hagerla

Senate File 316

JUDICIARY: Gentleman, Chair; Varn and Mann

House File 140

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Hannon, Chair;
Szymoniak and Lind

House File 234

COMMERCE: Gronstal, Chair; Hannon and Rife

House File 254

AGRICULTURE: Coleman, Chair; Hedge and Fraise

House File 331

AGRICULTURE: Hester, Chair; Coleman and Fuhrman

House File 333

AGRICULTURE: Palmer, Chair; Miller and Rensink

House File 344

HUMAN RESOURCES: Riordan, Chair; Bruner and Taylor

SSB 233

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Kibbie, Chair; Scott and
Rife

SSB 234

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Miller, Chair; Kibbie
and Pate

SSB 235

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Kibbie, Chair; Boswell and Pate

SSB 256

AGRICULTURE: Husak, Chair; Scott and Soorholtz

SSB 279

AGRICULTURE: Husak, Chair; Soorholtz and Scott

SSB 280

AGRICULTURE: Riordan, Chair; Fuhrman and Fraise

SSB 287

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Scott, Chair; Kibbie and Rife

SSB 288

EDUCATION: Dieleman, Chair; Horn, Szymoniak, Taylor and Corning

SSB 289

COMMERCE: Deluhery, Chair; Gronstal and Tieden

SSB 290

COMMERCE: Rife, Chair; Nystrom and Running

SSB 291

JUDICIARY: Mann, Chair; Varn and Fuhrman

SSB 292

JUDICIARY: Varn, Chair; Doyle and Fuhrman

SSB 293

JUDICIARY: Doyle, Chair; Coleman and Taylor

SSB 295

STATE GOVERNMENT: Gronstal, Chair; Drake and Carr

SSB 296

STATE GOVERNMENT: Lloyd-Jones, Chair; Carr and Drake

AFTERNOON SESSION

The Senate reconvened at 4:06 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 323, by Kibbie, a bill for an act permitting the use of telecommunications in grades nine through twelve to provide courses that are required by the state's minimum educational standards and also are postsecondary prerequisites.

Read first time and **passed on file**.

Senate File 324, by Vande Hoef, a bill for an act relating to the election and appointment of district judicial nominating commissioners.

Read first time and **passed on file**.

Senate File 325, by Riordan, a bill for an act to impose an additional tax on certain gains from the sale or exchange of real property, and imposing penalties.

Read first time and **passed on file**.

Senate File 326, by Szymoniak, a bill for an act to extend job training tax credits to banks and insurance companies.

Read first time and **passed on file**.

Senate File 327, by Kibbie, a bill for an act relating to the misappropriation of property, and making penalties applicable.

Read first time and **passed on file**.

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on March 2, 1989, and recommended the appointees be confirmed:

Herbert J. Haas as a member of the Commission of Elder Affairs.

Kathy A. Rapp as a member of the Commission on the Deaf.

Naomi L. Christensen as a member of the Commission on the Status of Women.

Joel H. Weinstein as a member of the State Health Facilities Council.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	319	Commerce
S.F.	320	Ways and Means
S.F.	321	State Government
S.F.	322	Business & Labor Relations
S.F.	323	Education
S.F.	324	Judiciary
S.F.	325	Ways and Means
S.F.	326	Ways and Means
S.F.	327	Judiciary

COMMITTEE REPORT

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 29, a bill for an act relating to the recovery of unemployment compensation overpayments.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 3: Fuhrman, Hultman and Vande Hoef. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 9, a concurrent resolution relating to the provision of health care coverage for all Americans who are uninsured.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 270, a bill for an act relating to the membership of the long-term care coordinating unit within the department of elder affairs.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3160	S.F.	59	John W. Jensen
S—3161	S.F.	59	John W. Jensen Kenneth Scott
S—3162	S.F.	220	John W. Jensen
S—3163	S.F.	276	Richard Varn
S—3164	S.F.	275	Richard Varn

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:08 p.m., until 9:00 a.m., Friday, March 3, 1989.

JOURNAL OF THE SENATE

FIFTY-FOURTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 3, 1989

The Senate met in regular session at 9:08 a.m., President pro tempore Mann presiding.

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Thursday, March 2, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bruner and Peterson for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 328, by Pate, a bill for an act relating to the eligibility of an applicant to take the examination to become a registered architect.

Read first time and **passed on file**.

Senate File 329, by Running, Gentleman and Drake, a bill for an act relating to a claim for loss of consortium under comparative fault.

Read first time and **passed on file**.

Senate File 330, by Running and Gentleman, a bill for an act relating to the charging of interest prior to entry of a judgment or decree and providing for the applicability of the Act.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 272 and 141.

Senate File 272

On motion of Senator Pate, Senate File 272, a bill for an act relating to insurance by providing for notice and review of contracts between insurers and managing general agents and providing for regulation of third-party administrators, was taken up for consideration.

Senator Pate offered amendment S—3127 filed by him on February 28, 1989, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3127 was adopted by a voice vote.

Senator Pate moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 272) the vote was:

Ayes, 43:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Dieleman	Gronstal	Nystrom
Peterson	Priebe	Taylor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 141

On motion of Senator Doyle, Senate File 141, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities, was taken up for consideration.

Senator Doyle offered amendment S—3073 filed by the committee on Judiciary on February 14, 1989, to pages 4, 11, 15 through 22 and 25 of the bill and moved its adoption.

Amendment S—3073 was adopted by a voice vote.

Senator Doyle offered amendment S—3078 filed by the committee on Judiciary on February 15, 1989, to page 7 of the bill and moved its adoption.

Amendment S—3078 was adopted by a voice vote.

Senator Doyle offered amendment S—3095 filed by the committee on Judiciary on February 20, 1989, to pages 7 and 22 of the bill and moved its adoption.

Amendment S—3095 was adopted by a voice vote.

Senator Doyle offered amendment S—3035 filed by the committee on Judiciary on February 7, 1989, to page 23 of the bill and moved its adoption.

Amendment S—3035 was adopted by a voice vote.

Senator Doyle offered amendment S—3094 filed by the committee on Judiciary on February 20, 1989, to page 25 of the bill and moved its adoption.

Amendment S—3094 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 141) the vote was:

Ayes, 42:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 3:

Hagerla	Hultman	Vande Hoef
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Absent or not voting, 5:

Bruner	Dieleman	Lind	Nystrom
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 59

Senator Murphy called up for consideration Senate File 59, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date, amended by the House in House amendment S—3157 filed March 1, 1989.

Senator Jensen asked and received unanimous consent that action on amendment S—3161 filed by Senators Jensen and Scott on March 2, 1989, to pages 1, 3 and 4 of House amendment S—3157 be deferred.

Senator Corning offered amendment S—3165 filed by her from the floor to pages 1 through 5 of House amendment S—3157 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3165 to House amendment S—3157 be adopted?” (S.F. 59) the vote was:

Ayes, 21:

Boswell	Corning	Drake	Fuhrman
Goodwin	Hannon	Hedge	Hester
Hultman	Husak	Jensen	Kinley
Palmer	Pate	Rensink	Rife
Scott	Sturgeon	Taylor	Tieden
Tinsman			

Nays, 25:

Carr	Coleman	Deluhery	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hagerla	Horn	Hutchins	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Priebe	Riordan	Running
Soorholtz	Szymoniak	Vande Hoef	Varn
Welsh			

Absent or not voting, 4:

Bruner	Dieleman	Nystrom	Peterson
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Amendment S—3165 lost.

Senator Jensen offered amendment S—3160 filed by him on March 2, 1989, to page 1 of House amendment S—3157, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3160 to House amendment S—3157 be adopted?” (S.F. 59) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Boswell	Corning	Doyle	Drake
Fraise	Fuhrman	Goodwin	Hannon
Hedge	Hultman	Husak	Jensen
Palmer	Pate	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Varn		

Nays, 24:

Carr	Coleman	Deluhery	Gentleman
Gettings	Gronstal	Hagerla	Hester
Horn	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Priebe	Riordan	Running
Szymoniak	Tinsman	Vande Hoef	Welsh

Absent or not voting, 4:

Bruner	Dieleman	Nystrom	Peterson
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Amendment S—3160 lost.

Senator Corning withdrew amendment S—3166 filed by her from the floor to page 4 of House amendment S—3157.

Senator Jensen moved the adoption of amendment S—3161 to pages 1, 3 and 4 of House amendment S—3157, previously deferred, and requested a non record roll call.

The ayes were 18, nays 27.

Amendment S—3161 lost.

Senator Taylor asked unanimous consent that action on House amendment S—3157 and Senate File 59 be deferred.

Senator Taylor withdrew his request.

Senator Murphy moved that the Senate concur in the House amendment.

A non record roll call was requested.

The ayes were 26, nays 19.

The motion prevailed and the Senate concurred in the House amendment.

Senator Murphy moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 59) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Carr	Coleman	Corning	Deluhery
Drake	Fuhrman	Gentleman	Gronstal
Hagerla	Hester	Horn	Hutchins
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Priebe	Riordan
Running	Soorholtz	Szymoniak	Taylor
Tinsman	Vande Hoef		

Nays, 20:

Boswell	Doyle	Fraise	Gettings
Goodwin	Hannon	Hedge	Hultman
Husak	Jensen	Kinley	Palmer
Pate	Rensink	Rife	Scott
Sturgeon	Tieden	Varn	Welsh

Absent or not voting, 4:

Bruner	Dieleman	Nystrom	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 291** be referred from the Regular Calendar to the committee on **Commerce**.

INTRODUCTION OF BILLS

Senate File 331, by Taylor, a bill for an act relating to credit services organizations, by requiring their registration, imposing regulation, and providing penalties.

Read first time and **passed on file**.

Senate File 332, by committee on Commerce, a bill for an act relating to legal expense insurance by regulating the sale of contracts providing reimbursement for legal expenses in consideration of a specified payment for a period of time, establishing a premium tax, and providing penalties.

Read first time and **placed on calendar**.

Senate File 333, by committee on Commerce, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable.

Read first time and **placed on calendar**.

Senate File 334, by Lind, a bill for an act relating to the sales and use tax and providing an exemption from tax for certain nonfood items.

Read first time and **passed on file**.

Senate File 335, by Lind, a bill for an act relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters.

Read first time and **passed on file**.

Senate File 336, by Running, a bill for an act relating to the buy-back of prior service credits under the Iowa public employees' retirement system.

Read first time and **passed on file**.

Senate File 337, by Hagerla, a bill for an act relating to the classification of plants as noxious weeds and providing a penalty.

Read first time and passed on file.

APPENDIX

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 3rd day of March, 1989:

Senate File 113.

JOHN F. DWYER
Secretary of the Senate

RESOLUTION ENROLLED, SIGNED AND SENT TO THE SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State's office this 2nd day of March, 1989:

Senate Joint Resolution 3.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Ron Peterson and the Clarksville High School Wrestling Team — For being the runner-up in the 1989 Class 1-A State wrestling tournament. Senator Jensen (February 25, 1989).

David Stirling, Clarksville High School — For placing second in the 112 lb. division of the 1989 Class 1-A State wrestling tournament. (Senator Jensen (February 25, 1989).

Steve Stirling, Clarksville High School — For winning the 135 lb. division of the 1989 Class 1-A State wrestling tournament. Senator Jensen (February 25, 1989).

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: March 2, 1989, 10:37 a.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running and Vande Hoef.

Members Absent: Taylor.

Committee Business: Assigned bills to subcommittees; approved SSB 260 as a committee bill; recommended passage of House File 29.

Adjourned: 10:45 a.m.

COMMERCE

Convened: March 2, 1989, 3:00 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Gronstal, Hannon, Kinley, Lind, Mann, Pate, Priebe, Rife, Running, Tieden and Welsh.

Members Absent: Jensen, Ranking Member and Nystrom (both excused).

Committee Business: Recommended passage of Senate File 218 and approved SSBs 197.1 and 104 as committee bills.

Adjourned: 3:30 p.m.

EDUCATION

Convened: March 2, 1989, 11:23 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Boswell, Corning, Deluhery, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Taylor, Ranking Member; Bruner and Dieleman (all excused).

Committee Business: Discussed SSB 212.

Adjourned: 11:59 a.m.

HUMAN RESOURCES

Convened: March 2, 1989, 2:30 p.m.

Members Present: Hannon, Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Bruner, Vice Chair.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; recommended passage of Senate Concurrent Resolution 9 and House File 270.

Adjourned: 2:50 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 2, 1989, 8:05 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef.

Members Absent: Rife (excused).

Committee Business: Recommended confirmation of Governor's appointees; presentations by Allan Thoms, Director of the Department of Economic Development and Dale Cochran, Secretary of Agriculture.

Adjourned: 9:08 a.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the Governor's appointment of Dr. William Anderson as a member of the First in the Nation in Education Foundation Governing Board, completed its investigation on March 3, 1989, and recommended the appointee be confirmed.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointments, completed its investigations on March 2, 1989, and recommended the appointees be confirmed:

Lois H. Eichacker and Ann Jorgensen for appointment and Charles A. Long for reappointment as members of the Iowa Economic Development Board.

SUBCOMMITTEE ASSIGNMENTS

Senate File 285

LOCAL GOVERNMENT: Jensen, Chair; Priebe and Szymoniak

Senate File 308

LOCAL GOVERNMENT: Priebe, Chair; Jensen and Tinsman

SSB 298

LOCAL GOVERNMENT: Miller, Chair; Fraise and Goodwin

SSB 299

LOCAL GOVERNMENT: Vande Hoef, Chair; Szymoniak and Fraise

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 218, a bill for an act relating to the investments of credit unions, by permitting investment in corporate bonds as defined by rule of the administrator.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Gronstal, Hannon, Kinley, Mann, Pate, Priebe, Rife, Tieden and Welsh. Nays, none. Absent or not voting, 4: Jensen, Lind, Nystrom and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 332 (SSB 104), a bill for an act relating to legal expense insurance by regulating the sale of contracts providing reimbursement for legal expenses in consideration of a specified payment for a period of time, establishing a premium tax, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Gronstal, Hannon, Kinley, Mann, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 3: Jensen, Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 333 (SSB 197.1), a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Deluhery, Gronstal, Kinley, Lind, Mann, Pate, Running and Welsh. Nays, 4: Hannon, Priebe, Rife and Tieden. Absent or not voting, 2: Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 339 (SSB 190), a bill for an act providing for delivering a deceased inmate's property to a designated person by the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 340 (SSB 218), a bill for an act imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge, such as a bad check fee, in excess of the amount permitted by law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 341 (SSB 178), a bill for an act relating to reciprocal tuition rate agreements established by the state board of regents for certain students.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Mann, Carr, Coleman, Fuhrman, Gronstal, Hester and Taylor. Nays, 6: Gentleman, Deluhery, Drake, Hagerla, Varn and Welsh. Absent or not voting, 1: Horn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 342 (SSB 120), a bill for an act relating to providing interpreters in legal proceedings for persons unable to speak or understand the English language.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 343 (SSB 217), a bill for an act relating to recovery of merchandise or damages and providing for civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Gentleman, Carr, Coleman, Drake, Fuhrman, Gronstal, Hagerla, Hester, Taylor and Varn. Nays, 2: Deluhery and Welsh. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 344 (SSB 136), a bill for an act relating to the violation of or interference with civil rights, including discrimination based upon association with protected class members and age, the definition of public accommodation, the right to a jury trial, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 338, by Gentleman and Running, a bill for an act relating to the abolishment of joint and several liability and providing an applicability provision.

Read first time under Rule 28 and **passed on file**.

Senate File 339, by committee on Judiciary, a bill for an act providing for delivering a deceased inmate's property to a designated person by the department of corrections.

Read first time under Rule 28 and **placed on calendar**.

Senate File 340, by committee on Judiciary, a bill for an act imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge, such as a bad check fee, in excess of the amount permitted by law.

Read first time under Rule 28 and **placed on calendar**.

Senate File 341, by committee on Judiciary, a bill for an act relating to reciprocal tuition rate agreements established by the state board of regents for certain students.

Read first time under Rule 28 and **placed on calendar**.

Senate File 342, by committee on Judiciary, a bill for an act relating to providing interpreters in legal proceedings for persons unable to speak or understand the English language.

Read first time under Rule 28 and **placed on calendar**.

Senate File 343, by committee on Judiciary, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 344, by committee on Judiciary, a bill for an act relating to the violation of or interference with civil rights, including discrimination based upon association with protected class members and age, the definition of public accommodation, the right to a jury trial, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 345, by Deluhery, Tinsman and Rife, a bill for an act enacting the quad cities interstate metropolitan authority compact.

Read first time under Rule 28 and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	328	State Government
S. F.	329	Judiciary
S. F.	330	Judiciary
S. F.	331	Commerce
S. F.	334	Ways and Means
S. F.	335	Appropriations
S. F.	336	State Government
S. F.	337	Agriculture
S. F.	338	Judiciary

STUDY BILLS RECEIVED

SSB 298 Local Government

Relating to the powers and duties of county recorders.

SSB 299 Local Government

Relating to the installation and use of telecommunications devices for deaf persons in an enhanced 911 service area.

SSB 301 Small Business & Economic Development

Relating to the real estate investment power of state banks.

AMENDMENTS FILED

S—3165	S. F.	59	Joy Corning
S—3166	S. F.	59	Joy Corning
S—3167	S. F.	157	John P. Kibbie Richard Vande Hoef
S—3168	S. F.	157	Richard Running
S—3169	S. F.	214	Calvin O. Hultman Richard F. Drake

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:41 a.m., until 1:00 p.m., Monday, March 6, 1989.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 6, 1989

The Senate met in regular session at 1:14 p.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Brian Hellinga, pastor of the Salem Reformed Church, Little Rock, Iowa.

The Journal of Friday, March 3, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 105, a bill for an act relating to assisting the department of human services in dependent adult abuse investigations (S—3171).

ALSO: That the House has on March 1, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 79, a bill for an act relating to the office of governor by providing that procedures which apply to the disability of the governor also apply to the disability of a person acting as governor.

This bill was read first time and **passed on file**.

House File 201, a bill for an act relating to the regulation of lotteries, lottery tickets, and other games of chance, or contest, by amending provisions relating to advertising, and providing an effective date.

This bill was read first time and **passed on file**.

House File 315, a bill for an act prohibiting residency requirements for appointive county officers or employees.

This bill was read first time and **passed on file**.

House File 367, a bill for an act relating to the powers and duties of the state historical society and the historical division of the department of cultural affairs.

This bill was read first time and **passed on file**.

House File 371, a bill for an act relating to emergency medical care providers, and providing penalties.

This bill was read first time and **passed on file**.

House File 372, a bill for an act relating to the duties of the natural resource commission and the environmental protection commission with respect to budget approval requirements.

This bill was read first time and **passed on file**.

House File 403, a bill for an act relating to child support awards by requiring the application of uniform support guidelines by the courts and the department of human services and providing an effective date.

This bill was read first time and **passed on file**.

SPECIAL GUEST

Senator Boswell presented Wei Shanmei, People's Representative of Guangxi People's Congress in China. He is director of committees of Science, Education, Culture, Public Health, Business, Agriculture, Communications, and Media.

Mr. Shanmei is the guest of the University of Northern Iowa and his visit to Iowa and California is to develop commerce and agriculture opportunities for U.S. state and national companies in south China.

Mr. Shanmei addressed the Senate with brief remarks.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 1:28 p.m.

The vote revealed 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate Files 230 and 168.

Senate File 230

On motion of Senator Riordan, Senate File 230, a bill for an act relating to increasing license fees for certain persons engaged in the commercial care of animals, was taken up for consideration.

Senator Riordan asked and received unanimous consent that **House File 292** be substituted for **Senate File 230**.

House File 292

On motion of Senator Riordan, House File 292, a bill for an act relating to increasing license fees for certain persons engaged in the commercial care of animals, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 292) the vote was:

Ayes, 26:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Gettings	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn		

Nays, 21:

Boswell	Drake	Fraise	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Husak	Jensen	Lind
Pate	Peterson	Priebe	Rensink
Scott	Taylor	Tieden	Vande Hoef
Welsh			

Absent or not voting, 3:

Dieleman	Hultman	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Riordan asked and received unanimous consent that **Senate File 230** be **withdrawn** from further consideration of the Senate.

Senate File 168

On motion of Senator Murphy, Senate File 168, a bill for an act relating to filing date for income tax returns, with report of committee recommending passage, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 168) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 111

On motion of Senator Jensen, Senate File 111, a bill for an act relating to foreign money judgments and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Jensen offered amendment S—3112 filed by him on February 27, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3112 was adopted by a voice vote.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 111) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman	Hannon	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order Senate Files 205, 275, 276 and 279.

Senate File 205

On motion of Senator Hannon, Senate File 205, a bill for an act relating to the credentialing and regulation of respiratory care practitioners, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—3110 filed by the committee on State Government on February 23, 1989, to page 3 of the bill.

Senator Hannon offered amendment S—3124 filed by her on February 28, 1989, to amendment S—3110.

Senator Gronstal asked and received unanimous consent that action on amendment S—3124 to amendment S—3110 and amendment S—3110 be deferred for consideration of amendment S—3173.

Senator Gronstal offered amendment S—3173 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3173 lost by a voice vote.

The Senate resumed consideration of amendment S—3110 and amendment S—3124 to amendment S—3110, previously deferred.

Senator Hannon moved the adoption of amendment S—3124 to amendment S—3110, which motion prevailed by a voice vote.

Senator Hannon moved the adoption of amendment S—3110 as amended, which motion prevailed by a voice vote.

Senator Hannon asked and received unanimous consent that further action on **Senate File 205** be **deferred**.

Senate File 275

On motion of Senator Varn, Senate File 275, a bill for an act relating to the administration of an estate and changing certain notice provisions, was taken up for consideration.

Senator Varn offered amendment S—3164 filed by him on March 2, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3164 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 275) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 276

On motion of Senator Varn, Senate File 276, a bill for an act relating to the registration of federal liens, was taken up for consideration.

Senator Varn offered amendment S—3163 filed by him on March 2, 1989, to pages 1 through 4 of the bill and moved its adoption.

Amendment S—3163 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 276) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 279

On motion of Senator Nystrom, Senate File 279, a bill for an act relating to the investment and use of moneys in the perpetual care funds of a cemetary, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 279) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 4:

Gentleman	Hedge	Jensen	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order Senate File 157.

Senate File 157

On motion of Senator Gettings, Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—3118 filed by the committee on Transportation on February 27, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3118 was adopted by a voice vote.

Senator Kibbie offered amendment S—3167 filed by Senators Kibbie and Vande Hoef on March 3, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3167 was adopted by a voice vote.

Senator Running offered amendment S—3168 filed by him on March 3, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3168 was adopted by a voice vote.

Senator Gettings offered amendment S—3128 filed by him on February 28, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3128 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 157** be **deferred**.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 341** be referred from the Regular Calendar to the committee on **Education**.

Senator Hutchins asked and received unanimous consent that **House Files 124, 88 and 6** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the Senate Calendar by 5:00 p.m., March 16, 1989.

INTRODUCTION OF BILLS

Senate File 346, by committee on Business and Labor Relations, a bill for an act relating to the adoption by the division of labor services of the department of employment services of rules based on the most recent federal occupational safety and health administration's standards.

Read first time and **placed on calendar**.

Senate File 347, by Scott, a bill for an act relating to the general assembly by providing for incoming telephone service on a toll-free basis during legislative sessions.

Read first time and **passed on file**.

Senate File 348, by Murphy, a bill for an act requiring the department of education to adopt rules allowing certain designations relating to a school district's athletic teams on school buses.

Read first time and **passed on file**.

Senate File 349, by Peterson, a bill for an act relating to the provision of potable water and sanitary cups by a railroad in all locomotive engine and caboose areas, and providing for enforcement.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 2:42 p.m., until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:02 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 350, by Jensen, a bill for an act relating to the licensing of persons to practice electrolysis.

Read first time and **passed on file**.

Senate File 351, by Husak, a bill for an act relating to the exemption from taxation of certain transactions occurring in Indian country or involving an Indian tribe.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 10, by Gettings, Doyle, Coleman, Fraise, Gronstal, Priebe, Hultman, Jensen, Vande Hoef, Boswell, Palmer, Miller, Soorholtz and Kibbie, a Concurrent Resolution relating to federal coal slurry pipeline legislation.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 352, by Horn, a bill for an act establishing an autonomous board to perform the duties of the present board of educational examiners and professional practices commission.

Read first time and **passed on file**.

APPENDIX

PETITIONS

The following petitions opposing legislation legalizing riverboat gambling in Iowa were presented and placed on file by:

Senator Goodwin from eighty-six residents of Clinton County.
Senator Hutchins from fifty-eight residents of Crawford County.

The following petitions were presented and placed on file by:

Senator Riordan from eight thousand residents of Iowa opposing the development of a 690 acre lake at Brushy Creek as proposed by the Department of Natural Resources.

Senator Fraise from sixty-five residents of Van Buren, Lee and Des Moines Counties favoring legislation allowing employees to choose the care given under workers' compensation medical benefits.

Senator Corning from two hundred thirty-one residents of Black Hawk County favoring legislation providing tighter control of the ownership and sale of handguns and also banning the sale of paramilitary weapons.

Senator Goodwin from twenty-three residents of Clinton County favoring legislation legalizing riverboat gambling in Iowa.

Senator Husak from seventy-five residents of Black Hawk County favoring legislation banning all public roadside trapping in Iowa.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 3, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 89 — Relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting requirements with respect to departmental approval of colleges in which the professions are taught.

Senate File 91 — To repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 3rd day of March, 1989:

Senate File 38.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS**EDUCATION**

Convened: March 3, 1989, 7:44 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Hedge, Kibbie, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner, Dieleman and Lind (all excused).

Committee Business: Discussed amendments to SSB 212.1.

Adjourned: 9:01 a.m.

JUDICIARY

Convened: March 2, 1989, 4:00 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Taylor, Varn and Welsh.

Members Absent: Horn (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 136, 217, 190, 120, 178 and 218 as committee bills; deferred action on SSBs 207 and 216.

Adjourned: 5:05 p.m.

STUDY BILLS RECEIVED

SSB 302 Environment & Energy Utilities

Relating to public utilities and their affiliates, with civil penalties applicable.

SSB 303 Judiciary

Relating to Article 8 of the Uniform Commercial Code, by including both certificated and uncertificated securities within the scope of Article 8, and by making conforming amendments to Articles 1, 5, and 9.

SSB 304 Environment & Energy Utilities

Relating to the establishment of rural water safety districts, standards for safe water certificates, standards for water testing, consultation, and education, regulations for charges and fees, providing effective dates, and providing penalties.

SSB 305 Environment & Energy Utilities

Relating to natural gas service and facilities and making civil penalties applicable.

SSB 306 Business & Labor Relations

Relating to an exemption to the prohibition against polygraph examinations by employers that are financial institutions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 298

NATURAL RESOURCES: Kibbie, Chair; Doyle and Hester

Senate File 301

NATURAL RESOURCES: Hester, Chair; Rensink and Kibbie

Senate File 302

NATURAL RESOURCES: Hester, Chair; Rensink and Kibbie

Senate File 310

NATURAL RESOURCES: Priebe, Chair; Mann and Hester

Senate File 324

JUDICIARY: Varn, Chair; Mann and Hester

Senate File 327

JUDICIARY: Horn, Chair; Welsh and Taylor

Senate File 329

JUDICIARY: Mann, Chair; Doyle and Drake

Senate File 330

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 338

JUDICIARY: Mann, Chair; Doyle and Gentleman

SSB 294

EDUCATION: Horn, Chair; Varn and Corning

SSB 297

HUMAN RESOURCES: Riordan, Chair; Hannon and Tinsman

SSB 302

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Gronstal and Soorholtz

SSB 303

JUDICIARY: Varn, Chair; Horn and Gentleman

SSB 304

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Sturgeon and Hedge

SSB 305

ENVIRONMENT AND ENERGY UTILITIES: Carr, Chair; Miller and Pate

SSB 306

BUSINESS AND LABOR RELATIONS: Running, Chair; Fuhrman and Mann

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C.R.	10	Transportation
S. F.	345	Local Government
S. F.	347	Rules and Administration
S. F.	348	Education
S. F.	349	Transportation
S. F.	350	State Government
S. F.	351	Ways and Means
S. F.	352	Education
H.F.	79	State Government
H.F.	201	State Government
H.F.	315	Local Government
H.F.	367	State Government
H.F.	371	Human Resources
H.F.	372	Natural Resources
H.F.	403	Human Resources

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 346 (SSB 260), a bill for an act relating to the adoption by the division of labor services of the department of employment services of rules based on the most recent federal occupational safety and health administration's standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Mann, Palmer, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 267, a bill for an act relating to insurance, mandating coverage under group and individual policies of accident and health insurance, group and individual hospital or medical and surgical service contracts, and health maintenance organization health care services plans, for the treatment of chemical dependency and mental disorders, on substantially the same basis as other physical health care coverages, with certain limitations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Bruner, Carr, Horn, Murphy, Riordan, Sturgeon and Tinsman. Nays, 4: Corning, Gentleman, Hagerla and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 353, by Hagerla, a bill for an act relating to the circumstances in which a driver of a vehicle may pass a school bus.

Read first time under Rule 28 and **passed on file**.

Senate File 354, by Hagerla, a bill for an act relating to the manner of conducting a search or inspection of a student or the student's assigned space.

Read first time under Rule 28 and **passed on file**.

Senate File 355, by Lind, a bill for an act establishing the legal age for the purposes of laws relating to alcoholic beverages.

Read first time under Rule 28 and **passed on file**.

Senate File 356, by Lind, a bill for an act relating to licensing fees for class "E" liquor control licenses.

Read first time under Rule 28 and **passed on file**.

Senate File 357, by Miller and Drake, a bill for an act relating to the establishment, operation, and dissolution of a benefited ambulance district and providing for a property tax levy.

Read first time under Rule 28 and **passed on file**.

AMENDMENTS FILED

S—3170	S. F.	333	Michael Gronstal
S—3171	S. F.	105	House amendment
S—3172	S. F.	220	Larry Murphy
S—3173	S. F.	205	Michael E. Gronstal
S—3174	S. F.	205	William W. Dieleman
S—3175	S. F.	157	Jim Lind

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:14 p.m., until 9:00 a.m., Tuesday, March 7, 1989.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 7, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

SPECIAL GUESTS

President Zimmerman presented winners of the essay contest sponsored by the Iowa Commission on the Status of Women, Iowa Department of Education and the Iowa State Historical Society to "Write Women Back Into History" in celebration of Women's History Month:

Sixth and Seventh Grade:

First Place: Melissa Stevens (6th grade), Urbandale Middle School, Urbandale.

Second Place: Noelle Schreck (7th), Rolfe Community School, Rolfe.

Third Place: Meghan McCormick (7th), Jefferson Jr. High School, Dubuque.

Eighth and Ninth Grade:

First Place: Kari Ditsworth (9th), Urbandale High School, Urbandale.

Second Place: Courtney Peterson (8th), Fair Oaks Middle School, Badger.

Third Place: Kathy Conwell (8th), Mount Pleasant Jr. High School, Mount Pleasant.

Edith Sackett Memorial Award:

Stephanie Walker (7th), Spencer Middle School, Spencer.

Senator Szymoniak read to the Senate the winning essay written by Melissa Stevens (6th grade).

The Journal of Monday, March 6, 1989, was approved.

INTRODUCTION OF BILL

Senate File 358, by Boswell, a bill for an act relating to grain stored in warehouses licensed by the federal government.

Read first time and **passed on file**.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 9.

Senate Concurrent Resolution 9

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 9, a concurrent resolution relating to the provision of health care coverage for all Americans who are uninsured, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Concurrent Resolution 9 which motion prevailed by a voice vote.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 359, by Lind, a bill for an act relating to the dishonoring of an instrument, imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge by the holder, such as a bad check fee, in excess of the amount permitted by law, increasing the maximum allowed surcharge,

and imposing limits upon financial institution charges or service fees in connection with a dishonored instrument.

Read first time and **passed on file.**

Senate File 360, by Lind, a bill for an act prohibiting the theft of a veteran's grave marker, and providing a penalty.

Read first time and **passed on file.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:33 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 6, 1989, 5:25 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: none.

Committee Business: Assigned LSBs 4171 and 2612 to subcommittees.

Adjourned: 5:30 p.m.

HUMAN RESOURCES

Convened: March 6, 1989, 2:46 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Amended SSB 297 and ordered redrafted for final approval as a committee bill; recommended passage of Senate File 267.

Adjourned: 3:31 p.m.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 7, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 38 — Relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended.

SENATE FILE 113 — Relating to state taxes and tax administration by increasing the threshold for making estimated income tax payments, allowing an election by withholding agents to make estimated tax payments on behalf of

nonresidents on incomes from agricultural products, providing for the adoption of federal estate tax values by agreement between the estate and the department, and the repealing of the railway vehicle fuel tax and railway mileage tax, and providing effective dates and applicability provisions.

STUDY BILLS RECEIVED

SSB 200.1 Human Resources

Relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under title XVIII of the federal Social Security Act and providing for the collection and analysis of information; the provision of health care insurance to the uninsured and underinsured; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; and providing for other properly related matters.

SSB 297.1 Human Resources

Relating to the medical assistance subrogation rights of the department of human services.

SSB 300 Education

Relating to vocational education.

SSB 307 Environment & Energy Utilities

Relating to waste minimization and disposal.

SSB 308 Judiciary

Relating to the appointment, terms, retention, and qualifications of magistrates.

SSB 309 State Government

Relating to the appeal process for bidders aggrieved by awards of the purchasing division of the department of general services, and providing properly related matters.

SSB 310 State Government

Relating to state licensing of asbestos professionals who perform work in schools.

SSB 311 State Government

Relating to unclaimed intangible personal property by providing for the treatment of claims in the course of the dissolution of a corporation in the same manner as unclaimed property held by a court or by the state and by altering certain aspects of claim administration, distribution of moneys, and other matters properly related with the disposition of unclaimed personal property and procedures related thereto.

SSB 312 Natural Resources

Relating to the development and maintenance of nursery products by the department of natural resources, establishing an Iowa resource trust fund, providing for the appropriation of proceeds of the fund, and providing for the sale of nursery assets and for the transfer of funds.

SSB 313 Natural Resources

Relating to wildlife habitat stamps, by increasing the stamp fee, by requiring a stamp for fishing licenses, by providing for the administration of the stamp program, and providing an effective date.

SSB 314 Natural Resources

Relating to the issuance of deer and wild turkey hunting licenses, by providing for nonresident hunting licenses for deer and wild turkey and by authorizing the sale or transfer of certain hunting licenses for deer and wild turkey.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 8

STATE GOVERNMENT: Coleman, Chair; Gronstal and Nystrom

Senate File 280

WAYS AND MEANS: Kibbie, Chair; Szymoniak and Hester

Senate File 299

WAYS AND MEANS: Husak, Chair; Drake and Riordan

Senate File 311

EDUCATION: Varn, Chair; Boswell and Tieden

Senate File 312

WAYS AND MEANS: Bruner, Chair; Riordan and Gentleman

Senate File 313

WAYS AND MEANS: Husak, Chair; Palmer and Soorholtz

Senate File 320

WAYS AND MEANS: Murphy, Chair; Fraise and Drake

Senate File 321

STATE GOVERNMENT: Hannon, Chair; Vande Hoef and Gentleman

Senate File 322

BUSINESS AND LABOR RELATIONS: Running, Chair; Sturgeon and Taylor

Senate File 323

EDUCATION: Varn, Chair; Boswell and Tieden

Senate File 325

WAYS AND MEANS: Palmer, Chair; Riordan and Fuhrman

Senate File 326

WAYS AND MEANS: Kibbie, Chair; Szymoniak and Drake

Senate File 328

STATE GOVERNMENT: Carr, Chair; Lloyd-Jones, Nystrom, Drake and Dieleman

Senate File 334

WAYS AND MEANS: Husak, Chair; Fuhrman and Kibbie

Senate File 336

STATE GOVERNMENT: Carr, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 341

EDUCATION: Rensink, Chair; Murphy and Varn

Senate File 345

LOCAL GOVERNMENT: Kinley, Chair; Tinsman and Fraise

Senate File 348

EDUCATION: Murphy, Chair; Horn and Lind

Senate File 350

STATE GOVERNMENT: Dieleman, Chair; Soorholtz and Hannon

Senate File 351

WAYS AND MEANS: Bruner, Chair; Palmer and Drake

Senate File 352

EDUCATION: Horn, Chair; Murphy and Tinsman

House File 6

WAYS AND MEANS: Riordan, Chair; Fraise and Hester

House File 79

STATE GOVERNMENT: Soorholtz, Chair; Coleman and Running

House File 88

WAYS AND MEANS: Kibbie, Chair; Riordan and Hultman

House File 124

WAYS AND MEANS: Kibbie, Chair; Riordan and Hultman

House File 201

STATE GOVERNMENT: Running, Chair; Rife and Horn

House File 367

STATE GOVERNMENT: Gentleman, Chair; Lloyd-Jones and Horn

House File 372

NATURAL RESOURCES: Husak, Chair; Mann and Hedge

SSB 282

WAYS AND MEANS: Palmer, Chair; Hultman and Szymoniak

SSB 300

EDUCATION: Dieleman, Chair; Kibbie, Rensink, Varn and Lind

SSB 307

ENVIRONMENT & ENERGY UTILITIES: Miller, Chair; Deluhery and Soorholtz

SSB 308

JUDICIARY: Horn, Chair; Welsh and Hester

SSB 309

STATE GOVERNMENT: Dieleman, Chair; Drake and Fraise

SSB 310

STATE GOVERNMENT: Running, Chair; Coleman and Soorholtz

SSB 311

STATE GOVERNMENT: Carr, Chair; Drake and Lloyd-Jones

SSB 312

NATURAL RESOURCES: Kibbie, Chair; Scott and Goodwin

SSB 313

NATURAL RESOURCES: Husak, Chair; Priebe and Hester

SSB 314

NATURAL RESOURCES: Husak, Chair; Priebe and Hester

LSB 2612

APPROPRIATIONS: Gronstal, Chair; Boswell, Welsh, Jensen and Tieden

LSB 4171

APPROPRIATIONS: Gronstal, Chair; Boswell, Welsh, Jensen and Tieden

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Gettings and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 362 (SSB 212.1), a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 86, a bill for an act relating to the authority of a city to levy a tax for the support of municipal bands and other musical groups.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 176, a bill for an act relating to service of notice of expiration of the right of redemption from tax sales.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Kinley, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 285, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 364 (SSB 262), a bill for an act authorizing the board of supervisors to waive a tax penalty, interest, or cost if a clerical error is found.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 365 (SSB 257), a bill for an act relating to the filing of campaign finance disclosure reports by city and school elective offices and for local ballot issues.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 366 (SSB 266), a bill for an act authorizing a city to seek a judgment against a property owner for improvements made to the property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy and Tinsman. Nays, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 367 (SSB 298), a bill for an act relating to the powers and duties of county recorders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3176	S. F.	157	Berl E. Priebe
S—3177	S. F.	292	C. Joseph Coleman
S—3178	H. F.	5	Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 375, a bill for an act relating to the Iowa conservation corps program.

This bill was read first time and **passed on file**.

House File 399, a bill for an act relating to restrictions on the power of the division of deaf services of the department of human rights to obtain office space for utilization in carrying out service projects for deaf persons, and providing an effective date.

This bill was read first time and **passed on file**.

House File 402, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 361, by Hutchins, a bill for an act relating to reverse annuity and graduated payment mortgages, by providing for their regulation by the administrators of the divisions of banking, savings and loan associations, and credit unions, of the department of commerce, and imposing certain standards and restrictions.

Read first time and **passed on file**.

Senate File 362, by committee on Education, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

Read first time and **placed on calendar**.

Senate File 363, by committee on Appropriations, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date.

Read first time and **placed on Appropriations calendar**.

Senate File 364, by committee on Local Government, a bill for an act authorizing the board of supervisors to waive a tax penalty, interest, or cost if a clerical error is found.

Read first time and **placed on calendar**.

Senate File 365, by committee on Local Government, a bill for an act relating to the filing of campaign finance disclosure reports by city and school elective offices and for local ballot issues.

Read first time and **placed on calendar**.

Senate File 366, by committee on Local Government, a bill for an act authorizing a city to seek a judgment against a property owner for improvements made to the property.

Read first time and **placed on calendar**.

Senate File 367, by committee on Local Government, a bill for an act relating to the powers and duties of county recorders.

Read first time and placed on calendar.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Horn called up the motion to reconsider Senate File 124 filed by him on March 1, 1989, and found on page 596 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 124) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Carr	Coleman	Deluhery	Doyle
Fraise	Gettings	Hagerla	Horn
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Rife	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 23:

Boswell	Bruner	Corning	Dieleman
Drake	Fuhrman	Gentleman	Goodwin
Gronstal	Hannon	Hedge	Hester
Hultman	Husak	Jensen	Kibbie
Nystrom	Priebe	Rensink	Scott
Taylor	Tieden	Vande Hoef	

The motion prevailed.

Senator Horn moved to reconsider the vote by which Senate File 124 went to its last reading, which motion prevailed by a voice vote.

Senate File 124

On motion of Senator Horn, Senate File 124, a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations, was taken up for reconsideration.

Senator Welsh offered amendment S—3179 filed by Senators Welsh and Kinley from the floor to page 18 of the bill.

Senator Gronstal raised the point of order that amendment S—3179 was out of order because the same subject matter had previously been considered in amendment S—3137.

The Chair ruled the point not well taken and amendment S—3179 in order.

Senator Welsh moved the adoption of amendment S—3179.

A record roll call was requested.

On the question “Shall amendment S—3179 be adopted?” (S.F. 124) the vote was:

Ayes, 30:

Boswell	Carr	Coleman	Deluhery
Doyle	Drake	Fraise	Gettings
Hagerla	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 19:

Bruner	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Gronstal	Hannon
Hedge	Hester	Hultman	Jensen
Kibbie	Lind	Nystrom	Rensink
Scott	Taylor	Vande Hoef	

Absent or not voting, 1:

Rife

Amendment S—3179 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the remainder of the day and March 8, 1989, on request of Senator Hutchins.

BUSINESS PENDING

Senate File 124

The Senate resumed consideration of Senate File 124.

Senator Gronstal offered amendment S—3181 filed by him from the floor to page 20 of the bill, moved its adoption and requested a non record roll call.

The ayes were 23, nays 25.

Amendment S—3181 lost.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 124) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Carr	Coleman	Deluhery	Doyle
Fraise	Gettings	Hagerla	Horn
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Rife	Riordan
Running	Sturgeon	Szymoniak	Tieden
Tinsman	Welsh		

Nays, 23:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hannon	Hedge	Hester	Hultman
Husak	Jensen	Kibbie	Nystrom
Priebe	Rensink	Scott	Soorholtz
Taylor	Vande Hoef	Varn	

Absent or not voting, 1:

Bruner

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked unanimous consent to immediately message Senate File 124.

Objection was raised by Senator Dieleman.

Senator Dieleman withdrew his objection and **Senate File 124** was **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 362** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the Senate Calendar by 12:00 noon, Friday, March 10, 1989.

INTRODUCTION OF BILLS

Senate Resolution 6, by Hultman and Hutchins, a resolution requesting the legislative council to establish an interim study committee relating to open competition in the workers' compensation insurance market.

Read first time and **passed on file**.

Senate File 368, by committee on State Government, a bill for an act relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state.

Read first time and **placed on calendar**.

Senate File 369, by committee on Appropriations, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, and providing an effective date.

Read first time and **placed on Appropriations Calendar**.

Senate File 370, by committee on State Government, a bill for an act relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner.

Read first time and **placed on calendar**.

Senate File 371, by committee on State Government, a bill for an act relating to elections and election procedures.

Read first time and **placed on calendar**.

Senate File 372, by committee on Local Government, a bill for an act relating to the use of county and municipal infractions.

Read first time and **placed on calendar**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. R.	6	Rules and Administration
S. F.	353	Transportation
S. F.	354	Education
S. F.	355	Judiciary
S. F.	356	State Government
S. F.	357	Local Government
S. F.	358	Agriculture
S. F.	359	Commerce
S. F.	360	Judiciary
S. F.	361	Commerce
H. F.	375	Natural Resources
H. F.	399	Human Resources
H. F.	402	Human Resources

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Rose Birkicht, Cedar Rapids — For reaching the age of 91 years on March 13, 1989, and for her contributions to the Linn County Democratic Party. Senator Running (March 13, 1989).

The Secretary of the Senate issued the following certificates of recognition on March 7, 1989, for participating in the "Write Women Back Into History" essay contest:

Kathy Conwell - 3rd place, 8th grade, Mt. Pleasant Junior High School, Mt. Pleasant. Senator Hagerla.

Kari Ditsworth - 1st place, 9th grade, Urbandale High School, Urbandale. Senator Szymoniak.

Meghan McCormick - 3rd place, 7th grade, Jefferson Jr. High School, Dubuque. Senator Carr.

Courtney Peterson - 2nd place, 8th grade, Fair Oaks Middle School, Badger. Senator Coleman.

Noelle Schreck - 2nd place, 7th grade, Rolfe Community School, Rolfe. Senator Priebe.

Melissa Stevens - 1st place, 6th grade, Urbandale Middle School, Urbandale. Senator Szymoniak.

Stephanie Walker - 7th grade, Spencer Middle School, Spencer, Edith Sackett Memorial Award. Senator Kibbie.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointee referred to the committee on State Government on February 14, 1989, was automatically placed on the Individual Confirmation Calendar **without recommendation**:

Richard P. Sulzbach as a member of the Iowa Lottery Board.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Husak, Jensen, Lloyd-Jones, Peterson, Rensink, Riordan, Sturgeon and Tinsman. Nays, none. Absent or not voting, 6: Bruner, Gronstal, Lind, Pate, Running and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 373 (SSB 302), a bill for an act relating to public utilities and their affiliates, with civil penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Deluhery, Gronstal, Carr, Miller, Soorholtz, Sturgeon and Varn. Nays, 2: Pate and Hedge. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 372, a bill for an act relating to the use of county and municipal infractions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 165, a bill for an act relating to the authority of the county conservation board to grant certain law enforcement powers to its director and employees.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Scott, Kibbie, Goodwin, Hedge, Hester, Mann, Rensink and Tieden. Nays, 3: Doyle, Husak and Peterson. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 197, a bill for an act to limit operation of motor vehicles in streambeds and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3180.

Final Vote: Ayes, 8: Scott, Kibbie, Goodwin, Husak, Mann, Priebe, Rensink and Tieden. Nays, 4: Doyle, Hedge, Hester and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 368 (SSB 274), a bill for an act relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 370 (SSB 276), a bill for an act relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Lloyd-Jones, Coleman, Dieleman, Fraise, Gronstal, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Gentleman. Absent or not voting, 4: Nystrom, Drake, Hannon and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 371 (SSB 114), a bill for an act relating to elections and election procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Coleman, Lloyd-Jones, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 374 (SSB 295), a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Carr, Lloyd-Jones, Coleman, Dieleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 4: Gentleman, Rife, Soorholtz and Vande Hoef. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 373, by committee on Environment and Energy Utilities, a bill for an act relating to public utilities and their affiliates, with civil penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 374, by committee on State Government, a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENTS FILED

S—3179	S.F.	124	Joe Welsh George R. Kinley
S—3180	H.F.	197	Natural Resources
S—3181	S.F.	124	Michael E. Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:47 p.m., until 9:00 a.m., Wednesday, March 8, 1989.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 8, 1989

The Senate met in regular session at 9:17 a.m., Senator Varn presiding.

Prayer was offered by the Honorable Joy Corning, member of the Senate from Black Hawk County, Cedar Falls, Iowa.

The Journal of Tuesday, March 7, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lloyd-Jones for the remainder of the week on request of Senator Hutchins and Senator Lind for a portion of the day on request of Senator Corning.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 1989, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, a concurrent resolution relating to Pioneer Lawmakers.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 4, a concurrent resolution relating to a biennial memorial session.

This resolution was read first time and **passed on file**.

ALSO: That the House has on March 6, 1989, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, a concurrent resolution relating to the revenue estimating conference and its meetings.

ALSO: That the House has on March 6, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates.

This bill was read first time and **passed on file**.

SPECIAL GUEST

Senator Priebe presented Dr. Michael Grimes Ph.D, a businessman from Cork, Ireland, who was the first Grand Marshall of the celebrated St. Patrick's Day Parade in Emmetsburg, Iowa, twenty-eight years ago. He taught electrical engineering at Iowa State University from 1957 to 1968 and attended a seminar at the university this week.

Mr. Grimes spoke to the Senate and emphasized the bond that lies between the United States and Ireland. He presented the Chair with a booklet published in Cork which portrays the City of Cork, Ireland.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 267** be referred from the Regular Calendar to the committee on **Commerce**.

COMMITTEE OF THE WHOLE

Senator Hutchins moved that the Senate now resolve itself into a committee of the whole to discuss Senate File 362, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, and that Senator Horn serve as chair of the committee.

The motion prevailed by a voice vote.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

Senator Horn took the chair at 9:40 a.m.

The following panelists were in the well of the Senate for questions and answers regarding Senate File 362:

Senator Murphy, chair of the Senate Education Committee.

Diane Bolender, Legislative Service Bureau.

Teresa Johnson, Legislative Fiscal Bureau.

Bradley Hudson, Department of Management.

Leland Tack, Department of Education.

Senators Corning, Dieleman, Drake and Taylor, members of the Senate Education Committee, also served as panelists from their respective Senate seats.

On motion of Senator Hutchins, the Senate arose from the committee of the whole at 10:47 a.m., and resumed regular session, Senator Horn presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:48 a.m., until 4:30 p.m.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Coach Mark Butt and the Hartley-Melvin-Sanborn Hawkettes — 1989 Sioux Valley conference, sectional, district and regional champions. Senator Vande Hoef (March 8, 1989).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 7, 1989, 10:40 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Gettings and Pate.

Committee Business: Approved LSB 4171 as a committee bill; amended LSB 2612 and ordered redrafted for final approval as a committee bill.

Recessed: 11:15 a.m.

Reconvened: March 7, 1989, 4:25 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Sturgeon and Tinsman.

Members Absent: Bruner (excused), Gronstal, Pate, Running and Varn.

Committee Business: Approved LSB 2612 as a committee bill.

Adjourned: 4:30 p.m.

EDUCATION

Convened: March 7, 1989, 9:40 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner (excused).

Committee Business: Approved SSB 212.1 as a committee bill.

Adjourned: 10:05 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 7, 1989, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 302 as a committee bill; amended SSB 96 and ordered redrafted for final approval as a committee bill; discussed SSB 169.

Adjourned: 3:35 p.m.

LOCAL GOVERNMENT

Convened: March 7, 1989, 8:05 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen (arrived 8:09), Kinley (arrived 8:08), Murphy, Priebe and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 176, 285 and 86; approved SSBs 262, 257 and 298 as committee bills; substituted LSB 2352 for SSB 266 and approved as a committee bill; approved LSB 2250 and ordered redrafted as a committee bill.

Adjourned: 8:45 a.m.

NATURAL RESOURCES

Convened: March 7, 1989, 1:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe, Rensink and Tieden.

Members Absent: none.

Committee Business: Presentations by Shirley Peckosh and Dale Siems; assigned bills to subcommittees; recommended passage of House File 165; recommended passage of House File 197 as amended; approved Senate File 209 and ordered redrafted as a committee bill.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: March 7, 1989, 1:34 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Drake (excused).

Committee Business: Assigned bills to subcommittees and approved SSBs 274, 114, 276 and 295 as committee bills.

Adjourned: 2:28 p.m.

WAYS AND MEANS

Convened: March 7, 1989, 3:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: Fuhrman (excused) and Hultman.

Committee Business: Assigned bills to subcommittees and amended and approved SSB 177 as a committee bill.

Recessed: 4:15 p.m.

Reconvened: March 7, 1989, 5:50 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Drake, Fraise, Gentleman, Kibbie, Riordan, Soorholtz and Szymoniak.

Members Absent: Bruner and Fuhrman (both excused), Hultman, Murphy and Palmer.

Committee Business: Assigned Senate File 362 to a subcommittee.

Adjourned: 5:51 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 303, a bill for an act providing an individual and corporate income tax credit for certain breeding cattle, providing a date of applicability, and providing for a repeal.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 331, a bill for an act relating to standards for apples established by the secretary of agriculture, providing for the establishment of fees, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 375, a bill for an act relating to the creation of an artificial lake or impoundment by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Scott, Kibbie, Goodwin, Doyle, Hedge, Husak, Mann, Priebe and Rensink. Nays, 3: Hester, Peterson and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 315 Local Government**

Relating to the powers and duties of certain local governmental bodies, by providing for the use of ordinances in certain instances, by changing procedures for certain city elections, by requiring written veto messages, by changing filing procedures for a special assessment, and by specifying the duties of city finance offices.

SSB 316 State Government

Relating to the authorization of certain expenditures by the executive council, providing restrictions with respect to expenditures from the disaster aid contingent fund for repairing, rebuilding, or restoring state property infured, destroyed, or lost by fire, storm, theft, or unavoidable cause, and providing other properly related matters.

SSB 317 State Government

Relating to barter exchanges, by requiring the registration and regulation of barter exchanges, and providing penalties.

SSB 318 State Government

Relating to the certification and standards of real estate appraisers.

SSB 319 Human Resources

Relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, and providing penalties.

SSB 320 Human Resources

Relating to health care coverage by establishing a health care insurance plan and pool, providing for certain income tax deductions and credits, expanding medical assistance coverage, and making an appropriation providing for a study of the employed uninsured.

SSB 321 Local Government

Authorizing a writing fee for the issuance of state park user permits.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 10

TRANSPORTATION: Gettings, Chair; Jensen and Doyle

Senate File 291

COMMERCE: Nystrom, Chair; Palmer and Priebe

Senate File 319

COMMERCE: Mann, Chair; Hannon and Nystrom

Senate File 331

COMMERCE: Mann, Chair; Gronstal and Tieden

Senate File 349

TRANSPORTATION: Gettings, Chair; Nystrom and Drake

Senate File 354

EDUCATION: Varn, Chair; Bruner and Tinsman

Senate File 355

JUDICIARY: Coleman, Chair; Drake and Carr

Senate File 360

JUDICIARY: Hester, Chair; Taylor and Coleman

Senate File 362

WAYS AND MEANS: Murphy, Chair; Dieleman, Hultman, Kibbie and Drake

House File 346

COMMERCE: Gronstal, Chair; Welsh and Jensen

House File 371

HUMAN RESOURCES: Riordan, Chair; Murphy and Gentleman

House File 403

HUMAN RESOURCES: Bruner, Chair; Hannon and Corning

SSB 301

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Rife, Chair; Szymoniak and Miller

SSB 319

HUMAN RESOURCES: Riordan, Chair; Hannon and Hagerla

SSB 320

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

AMENDMENTS FILED

S—3182	S. F.	371	Michael E. Gronstal Richard F. Drake Bob Carr
S—3183	S. F.	300	Elaine Szymoniak
S—3184	S. F.	332	Richard Running Donald Doyle

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 375, by committee on Natural Resources, a bill for an act relating to the creation of an artificial lake or impoundment by the department of natural resources.

Read first time and **placed on calendar**.

Senate File 376, by Riordan, a bill for an act appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date.

Read first time and **passed on file**.

Senate File 377, by Kibbie, a bill for an act relating to farm mediation.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 11, by Szymoniak, a concurrent resolution relating to the recognition of American sign language as an appropriate school course offering and requiring a study of the inclusion of American sign language in the public school curricula by the department of education.

Read first time and **passed on file**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	11	Education
S. F.	376	Appropriations
S. F.	377	Agriculture
H. C. R.	3	Rules and Administration
H. C. R.	4	Rules and Administration

CONFERENCE COMMITTEE REPORT RECEIVED (House File 17)

A conference committee report signed by the following Senate and House members was filed March 8, 1989, on House File 17, a bill for an act relating to minimum wage requirements:

On the Part of the Senate:

JOHN PETERSON, Chair
DON GETTINGS
GEORGE KINLEY

On the Part of the House:

GARY SHERZAN, Chair
PHIL BRAMMER
JOHN CONNORS

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 271, a bill for an act providing a minimum wage for entry level employees of certain businesses receiving government assistance.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3188.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 2: Fuhrman and Vande Hoef. Absent or not voting, 2: Hultman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 255, a bill for an act relating to the priority of advances under line-of-credit mortgages.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Mann, Pate, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 3: Lind, Nystrom and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 291, a bill for an act relating to security interests in mobile homes by permitting the secured party to retain the mobile home title, accompanied by a fixture filing to perfect the security interest and provide notice to third parties, and by permitting secured parties, including mortgagees, to apply for reconversion of a mobile home from real property to personal property.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Mann, Pate, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 3: Lind, Nystrom and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 378, by Murphy, a bill for an act relating to the disposition of seizable and forfeitable property, by providing for classes of forfeitable property, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, allowing court-appointed counsel for certain indigent persons, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, exempting real property from forfeiture, and providing an applicability date.

Read first time under Rule 28 and **passed on file.**

AMENDMENTS FILED

S—3185	S. F.	294	Al Sturgeon
S—3186	S. F.	294	Al Sturgeon
S—3187	S. F.	294	Al Sturgeon
S—3188	S. F.	271	Business & Labor Relations

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:36 p.m., until 9:00 a.m., Thursday, March 9, 1989.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 9, 1989

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by Sister Elaine Hagedorn, Pastorial Minister of the Visitation Catholic Church, Des Moines, Iowa.

The Journal of Wednesday, March 8, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kinley and Scott for the day on request of Senator Hutchins and Senator Hultman for the day on request of Senator Jensen.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by committee on Education, a joint resolution to nullify an administrative rule of the department of education relating to identification markings allowed on school buses and providing an effective date.

Read first time and **placed on calendar**.

Senate File 379, by Tinsman, Vande Hoef and Gentleman, a bill for an act relating to state responsibility for the costs of foster care.

Read first time and **passed on file**.

Senate File 380, by Rensink, a bill for an act relating to the recalculation of retirement benefits for members of the Iowa public employees' retirement system who remain in service after attaining the age of seventy years and providing for alternate

methods of payment for the benefit increase, and providing for the applicability of the Act.

Read first time and **passed on file**.

Senate File 381, by Welsh, a bill for an act relating to the creation of the office of consumer advocate of insurance.

Read first time and **passed on file**.

Senate File 382, by Priebe and Soorholtz, a bill for an act relating to the renewal of permits for regulated uses of water.

Read first time and **passed on file**.

SPECIAL GUESTS

In observance of Women's History Month, Senator Tinsman presented the following two members of the Iowa Women's Hall of Fame, which was created by the Iowa Commission on the Status of Women in 1975 to give special recognition to women who have had a significant impact on the state and particularly on Iowa women:

Representative Minnette Doderer of Iowa City, who was inducted into the Hall of Fame in 1979. She was escorted by Senator Hutchins and addressed the Senate with brief remarks.

Catherine G. Williams of Des Moines, a 1980 Hall of Fame inductee. She was escorted by Senator Szymoniak.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 303** be referred from the Regular Calendar to the committee on **Ways and Means**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 383, by Sturgeon, a bill for an act relating to the regulation of health professions, providing guidelines and procedures for consideration of proposals for the regulation of professional groups not previously regulated or changes in the scope of practice of regulated professions, creating a fund and providing for the transfer of moneys to the fund, providing other properly related matters, and providing for the prospective repeal of the Act.

Read first time and **passed on file**.

Senate File 384, by Hagerla, a bill for an act prohibiting motor vehicles from driving off of roadways in certain circumstances and providing a penalty and civil liability.

Read first time and **passed on file**.

Senate File 385, by committee on Business and Labor Relations, a bill for an act relating to the scope of negotiations for purposes of public employment collective bargaining.

Read first time and **placed on calendar**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 233.

Senate File 233

On motion of Senator Varn, Senate File 233, a bill for an act providing for DNA profiling of certain criminal offenders, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—3159 filed by him on March 1, 1989, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 13, nays 25.

Amendment S—3159 lost.

Senator Mann offered amendment S—3150 filed by him on March 1, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3150 was adopted by a voice vote.

Senator Mann offered amendment S—3152 filed by him on March 1, 1989, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 17, nays 22.

Amendment S—3152 lost.

Senator Mann offered amendment S—3154 filed by him on March 1, 1989, to page 1 of the bill, moved its adoption, and requested a non record roll call.

The ayes were 16, nays 25.

Amendment S—3154 lost.

Senator Mann withdrew amendment S—3158 filed by him on March 1, 1989, to page 2 of the bill.

Senator Mann offered amendment S—3155 filed by him on March 1, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3155 was adopted by a voice vote.

Senator Mann withdrew amendment S—3151 filed by him on March 1, 1989, to page 2 of the bill.

Senator Mann withdrew amendment S—3153 filed by him on March 1, 1989, to page 2 of the bill.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 233) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Lind	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 7:

Fuhrman	Hannon	Mann	Murphy
Peterson	Riordan	Tinsman	

Absent or not voting, 5:

Hultman	Kinley	Lloyd-Jones	Miller
Scott			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILLS

Senate File 386, by committee on Agriculture, a bill for an act eliminating refunds from excise taxes on egg sales.

Read first time and **placed on calendar**.

Senate File 387, by committee on Agriculture, a bill for an act relating to the establishment of prices for nursery stock by the department of natural resources.

Read first time and **placed on calendar**.

Senate File 388, by committee on Agriculture, a bill for an act relating to certification requirements for private applicators of pesticides.

Read first time and **placed on calendar**.

Senate File 389, by committee on Agriculture, a bill for an act relating to farm crisis relief, by extending the date of repeal of certain 1986 provisions, expanding participation in farm mediation, requiring borrowers to file a list of creditors, providing for review of farm mediation service decisions, expanding the confidentiality of mediation information, providing for mediation fees, and providing limitations on liability and immunity from certain judicial actions.

Read first time and **placed on calendar**.

Senate File 390, by committee on Agriculture, a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:29 a.m., until 4:30 p.m.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifth and sixth grade students from Titonka Consolidated School, Titonka, Iowa, accompanied by Jeanette Halker. Senator Priebe.

Thirty-six fifth and sixth grade students from Plainfield Community School, Plainfield, Iowa, accompanied by Miss Brandhorst. Senator Jensen.

STUDY BILLS RECEIVED

SSB 169.1 Environment & Energy Utilities

Relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting, the use of certain other products, requiring city or county solid waste management programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, and providing for other properly related matters.

SSB 193.1 Human Resources

Relating to the conducting of an epidemiological blinded study to determine the prevalence of the human immunodeficiency virus infection.

SSB 322 Ways & Means

Providing a state sales and use tax exemption for certain facilities.

SSB 323 Ways & Means

Providing for a homeowners and renters credit for state individual income tax purposes and providing an applicability date.

SSB 324 State Government

Relating to the survey of land including the practice of land surveying and the preparation, recording, and vacation of plats, and subjecting violators to civil penalties.

SSB 325 Local Government

Relating to parking violations by authorizing political subdivisions to issue notices of fine for parking violations and by increasing fines.

SSB 326 Natural Resources

Relating to the operation of a watercraft by a person who is intoxicated and providing penalties.

SSB 327 Transportation

Relating to the liability of a municipality with respect to extensions of primary roads within the municipality.

SSB 328 State Government

Relating to the powers and duties of the department of inspections and appeals, providing for compacts with Indian tribes relating to Indian gaming regulation, revising general provisions relating to confidentiality of information in the department of inspections and appeals, excepting Indian gaming from certain gaming prohibitions, and providing other properly related matters.

SSB 329 Agriculture

Directing the Code editor to transfer various chapters and sections of the Code relating to the authority to regulate drainage to a new chapter.

SSB 330 Agriculture

Relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability.

SSB 331 State Government

Relating to chemical emergencies, providing for the establishment of the Iowa emergency response commission and specifying its powers and duties, providing for intergovernmental agreements, providing for the designation of local emergency planning districts and the appointment of local emergency planning committees, providing for immunity from liability, providing disclosure requirements, authorizing civil actions by the commission, and providing properly related matters.

SSB 332 State Government

Relating to the membership of the medical assistance advisory council.

SSB 333 Human Resources

Relating to special health and accident insurance coverages, including individual and group accident and sickness insurance, nonprofit medical service corporation or hospital service corporation contracts, or health maintenance organization contracts, by prohibiting denial of insurance or other third-party payor contract or policy based upon an applicant's receipt of psychological counseling.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 6**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 347

RULES AND ADMINISTRATION: Gettings, Chair; Hultman and Kinley

Senate File 353

TRANSPORTATION: Nystrom, Chair; Dieleman and Scott

Senate File 356

STATE GOVERNMENT: Horn, Chair; Carr and Rife

House File 399

HUMAN RESOURCES: Carr, Chair; Horn and Taylor

SSB 169.1

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Deluhery and Soorholtz

SSB 193.1

HUMAN RESOURCES: Hannon, Chair; Murphy and Gentleman

SSB 315

LOCAL GOVERNMENT: Miller, Chair; Szymoniak and Vande Hoef

SSB 316

STATE GOVERNMENT: Drake, Chair; Gronstal and Nystrom

SSB 317

STATE GOVERNMENT: Running, Chair; Soorholtz and Coleman

SSB 318

STATE GOVERNMENT: Coleman, Chair; Fraise and Nystrom

SSB 321

LOCAL GOVERNMENT: Fraise, Chair; Miller and Jensen

SSB 323

WAYS AND MEANS: Dieleman, Chair; Murphy, Bruner, Hultman and Drake

SSB 324

STATE GOVERNMENT: Coleman, Chair; Fraise and Soorholtz

SSB 325

LOCAL GOVERNMENT: Murphy, Chair; Szymoniak and Vande Hoef

SSB 326

NATURAL RESOURCES: Mann, Chair; Kibbie and Hedge

SSB 327

TRANSPORTATION: Drake, Chair; Gettings and Scott

SSB 328

STATE GOVERNMENT: Rife, Chair; Running and Soorholtz

SSB 331

STATE GOVERNMENT: Fraise, Chair; Dieleman and Nystrom

SSB 333

HUMAN RESOURCES: Murphy, Chair; Sturgeon and Tinsman

SSB 332

STATE GOVERNMENT: Nystrom, Chair; Gentleman and Carr

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 8, 1989, 8:07 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Dr. Michael Grimes from Cork, Ireland, spoke to the committee; approved SSBs 286, 73, 280 and 256 as committee bills; amended and approved SSB 202 as a committee bill; approved LSB 2119 as a committee bill; recommended passage of Senate File 303 and House File 331; approved LSB 2584 as an amendment to Senate File 220; deferred action on LSB 2611.

Adjourned: 9:16 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 8, 1989, 1:35 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: Hultman (excused).

Committee Business: Assigned bills to subcommittees; discussed and deferred action on Senate File 247; approved SSB 213 as a committee bill; recommended passage of Senate File 271 as amended; amended SSB 79 and ordered redrafted for final approval as a committee bill.

Adjourned: 2:28 p.m.

COMMERCE

Convened: March 8, 1989, 2:30 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Mann, Pate, Rife, Running, Tieden and Welsh.

Members Absent: Lind, Nystrom and Priebe (all excused).

Committee Business: Amended SSB 167 and ordered redrafted for final approval as a committee bill; recommended passage of Senate Files 255 and 291; recommended passage of Senate File 81 as amended.

Adjourned: 3:10 p.m.

EDUCATION

Convened: March 8, 1989, 10:54 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner, Lind and Lloyd-Jones (all excused).

Committee Business: Approved SSB 281 as a committee bill.

Adjourned: 11:10 a.m.

JUDICIARY

Convened: March 8, 1989, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 122, 278, 216, 272, 292, 85 and 285 as committee bills; amended SSBs 267 and 185 and ordered redrafted for final approval as committee bills; recommended passage of Senate File 315.

Adjourned: 5:00 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 9th day of March, 1989:

Senate File 59.

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 386, a bill for an act eliminating refunds from excise taxes on egg sales.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 387 (SSB 286), a bill for an act relating to the establishment of prices for nursery stock by the Department of Natural Resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 388 (SSB 73), a bill for an act relating to certification requirements for private applicators of pesticides.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Riordan, Boswell, Fraise, Hedge, Hester, Husak, Miller, Palmer, Rensink and Scott. Nays, 5: Priebe, Soorholtz, Coleman, Fuhrman and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 389 (SSB 280), a bill for an act relating to farm crisis relief, by extending the date of repeal of certain 1986 provisions, expanding participation in farm mediation, requiring borrowers to file a list of creditors, providing for review of farm mediation service decisions, expanding the confidentiality of mediation information, providing for mediation fees, and providing limitations on liability and immunity from certain judicial actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 390 (SSB 256), a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, 1: Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 385 (SSB 213), a bill for an act relating to the scope of negotiations for purposes of public employment collective bargaining.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 2: Fuhrman and Vande Hoef. Absent or not voting, 2: Hultman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 81, a bill for an act relating to consumer transactions involving the performance of repairs or service upon a motor vehicle, and imposing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3194.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Mann, Pate, Rife, Running, Tieden and Welsh. Nays, 3: Lind, Nystrom and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE JOINT RESOLUTION 6 (SSB 281), a joint resolution to nullify an administrative rule of the department of education relating to identification markings allowed on school buses and providing an effective date.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 3: Bruner, Lind and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 315, a bill for an act relating to the delivery of controlled substances, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 391 (SSB 272), a bill for an act relating to reporting county jail information to the director of the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 392 (SSB 216), a bill for an act relating to workers' compensation by revising provisions governing the release of employee medical information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Mann, Carr, Deluhery, Fuhrman, Gronstal, Horn and Varn. Nays, 6: Gentleman, Coleman, Drake, Hagerla, Hester and Taylor. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 393 (SSB 285), a bill for an act providing for the commitment of certain persons convicted of operating a motor vehicle while intoxicated.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 394 (SSB 278), a bill for an act relating to the administration and use of the civil reparations trust fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 395 (SSB 87), a bill for an act adding certain controlled substances to schedule I, schedule IV, and schedule V controlled substances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 396 (SSB 85), a bill for an act relating to victim notification, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, and notification to victims by various departments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 397 (SSB 122), a bill for an act relating to salaries of the clerks of the district court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 398 (SSB 292), a bill for an act relating to the location of the personal office space and equipment, and facilities for a secretary and law clerk of a judge of the court of appeals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 362, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3196.

Final Vote: Ayes, 11: Dieleman, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Riordan, and Szymoniak. Nays, none. Absent or not voting, 4: Husak, Hultman, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3189	S. F.	294	Al Sturgeon
S—3190	S. F.	220	Agriculture
S—3191	S. F.	363	Charles Bruner
S—3192	S. F.	205	Beverly A. Hannon
S—3193	S. F.	87	Richard Running
S—3194	S. F.	81	Commerce
S—3195	S. F.	344	Tom Mann, Jr.
S—3196	S. F.	362	Ways and Means
S—3197	S. F.	344	Linn Fuhrman

AFTERNOON SESSION

The Senate reconvened at 4:52 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 1989, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions.

ALSO: That the House has on March 7, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 152, a bill for an act relating to relocation payments and relocation advisory assistance for displaced persons, and real property acquisition, and providing an effective date.

ALSO: That the House has on March 7, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 432, a bill for an act relating to canteen funds under the authority of the director of the department of corrections.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 391, by committee on Judiciary, a bill for an act relating to reporting county jail information to the director of the department of corrections.

Read first time and **placed on calendar**.

Senate File 392, by committee on Judiciary, a bill for an act relating to workers' compensation by revising provisions governing the release of employee medical information.

Read first time and **placed on calendar**.

Senate File 393, by committee on Judiciary, a bill for an act providing for the commitment of certain persons convicted of operating a motor vehicle while intoxicated.

Read first time and **placed on calendar**.

Senate File 394, by committee on Judiciary, a bill for an act relating to the administration and use of the civil reparations trust fund.

Read first time and **placed on calendar**.

Senate File 395, by committee on Judiciary, a bill for an act adding certain controlled substances to schedule I, schedule IV, and schedule V controlled substances.

Read first time and **placed on calendar**.

Senate File 396, by committee on Judiciary, a bill for an act relating to victim notification, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, and notification to victims by various departments.

Read first time and **placed on calendar**.

Senate File 397, by committee on Judiciary, a bill for an act relating to salaries of the clerks of the district court.

Read first time and **placed on calendar**.

Senate File 398, by committee on Judiciary, a bill for an act relating to the location of the personal office space and equipment, and facilities for a secretary and law clerk of a judge of the court of appeals.

Read first time and **placed on calendar**.

Senate File 399, by Lind, a bill for an act increasing the penalty for certain acts relating to prostitution.

Read first time and **passed on file**.

Senate File 400, by Lind, a bill for an act relating to expenditures of moneys on state park roads, county conservation parkways, and the great river road.

Read first time and **passed on file**.

Senate File 401, by Rife, a bill for an act providing for a small business tax credit on the state individual and corporate income tax.

Read first time and **passed on file**.

Senate File 402, by committee on State Government, a bill for an act relating to the membership of the medical assistance advisory council.

Read first time and **placed on calendar**.

Senate File 403, by Lind, a bill for an act relating to billboard control.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 362.

Senate File 362

On motion of Senator Murphy, Senate File 362, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate File 362** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 285.

Senate File 285

On motion of Senator Peterson, Senate File 285, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 285) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Lind	Miller	Murphy	Palmer
Pate	Peterson	Rensink	Rife
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Hultman
Nystrom

Kinley
Priebe

Lloyd-Jones
Scott

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 285** be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	378	Judiciary
S.F.	379	Appropriations
S.F.	380	State Government
S.F.	381	State Government
S.F.	382	Natural Resources
S.F.	383	Human Resources
S.F.	384	Transportation
S.F.	399	Judiciary
S.F.	400	Transportation
S.F.	401	Ways and Means
S.F.	403	Small Business/Economic Development
H.F.	447	Environment & Energy Utilities

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 269, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 273, a bill for an act relating to child day care by amending certain definitions.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Hannon, Bruner, Corning, Carr, Hagerla, Sturgeon and Tinsman. Nays, 2: Murphy and Riordan. Absent or not voting, 3: Gentleman, Horn and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 277, a bill for an act relating to the establishment of resident councils.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Bruner, Corning, Carr, Horn, Murphy, Riordan, Sturgeon and Tinsman. Nays, 3: Gentleman, Hagerla and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 410 (SSB 193.1), a bill for an act relating to the conducting of an epidemiological blinded study to determine the prevalence of the human immunodeficiency virus infection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 411 (SSB 277), a bill for an act relating to the practice of acupuncture and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hannon, Bruner, Carr, Hagerla, Horn, Murphy, Riordan, Sturgeon and Tinsman. Nays, 3: Corning, Gentleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 412 (SSB 297.1), a bill for an act relating to the medical assistance subrogation rights of the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 406 (SSB 185), a bill for an act relating to retention of a court reporter by a newly appointed judge.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 116, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the appropriation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Nystrom, Coleman, Dieleman, Drake, Fraise, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Gentleman. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 402 (SSB 332), a bill for an act relating to the membership of the medical assistance advisory council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 8, a concurrent resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Carr, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 407 (SSB 311), a bill for an act relating to unclaimed intangible personal property by providing for the treatment of claims in the course of the dissolution of a corporation in the same manner as unclaimed property held by a court or by the state and by altering certain aspects of claim administration, distribution of moneys, and other matters properly related with the disposition of unclaimed personal property and procedures related thereto.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 14: Carr, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 409 (SSB 271), a bill for an act relating to liquor and beer sales on Sundays, by extending the permitted hours for sales on Sunday to include the hours between 6:00 a.m. on Sunday and 2:00 a.m. on the following Monday.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Horn, Rife, Running and Soorholtz. Nays, 3: Dieleman, Hannon and Vande Hoef. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 293, a bill for an act relating to gifts, contributions, bequests, endowments, and other moneys for purposes of the library division of the department of cultural affairs.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Carr, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 404, by Corning, a bill for an act relating to merged area school instructors, courses, and programs for handicapped students, and providing for a department of education study.

Read first time under Rule 28 and **passed on file**.

Senate File 405, by Lind, a bill for an act providing for the consolidation of counties and providing effective dates.

Read first time under Rule 28 and **passed on file**.

Senate File 406, by committee on Judiciary, a bill for an act relating to retention of a court reporter by a newly appointed judge.

Read first time under Rule 28 and **placed on calendar**.

Senate File 407, by committee on State Government, a bill for an act relating to unclaimed intangible personal property by providing for the treatment of claims in the course of the dissolution of a corporation in the same manner as unclaimed property held by a court or by the state and by altering certain aspects of claim administration, distribution of moneys, and other matters properly related with the disposition of unclaimed personal property and procedures related thereto.

Read first time under Rule 28 and **placed on calendar**.

Senate File 408, by Fuhrman and Welsh, a bill for an act relating to roads, including roads identified by the state transportation commission as a network of commercial and industrial highways, by establishing the purpose of the network, by providing the terms for the improvement of the network, and by altering concurrent jurisdiction of extensions of primary roads in municipalities.

Read first time under Rule 28 and **passed on file.**

Senate File 409, by committee on State Government, a bill for an act relating to liquor and beer sales on Sundays, by extending the permitted hours for sales on Sunday to include the hours between 6:00 a.m. on Sunday and 2:00 a.m. on the following Monday.

Read first time under Rule 28 and **placed on calendar.**

Senate File 410, by committee on Human Resources, a bill for an act relating to the conducting of an epidemiological blinded study to determine the prevalence of the human immunodeficiency virus infection.

Read first time under Rule 28 and **placed on calendar.**

Senate File 411, by committee on Human Resources, a bill for an act relating to the practice of acupuncture and providing a penalty.

Read first time under Rule 28 and **placed on calendar.**

Senate File 412, by committee on Human Resources, a bill for an act relating to the medical assistance subrogation rights of the department of human services.

Read first time under Rule 28 and **placed on calendar.**

AMENDMENTS FILED

S—3198	S.F.	362	Emil J. Husak Eugene Fraise Norman Goodwin Leonard Boswell John Soorholtz Berl Priebe Alvin Miller Dale Tieden Mark Hagerla Jim Lind Jack Hester Ray Taylor
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			John Peterson
			Richard Vande Hoef
			C. Joseph Coleman
			Jack Rife
			H. Kay Hedge
			Paul Pate
			Wilmer Rensink
			Linn Fuhrman
			John Jensen
S—3199	S. F.	362	Jack Rife
S—3200	H. F.	197	John P. Kibbie
S—3201	S. F.	396	Mark Hagerla
S—3202	S. F.	370	Eugene Fraise
S—3203	S. F.	362	Calvin Hultman
			Richard Drake
S—3204	S. F.	362	Wally Horn
			Julia Gentleman
S—3205	S. F.	362	Charles Bruner
			Larry Murphy
			Joy Corning

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:10 p.m., until 8:00 a.m., Friday, March 10, 1989.

JOURNAL OF THE SENATE

SIXTY-FIRST CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 10, 1989

The Senate met in regular session at 8:07 a.m., Senator Lloyd-Jones presiding.

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Thursday, March 9, 1989, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 404, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date.

This bill was read first time and **passed on file**.

IMMEDIATE MESSAGE RESCINDED

Senator Hutchins asked and received unanimous consent to rescind the request for an immediate message on **Senate File 285** on March 9, 1989.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Welsh presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 9:42 a.m.

The vote revealed 41 present, 9 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 13, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 146, a bill for an act relating to the county commission of veteran affairs.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 7, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 13, a bill for an act relating to conduct which endangers the physical health or safety of a student and which is a condition of association with a student group or organization, and providing penalties.

This bill was read first time and **passed on file**.

House File 20, a bill for an act relating to dissolution of marriage and related proceedings by providing for a pilot program of mandatory mediation of contested issues of child custody and visitation.

This bill was read first time and **passed on file**.

House File 198, a bill for an act relating to the issuance and possession of commercial fishing operators licenses.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by Tieden, a joint resolution proposing an amendment to the Constitution of the State of Iowa limiting the total amount of appropriations to a percent of estimated state general fund revenues and providing for related matters.

Read first time and **passed on file**.

Senate Joint Resolution 8, by committee on Appropriations, a joint resolution to nullify an administrative rule of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date.

Read first time and **placed on Appropriations calendar**.

MOTION TO RECONSIDER ADOPTED (Bill Deferred)

Senator Hutchins filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 285 passed the Senate on March 9, 1989.

On the question "Shall the motion to reconsider be adopted?" (S.F. 285) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Running	Scott	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Riordan	Tieden
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Absent or not voting, 6:

Jensen	Kinley	Lind	Palmer
Rife	Soorholtz		

The motion prevailed.

Senator Hutchins moved to reconsider the vote by which Senate File 285 went to its last reading, which motion prevailed by a voice vote.

Senate File 285

On motion of Senator Peterson, Senate File 285, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date, was taken up for reconsideration.

Senator Peterson asked and received unanimous consent that **House File 404** be substituted for **Senate File 285**.

House File 404

On motion of Senator Peterson, House File 404, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **House File 404** be deferred.

UNFINISHED BUSINESS
(Deferred March 9, 1989)

Senate File 362

The Senate resumed consideration of Senate File 362, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, deferred March 9, 1989.

Senator Rife offered amendment S—3218 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill, moved its adoption and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—3218 be adopted?" (S.F. 362) the vote was:

Ayes, 9:

Fuhrman	Gettings	Hagerla	Pate
Rife	Soorholtz	Tieden	Vande Hoef
Welsh			

Nays, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tinsman	Varn		

Absent or not voting, 3:

Jensen	Kinley	Lind
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Amendment S—3218 lost.

Senator Dieleman asked and received unanimous consent that action on amendment S—3196 filed by the committee on Ways and Means on March 9, 1989, to pages 27 through 29 of the bill be deferred.

Senator Murphy withdrew amendment S—3212 filed by him from the floor to page 1 of the bill.

Senator Murphy offered amendment S—3216 filed by him from the floor to pages 1 and 45 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kinley for the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 362

The Senate resumed consideration of Senate File 362 and amendment S—3216.

Senator Murphy moved the adoption of amendment S—3216, which motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—3203 filed by Senators Hultman and Drake on March 9, 1989, to pages 8 through 11 of the bill be deferred.

Senator Murphy offered amendment S—3211 filed by him from the floor to pages 12, 16, 24, 73 through 75 and 77 of the bill.

Senator Murphy offered amendment S—3213 filed by him from the floor to amendment S—3211 and moved its adoption.

Amendment S—3213 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3211 as amended, which motion prevailed by a voice vote.

The Senate resumed consideration of amendment S—3203 by Senators Hultman and Drake to pages 8 through 11 of the bill, previously deferred.

Senator Hultman asked and received unanimous consent that action on amendment S—3203 be deferred.

With the adoption of amendment S—3211 as amended, the Chair ruled amendment S—3207 filed by Senator Murphy from the floor to pages 12, 16 and 89 of the bill, out of order.

Senator Murphy withdrew amendment S—3206 filed by him from the floor to page 24 of the bill.

Senator Corning offered amendment S—3217 filed by Senators Corning, Carr and Sturgeon from the floor to page 24 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3217 be adopted?” (S.F. 362) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 6:

Boswell	Gettings	Gronstal	Hannon
Taylor	Vande Hoef		

Absent or not voting, 4:

Kinley	Lind	Rife	Soorholtz
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Amendment S—3217 was adopted.

Senator Gentleman offered amendment S—3220 filed by her from the floor to page 27 of the bill and moved its adoption.

Amendment S—3220 lost by a voice vote.

Senator Murphy asked and received unanimous consent that action on amendment S—3226 filed by him from the floor to pages 27, 33 and 44 of the bill be deferred.

Senator Murhpy offered amendment S—3209 filed by him from the floor to page 27 of the bill and moved its adoption.

Amendment S—3209 was adopted by a voice vote.

Senator Husak offered amendment S—3198 filed by Senators Husak, et al., on March 9, 1989, to pages 27 through 29 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—3198 be deferred.

Senator Tinsman offered amendment S—3221 filed by Senators Tinsman, et al., from the floor to page 32 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 362

The Senate resumed consideration of Senate File 362 and amendment S—3221.

Senator Tinsman moved the adoption of amendment S—3221, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—3210 filed by him from the floor to page 33 of the bill and moved its adoption.

Amendment S—3210 was adopted by a voice vote.

Senator Bruner offered amendment S—3205 filed by Senators Bruner, Murphy and Corning on March 9, 1989, to pages 47, 59 and 60 of the bill and moved its adoption.

Amendment S—3205 was adopted by a voice vote.

(Senate File 362 pending on recess).

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:48 a.m., until 12:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 9, 1989, 4:30 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Boswell, Vice Chair and Lloyd-Jones (excused).

Committee Business: Approved LSB 2644.

Adjourned: 4:45 p.m.

HUMAN RESOURCES

Convened: March 9, 1989, 2:35 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 193.1, 277 and 297.1 as committee bills; recommended passage of Senate Files 269, 273 and 277.

Adjourned: 3:30 p.m.

JUDICIARY

Convened: March 9, 1989, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 309 as amended; approved SSBs 284, 185, 267 186, and 97 as committee bills.

Adjourned: 4:34 p.m.

NATURAL RESOURCES

Convened: March 9, 1989, 1:30 p.m.

Members Present: Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Priebe, Rensink and Tieden.

Members Absent: Scott, Chair (excused); Mann and Peterson.

Committee Business: Assigned SSB 326 to a subcommittee.

Adjourned: 1:40 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 9, 1989, 8:05 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Miller, Pate, Peterson, Rife, Szymoniak and Vande Hoef.

Members Absent: Scott (excused).

Committee Business: Subcommittee report from Senator Hagerla regarding investigation redundancy and overlap between the two departments in the area of agricultural marketing.

Adjourned: 8:35 a.m.

STATE GOVERNMENT

Convened: March 9, 1989, 1:35 p.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Lloyd-Jones, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Concurrent Resolution 8, Senate File 116 and House File 293; approved SSBs 311, 332 and 271 as committee bills.

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: March 9, 1989, 9:40 a.m.

Members Present: Dieleman, Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Riordan and Szymoniak.

Members Absent: Husak, Vice Chair; Hultman (both excused), Palmer and Soorholtz.

Committee Business: Recommended passage of Senate File 362 as amended and assigned a bill to subcommittee.

Adjourned: 10:07 a.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 297**

APPROPRIATIONS: Gronstal, Chair; Husak and Pate

Senate File 383

HUMAN RESOURCES: Sturgeon, Chair; Carr and Corning

SSB 334

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Szymoniak, Chair; Miller and Pate

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE JOINT RESOLUTION 8, a joint resolution to nullify an administrative rule of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Boswell and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 309, a bill for an act relating to guardians and conservators, by providing for notice to proposed wards, formation of state and local emergency medical boards, immunity from liability, waiver of filing fees and costs, training of guardians and conservators, and implementation of a representative payee project.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3228.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 414 (SSB 97), a bill for an act relating to the purchase or sale of an individual and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 415 (SSB 186), a bill for an act relating to the regulation of lotteries and lottery tickets by amending provisions relating to advertising, by permitting the advertisement of lotteries operated under the laws of other jurisdictions and advertisement of certain promotional games, contests, or activities from the lottery advertising restrictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Varn and Welsh. Nays, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 416 (SSB 267), a bill for an act relating to the identification of persons engaged in private investigation and private security businesses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 417 (SSB 284), a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Doyle, Mann, Carr, Coleman, Deluhery, Gronstal, Horn, Varn and Welsh. Nays, 6: Gentleman, Drake, Fuhrman, Hagerla, Hester and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3206	S. F.	362	Larry Murphy
S—3207	S. F.	362	Larry Murphy
S—3208	S. F.	362	Larry Murphy
S—3209	S. F.	362	Larry Murphy
S—3210	S. F.	362	Larry Murphy
S—3211	S. F.	362	Larry Murphy
S—3212	S. F.	362	Larry Murphy
S—3213	S. F.	362	Larry Murphy
S—3214	S. F.	362	Ray Taylor Dale Tieden
S—3215	S. F.	362	Emil Husak Jack Rife Kenneth Scott
S—3216	S. F.	362	Larry Murphy
S—3217	S. F.	362	Joy Corning Bob Carr Al Sturgeon
S—3218	S. F.	362	Jack Rife
S—3219	S. F.	362	Larry Murphy
S—3220	S. F.	362	Julia Gentleman
S—3221	S. F.	362	Maggie Tinsman Julia Gentleman

			Richard Drake
			Ray Taylor
			Larry Murphy
S—3222	H.F.	404	Calvin Hultman
S—3223	S.F.	362	Calvin Hultman
			Ray Taylor
			Richard Drake
S—3224	S.F.	362	Berl E. Priebe
			Emil Husak
			Alvin Miller
			Kenneth Scott
			Larry Murphy
			John Peterson
			Dale Tieden
			Richard Vande Hoef
			Leonard Boswell
			John Kibbie
			James Riordan
			Don Gettings
			C. Joseph Coleman
			Eugene Fraise
S—3225	S.F.	362	Richard Varn
			Larry Murphy
			Berl Priebe
			James Riordan
			Beverly Hannon
			Leonard Boswell
			Emil J. Husak
S—3226	S.F.	362	Larry Murphy
S—3227	S.F.	362	Berl E. Priebe
			John Soorholtz
S—3228	S.F.	309	Judiciary
S—3229	S.F.	362	Jean Lloyd-Jones
S—3230	S.F.	362	Michael E. Gronstal
S—3231	S.F.	362	Wally Horn

AFTERNOON SESSION

The Senate reconvened at 12:17 p.m., Senator Varn presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Running took the chair at 12:18 p.m.

President Zimmerman took the chair at 12:45 p.m.

The vote revealed 36 present, 14 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 362

The Senate resumed consideration of Senate File 362, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, pending on recess.

With the adoption of amendment S—3205, the Chair ruled amendment S—3199 filed by Senator Rife on March 9, 1989, to pages 59 and 60 of the bill, out of order.

Senator Varn offered amendment S—3225 filed by Senators Varn, et al., from the floor to pages 81 and 82 of the bill and moved its adoption.

Amendment S—3225 was adopted by a voice vote.

Senator Taylor offered amendment S—3214 filed by Senators Taylor and Tieden from the floor to page 83 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3214 be adopted?” (S.F. 362) the vote was:

Ayes, 17:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Welsh			

Nays, 25:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Lloyd-Jones	Miller
Murphy	Pate	Priebe	Riordan
Running	Sturgeon	Szymoniak	Tinsman
Varn			

Absent or not voting, 8:

Coleman	Kibbie	Kinley	Lind
Mann	Nystrom	Palmer	Peterson

Amendment S—3214 lost.

The Senate resumed consideration of amendment S—3196 by the committee on Ways and Means to pages 27 through 29 of the bill, previously deferred.

Senator Murphy asked and received unanimous consent that action on amendment S—3232 filed by him from the floor to amendment S—3196 be deferred for consideration of amendment S—3215.

Senator Husak offered amendment S—3215 filed by Senators Husak, Rife and Scott from the floor to amendment S—3196.

Senator Deluhery took the chair at 1:28 p.m.

President Zimmerman took the chair at 1:47 p.m.

Senator Husak moved the adoption of amendment S—3215 to amendment S—3196.

A record roll call was requested.

On the question “Shall amendment S—3215 to amendment S—3196 be adopted?” (S.F. 362) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 32:

Boswell	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hedge
Hester	Hultman	Husak	Jensen
Miller	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 11:

Bruner	Carr	Corning	Gronstal
Hannon	Hutchins	Kibbie	Lloyd-Jones
Running	Szymoniak	Tinsman	

Absent or not voting, 7:

Coleman	Horn	Kinley	Lind
Mann	Nystrom	Peterson	

Amendment S—3215 was adopted.

Senator Murphy moved the adoption of amendment S—3232 to amendment S—3196, previously deferred.

Amendment S—3232 was adopted by a voice vote.

Senator Gentleman offered amendment S—3204 filed by Senators Horn and Gentleman on March 9, 1989, to amendment S—3196 and moved its adoption.

Amendment S—3204 was adopted by a voice vote.

Senator Bruner offered amendment S—3235 filed by him from the floor to amendment S—3196 and moved its adoption.

Amendment S—3235 was adopted by a voice vote.

With the adoption of amendment S—3215 to amendment S—3196, amendment S—3208 filed by Senator Murphy from the floor to amendment S—3196 was out of order.

Senator Dieleman asked and received unanimous consent that action on amendment S—3196 as amended be deferred.

Senator Hultman offered amendment S—3223 filed by Senators Hultman, Taylor and Drake from the floor to pages 1, 4, 7, 10 through 20, 23 through 25, 27, 29, 31 through 33, 38, 45, 64, 66, 74, 75, 77 through 79, 82, and 88 through 90 of the bill and called for a division:

Division S—3223A: Page 1, lines 2 through 5, 8 and 9, 12 through 50; pages 2 and 3; page 4, lines 1 through 10, 13 through 34, 38 through 41, 44 and 45; page 5, lines 2 through 35.

Division S—3223B: Page 4, lines 11 and 12.

Division S—3223C: Page 1, lines 6 and 7, 10 and 11; page 4, lines 35 through 37, 42 and 43, 46 through 50; page 5, line 1.

With the adoption of amendments S—3216 and S—3211, the Chair ruled division S—3223C out of order.

Senator Hultman asked and received unanimous consent that action on division S—3223B be deferred.

Senator Hultman moved the adoption of division S—3223A.

A non record roll call was requested.

The ayes were 17, nays 23.

Division S—3223A lost.

Senator Hultman asked and received unanimous consent to withdraw division S—3223B, previously deferred.

Senator Priebe offered amendment S—3224 filed by Senators Priebe, et al., from the floor to pages 3, 26, 85 and 89 of the bill.

Senator Priebe offered amendment S—3227 filed by Senators Priebe and Soorholtz from the floor to amendment S—3224 and moved its adoption.

Amendment S—3227 was adopted by a voice vote.

Senator Priebe moved the adoption of amendment S—3224 as amended and requested a record roll call.

On the question “Shall amendment S—3224 as amended be adopted?” (S.F. 362) the vote was:

Ayes, 24:

Boswell	Doyle	Fraise	Fuhrman
Gettings	Hannon	Husak	Hutchins
Jensen	Kibbie	Lloyd-Jones	Miller
Murphy	Palmer	Priebe	Rife
Riordan	Scott	Soorholtz	Szymoniak
Tieden	Vande Hoef	Varn	Welsh

Nays, 19:

Bruner	Corning	Deluhery	Dieleman
Drake	Gentleman	Goodwin	Gronstal
Hagerla	Hedge	Hester	Horn
Hultman	Pate	Rensink	Running
Sturgeon	Taylor	Tinsman	

Absent or not voting, 7:

Carr	Coleman	Kinley	Lind
Mann	Nystrom	Peterson	

Amendment S—3224 as amended was adopted.

The Senate resumed consideration of amendment S—3196 as amended by the committee on Ways and Means to pages 27 through 29 of the bill, previously deferred.

Senator Horn offered amendment S—3231 filed by him from the floor to amendment S—3196 and moved its adoption.

Amendment S—3231 was adopted by a voice vote.

Senator Dieleman moved the adoption of amendment S—3196 as amended, which motion prevailed by a voice vote.

Senator Tinsman offered amendment S—3234 filed by Senators Tinsman and Murphy from the floor to pages 12, 16 and 89 of the bill and moved its adoption.

Amendment S—3234 was adopted by a voice vote.

Senator Corning offered amendment S—3236 filed by her from the floor to page 17 of the bill.

Senator Murphy asked and received unanimous consent that action on amendment S—3236 be deferred.

With the adoption of amendment S—3232, the Chair ruled amendment S—3226 by Senator Murphy to pages 27, 33 and 44 of the bill, previously deferred, out of order.

Senator Corning offered amendment S—3237 filed by her from the floor to page 27 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3237 be adopted?” (S.F. 362) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Bruner	Corning	Deluhery	Drake
Fuhrman	Gentleman	Gronstal	Horn
Husak	Hutchins	Lloyd-Jones	Miller
Murphy	Palmer	Running	Szymoniak
Tinsman	Vande Hoef	Varn	

Nays, 21:

Boswell	Dieleman	Doyle	Fraise
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Jensen	Kibbie
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Welsh			

Absent or not voting, 10:

Carr	Coleman	Gettings	Kinley
Lind	Mann	Nystrom	Pate
Peterson	Sturgeon		

Amendment S—3237 lost.

Senator Gronstal offered amendment S—3230 filed by him from the floor to page 27 of the bill.

Senator Murphy called for a division of the amendment as follows: lines 2 through 9 as division S—3230A; lines 10 through 23 as division S—3230B.

Senator Gronstal moved the adoption of division S—3230A, which motion lost by a voice vote.

Senator Gronstal moved the adoption of division S—3230B, which motion prevailed by a voice vote.

Senator Deluhery offered amendment S—3233 filed by Senators Deluhery, Murphy and Corning from the floor to page 29 of the bill and moved its adoption.

Amendment S—3233 was adopted by a voice vote.

With the adoption of amendment S—3215 to amendment S—3196, the Chair ruled the following amendments out of order:

S—3198 by Senators Husak, et al., to pages 27 through 29 of the bill, previously deferred.

S—3219 filed by Senator Murphy from the floor to amendment S—3198.

Senator Hutchins filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3209 to Senate File 362 was adopted by the Senate on March 10, 1989.

The motion prevailed by a voice vote and amendment S—3209 by Senator Murphy to page 27 of the bill, was taken up for reconsideration.

Senator Murphy withdrew amendment S—3209.

The following motion to reconsider filed by Senator Vande Hoef from the floor was out of order:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3209 to Senate File 362 was adopted by the Senate on March 10, 1989.

(Action on Senate File 362 pending on adjournment.)

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 250, a bill for an act relating to violations of an individual's civil rights, by prohibiting interference with the contractual or business relations of another citizen, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor civil rights violations, and providing a penalty.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 413, by Running, a bill for an act relating to the registration of rental motor vehicles.

Read first time and **passed on file**.

Senate File 414, by committee on Judiciary, a bill for an act relating to the purchase or sale of an individual and providing a penalty.

Read first time and **placed on calendar**.

Senate File 415, by committee on Judiciary, a bill for an act relating to the regulation of lotteries and lottery tickets by amending provisions relating to advertising, by permitting the advertisement of lotteries operated under the laws of other jurisdictions and advertisement of certain promotional games, contests, or activities from the lottery advertising restrictions.

Read first time and **placed on calendar**.

Senate File 416, by committee on Judiciary, a bill for an act relating to the identification of persons engaged in private investigation and private security businesses.

Read first time and **placed on calendar.**

Senate File 417, by committee on Judiciary, a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act.

Read first time and **placed on calendar.**

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. J. R.	7	Appropriations
S. F.	404	Education
S. F.	405	Local Government
S. F.	408	Transportation
S. F.	413	Transportation
H. F.	20	Judiciary
H. F.	13	Judiciary
H. F.	198	Natural Resources
H. F.	146	Local Government
H. F.	250	Judiciary

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 10, 1989, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 59 — To provide a procedure for parents or guardians to enroll their children in the public schools of school districts other than the district of residence without cost to the parents or guardians and to provide an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 335

APPROPRIATIONS: Riordan, Chair; Gronstal and Corning

Senate File 376

APPROPRIATIONS: Husak, Chair; Boswell and Tieden

House File 315

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Vande Hoef

SSB 286

AGRICULTURE: Riordan, Chair; Hester and Miller

SSB 329

AGRICULTURE: Priebe, Chair; Fuhrman and Coleman

SSB 330

AGRICULTURE: Husak, Chair; Scott and Soorholtz

STUDY BILLS RECEIVED**SSB 334 Small Business & Economic Development**

A concurrent resolution relating to the inclusion of housing as an economic development factor in the mission statement and policy initiatives of the Iowa economic development strategic plan.

SSB 335 Natural Resources

Creating an Iowa resources enhancement and protection fund, providing for the allocation of fund revenue and making appropriations, imposing a tax on certain beverage containers, and subjecting violators to penalties.

SSB 336 Ways & Means

Relating to the taxation of civil service annuities.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3232 to Senate File 362 was adopted by the Senate on March 10, 1989.

RAY TAYLOR

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3215 to amendment S—3196 to Senate File 362 was adopted by the Senate on March 10, 1989.

PATRICK DELUHERY

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3215 to amendment S—3196 to Senate File 362 was adopted by the Senate on March 10, 1989.

LARRY MURPHY

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3196 as amended to Senate File 362 was adopted by the Senate on March 10, 1989.

BILL HUTCHINS

AMENDMENTS FILED

S—3232	S. F.	362	Larry Murphy
S—3233	S. F.	362	Patrick Deluhery
			Larry Murphy
			Joy Corning
S—3234	S. F.	362	Maggie Tinsman
			Larry Murphy
S—3235	S. F.	362	Charles Bruner
S—3236	S. F.	362	Joy Corning
S—3237	S. F.	362	Joy Corning
S—3238	S. F.	362	Larry Murphy
S—3239	S. F.	362	Jean Lloyd-Jones

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:52 p.m., until 1:00 p.m., Monday, March 13, 1989.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 13, 1989

The Senate met in regular session at 1:05 p.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Wayne Bartruff, pastor of the First United Methodist Church, Fort Madison, Iowa.

The Journal of Friday, March 10, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 71, a bill for an act establishing pilot projects for a peer review court as a diversion program for offenders ten through seventeen years of age.

This bill was read first time and **passed on file**.

House File 324, a bill for an act relating to the confidentiality of county general relief records, and subjecting violators to a penalty.

This bill was read first time and **passed on file**.

House File 398, a bill for an act relating to the Iowa comprehensive health insurance association, by amending the definition of association policy, by modifying and regulating the composition of the association's board of directors, eliminating the agent's referral fee, providing for certain rates for coverage, reducing the lifetime benefit, prohibiting certain unfair

discriminatory insurance practices regarding association policies, providing for review of the association's annual report, and modifying the conditions of eligibility for an association policy.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 9, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 158, a bill for an act relating to demolition insurance reserves for property in cities.

Senate File 179, a bill for an act allowing the issuance of seven-alphanumeric character personalized registration plates upon its enactment.

Senate File 202, a bill for an act relating to the timely notification of the chairperson of the proper judicial nominating commission of a vacancy in the supreme court, the court of appeals, or the district court.

ALSO: That the House has on March 9, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 170, a bill for an act relating to personnel serving the consumer advocate division of the department of justice and the utilities division of the department of commerce, deleting provisions relating to the consumer advocate's authority to utilize employees of the utilities division, expanding the authority to employ consultants and technical advisors pursuant to contract, revising provisions relating to compensation, and providing effective dates (S—3240).

ALSO: That the House has on March 8, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 121, a bill for an act relating to parental leaves of absence for employees of the state and providing an effective date.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 418, by Vande Hoef, Drake and Hagerla, a bill for an act prohibiting the manufacture, delivery, possession with intent to manufacture or deliver, or possession of a controlled substance, a counterfeit substance, or a simulated controlled substance, and providing penalties.

Read first time and **passed on file**.

Senate File 419, by Varn, a bill for an act relating to energy efficiency and providing effective dates.

Read first time and **passed on file**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the afternoon on request of Senator Tieden and Senator Boswell for the afternoon on request of Senator Hutchins.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 369 and 363.

Senate File 369

On motion of Senator Welsh, Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, and providing an effective date, was taken up for consideration.

Senator Welsh asked and received unanimous consent that action on **Senate File 369** be **deferred**.

Senate File 363

On motion of Senator Welsh, Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, was taken up for consideration.

Senator Bruner offered amendment S—3191 filed by him on March 9, 1989, to page 8 of the bill.

Senator Hultman raised the point of order that amendment S—3191 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3191 out of order.

Senator Gronstal offered amendment S—3242 filed by him from the floor to pages 9 and 18 of the bill and moved its adoption.

Amendment S—3242 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that further action on **Senate File 363** be **deferred**.

BUSINESS PENDING

Senate File 369

The Senate resumed consideration of Senate File 369, previously deferred.

Senator Welsh offered amendment S—3243 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3243 was adopted by a voice vote.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 369) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Kibbie	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

Senate File 363

The Senate resumed consideration of Senate File 363, previously deferred.

Senator Hultman offered amendment S—3245 filed by him from the floor to page 19 of the bill.

Senator Gronstal raised the point of order that amendment S—3245 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3245 out of order.

Senator Hultman asked and received unanimous consent that further action on **Senate File 363** be deferred.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 1989, adopted the **conference committee report** and passed **House File 17**, a bill for an act relating to minimum wage requirements.

CONFERENCE COMMITTEE REPORT ADOPTED (House File 17)

House File 17

Senator Peterson called up the conference committee report on House File 17, a bill for an act relating to minimum wage requirements, filed on March 8, 1989, and moved its adoption.

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (H.F. 17) the vote was:

Ayes, 27:

Bruner	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 22:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Nystrom	Pate	Priebe
Rensink	Rife	Scott	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 1:

Taylor

The motion prevailed and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 17) the vote was:

Ayes, 27:

Bruner	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 22:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Nystrom	Pate	Priebe
Rensink	Rife	Scott	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 1:

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 255 and 256.

Senate File 255

On motion of Senator Varn, Senate File 255, a bill for an act relating to the priority of advances under line-of-credit mortgages, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 255) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 17** be immediately messaged to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 256

On motion of Senator Drake, Senate File 256, a bill for an act relating to the allowable axle weights for vehicles transporting raw materials which are removed from a road under construction, with report of committee recommending passage, was taken up for consideration.

Senator Drake asked and received unanimous consent that action on **Senate File 256** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 281, 290 and 291.

Senate File 281

On motion of Senator Boswell, Senate File 281, a bill for an act establishing a tuition reimbursement and loan program for medical students and physicians practicing in certain communities, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **Senate File 281** be **deferred**.

Senate File 290

On motion of Senator Varn, Senate File 290, a bill for an act relating to a spouse relinquishing rights in a homestead and other inchoate dower rights, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 290) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn

Husak	Jensen	Kibbie	Kinley
Lind	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Hultman	Hutchins	Lloyd-Jones	Peterson
Taylor			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 291

On motion of Senator Coleman, Senate File 291, a bill for an act relating to security interests in mobile homes by permitting the secured party to retain the mobile home title, accompanied by a fixture filing to perfect the security interest and provide notice to third parties, and by permitting secured parties, including mortgagees, to apply for reconversion of a mobile home from real property to personal property, with report of committee on Commerce recommending passage, was taken up for consideration.

Senator Coleman offered amendment S—3251 filed by him from the floor to pages 1, 3 and the title page of the bill and moved its adoption.

Amendment S—3251 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 291) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman

Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kibbie	Kinley
Lind	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Hutchins	Lloyd-Jones	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 292

On motion of Senator Coleman, Senate File 292, a bill for an act relating to property rights and methods of enforcement by altering the relative rights of tenants and landlords, including, but not limited to, mobile home park tenants and landlords and by granting small claims concurrent jurisdiction over certain mobile home and personal property abandonment actions, was taken up for consideration.

Senator Coleman offered amendment S—3177 filed by him on March 7, 1989, to page 4 of the bill.

Senator Sturgeon asked and received unanimous consent that action on amendment S—3177 and **Senate File 292** be deferred.

UNFINISHED BUSINESS (Deferred March 6, 1989)

Senate File 205

The Senate resumed consideration of Senate File 205, a bill for an act relating to the credentialing and regulation of respiratory care practitioners, deferred March 6, 1989.

Senator Hannon offered amendment S—3192 filed by her on March 9, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3192 was adopted by a voice vote.

With the adoption of amendment S—3192, the Chair ruled amendment S—3174 filed by Senator Dieleman on March 6, 1989, to page 3 of the bill, out of order.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 205) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Jensen	Kibbie
Kinley	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 4:

Fuhrman	Gentleman	Gronstal	Lind
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Absent or not voting, 4:

Hultman	Hutchins	Lloyd-Jones	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Files 83 and 294.

Senate File 83

On motion of Senator Varn, Senate File 83, a bill for an act relating to the prohibition of plastic beverage cans, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 83) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Husak	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Drake	Hagerla
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Absent or not voting, 4:

Hultman	Hutchins	Lloyd-Jones	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Coleman took the chair at 2:58 p.m.

Senate File 294

On motion of Senator Mann, Senate File 294, a bill for an act relating to interception of communications by electronic, mechanical, or other devices, providing a penalty and providing for the Act's repeal, was taken up for consideration.

Senator Sturgeon offered amendment S—3185 filed by him on March 8, 1989, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 26.

Amendment S—3185 lost.

Senator Sturgeon withdrew amendment S—3186 filed by him on March 8, 1989, to page 8 of the bill.

Senator Sturgeon offered amendment S—3187 filed by him on March 8, 1989, to page 10 of the bill and moved its adoption.

Amendment S—3187 was adopted by a voice vote.

Senator Sturgeon withdrew amendment S—3189 filed by him on March 9, 1989, to page 11 of the bill.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 294) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Gronstal	Murphy
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Absent or not voting, 1:

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 363

The Senate resumed consideration of Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, previously deferred.

Senator Lind offered amendment S—3247 filed by him from the floor to pages 17 and 18 of the bill and called for a division: lines 2 through 9 as division S—3247A and lines 10 and 11 as division S—3247B.

Senator Lind withdrew division S—3247A.

Senator Lind moved the adoption of division S—3247B.

A non record roll call was requested.

The ayes were 20, nays 25.

Division S—3247B lost.

Senator Gentleman withdrew amendment S—3250 filed by her from the floor to page 18 of the bill.

Senator Gentleman offered amendment S—3253 filed by her from the floor to page 18 of the bill.

Senator Welsh raised the point of order that amendment S—3253 was out of order because the same subject matter had previously been considered in amendment S—3242.

The Chair ruled the point not well taken and amendment S—3253 in order.

Senator Gentleman moved the adoption of amendment S—3253.

A record roll call was requested.

On the question “Shall amendment S—3253 be adopted?” (S.F. 363) the vote was:

Ayes, 14:

Corning	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Lind
Nystrom	Pate	Rife	Scott
Tinsman	Vande Hoef		

Nays, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Peterson
Priebe	Running	Soorholtz	Sturgeon
Szymoniak	Tieden	Varn	Welsh

Absent or not voting, 4:

Palmer	Rensink	Riordan	Taylor
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Amendment S—3253 lost.

Senator Lind offered amendment S—3248 filed by him from the floor to page 18 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3248 be adopted?” (S.F. 363) the vote was:

Ayes, 18:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Lind	Nystrom	Pate	Rensink
Rife	Soorholtz	Sturgeon	Tieden
Tinsman	Vande Hoef		

Nays, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Peterson	Priebe
Running	Scott	Szymoniak	Varn
Welsh			

Absent or not voting, 3:

Palmer	Riordan	Taylor
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Amendment S—3248 lost.

Senator Hultman offered amendment S—3249 filed by him from the floor to page 19 of the bill.

Senator Gronstal raised the point of order that amendment S—3249 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3249 out of order.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 363) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tieden	Vande Hoef	Varn	Welsh

Nays, 2:

Gentleman	Tinsman
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Absent or not voting, 4:

Hannon

Palmer

Riordan

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 369** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 420, by Horn, a bill for an act allowing the issuance of personalized collegiate registration plates.

Read first time and **passed on file**.

Senate File 421, by Horn, Jensen and Lind, a bill for an act relating to health maintenance organizations by providing that podiatrists cannot be excluded from participation for services within their scope of practice, based solely upon their licensure as podiatrists, if a health maintenance organization permits other providers to supply the same services for compensation.

Read first time and **passed on file**.

Senate File 422, by Riordan, a bill for an act relating to the continuation of energy conservation programs for low-income persons, and making an appropriation.

Read first time and **passed on file**.

Senate File 423, by Vande Hoef, a bill for an act exempting from state taxes certain bonds and notes issued by the agricultural development authority.

Read first time and **passed on file**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	418	Judiciary
S.F.	419	Environment & Energy Utilities
S.F.	420	Transportation
S.F.	421	Commerce
S.F.	422	Appropriations
S.F.	423	Ways and Means
H.F.	71	Judiciary
H.F.	121	State Government
H.F.	324	Local Government
H.F.	398	Commerce

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3231 to Senate File 362 was adopted by the Senate on March 10, 1989.

LINN FUHRMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3237 to Senate File 362 failed to be adopted by the Senate on March 10, 1989.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3224 to Senate File 362 was adopted by the Senate on March 10, 1989.

BERL E. PRIEBE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 294 passed the Senate on March 13, 1989.

AL STURGEON

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 363 passed the Senate on March 13, 1989.

CALVIN HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 363 passed the Senate on March 13, 1989.

JIM LIND

SUBCOMMITTEE ASSIGNMENTS

Senate File 357

LOCAL GOVERNMENT: Miller, Chair; Jensen and Tinsman

Senate File 384

TRANSPORTATION: Doyle, Chair; Gettings and Drake

Senate File 400

TRANSPORTATION: Drake, Chair; Lloyd-Jones and Scott

Senate File 405

LOCAL GOVERNMENT: Miller, Chair; Murphy and Tinsman

Senate File 408

TRANSPORTATION: Lloyd-Jones, Chair; Gettings and Goodwin

Senate File 413

TRANSPORTATION: Nystrom, Chair; Dieleman and Scott

House File 146

LOCAL GOVERNMENT: Fraise, Chair; Priebe and Goodwin

House File 447

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Deluhery and Rife

STUDY BILLS RECEIVED

SSB 337 State Government

Relating to the public release of the names of applicants for employment with government bodies.

SSB 338 State Government

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to the item veto authority of the governor.

SSB 339 State Government

Relating to the markup of the wholesale price for alcoholic liquor.

SSB 340 Ways & Means

Relating to the assessment and valuation of certain property.

SSB 341 Ways & Means

Relating to the sales and use tax on certain tangible personal property.

SSB 342 Judiciary

Relating to real estate by providing for the application and regulation of parcel identification numbers, and providing an effective date.

SSB 343 Judiciary

Relating to the crime of child endangerment and providing penalties.

AMENDMENTS FILED

S—3240	S. F.	170	House amendment
S—3241	S. F.	362	Richard J. Varn
S—3242	S. F.	363	Michael E. Gronstal
S—3243	S. F.	369	Joe Welsh
S—3244	S. F.	402	Elaine Szymoniak
S—3245	S. F.	363	Calvin O. Hultman
S—3246	S. F.	410	Beverly A. Hannon
S—3247	S. F.	363	Jim Lind
S—3248	S. F.	363	Jim Lind
S—3249	S. F.	363	Calvin O. Hultman
S—3250	S. F.	363	Julia Gentleman
S—3251	S. F.	291	C. Joseph Coleman

S—3252	S. F.	416	Donald Doyle
S—3253	S. F.	363	Julia Gentleman
S—3254	H. F.	197	John Kibbie
			Leonard Boswell
			Kenneth Scott
			Emil Husak
S—3255	S. F.	292	Al Sturgeon
S—3256	S. F.	256	Richard F. Drake
			C. Joseph Coleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Tuesday, March 14, 1988.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 14, 1989

The Senate met in regular session at 9:06 a.m., Senator Kibbie presiding.

Prayer was offered by the Reverend William Miller, pastor of the Calvary Baptist Church, Union, Iowa.

The Journal of Monday, March 13, 1989, was approved.

FURTHER OBSERVANCE OF WOMEN'S HISTORY MONTH

Senator Szymoniak read to the Senate the 1989 eighth and ninth grade winning "Write Women Back Into History" contest essay written by Kari Ditsworth, 9th grader from Urbandale High School.

The contest was sponsored by the Iowa Commission on the Status of Women, Iowa Department of Education, and the Iowa State Historical Society.

UNFINISHED BUSINESS (Deferred March 10, 1989)

House File 404

The Senate resumed consideration of House File 404, a bill for an act relating to the effective date of a city incorporation, annexation, discontinuance, or boundary adjustment proposal, and providing an effective date, deferred March 10, 1989.

Senator Hultman withdrew amendment S—3222 filed by him on March 10, 1989, to page 1 and the title page of the bill.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 404) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Carr	Mann	Nystrom	Rensink
Running	Tinsman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Peterson asked and received unanimous consent that **Senate File 285** be **withdrawn** from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:46 a.m., until 4:30 p.m.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate Joint Resolution 7**

APPROPRIATIONS: Gronstal, Chair; Riordan and Jensen

Senate File 267

COMMERCE: Kinley, Chair; Priebe, Hannon, Tieden and Nystrom

Senate File 359

COMMERCE: Mann, Chair; Gronstal, Welsh, Lind and Jensen

Senate File 361

COMMERCE: Gronstal, Chair; Mann, Deluhery, Rife and Jensen

Senate File 378

JUDICIARY: Mann, Chair; Varn and Taylor

Senate File 379

APPROPRIATIONS: Gronstal, Chair; Tieden and Riordan

Senate File 382

NATURAL RESOURCES: Priebe, Chair; Mann and Goodwin

Senate File 399

JUDICIARY: Mann, Chair; Varn and Gentleman

Senate File 403

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Lind, Chair; Scott and Miller

Senate File 419

ENVIRONMENT & ENERGY UTILITIES: Gronstal, Chair; Varn and Soorholtz

Senate File 420

TRANSPORTATION: Lloyd-Jones, Chair; Doyle and Nystrom

Senate File 421

COMMERCE: Kinley, Chair; Deluhery and Tieden

Senate File 422

APPROPRIATIONS: Sturgeon, Chair; Tinsman and Varn

House File 13

JUDICIARY: Gronstal, Chair; Deluhery and Drake

House File 20

JUDICIARY: Horn, Chair; Gentleman and Mann

House File 198

NATURAL RESOURCES: Kibbie, Chair; Doyle and Rensink

House File 250

JUDICIARY: Mann, Chair; Horn and Gentleman

House File 375

NATURAL RESOURCES: Peterson, Chair; Mann and Hedge

House File 398

COMMERCE: Palmer, Chair; Gronstal and Nystrom

House File 402

HUMAN RESOURCES: Bruner, Chair; Murphy and Corning

SSB 335

NATURAL RESOURCES: Priebe, Chair; Scott, Husak, Tieden and Rensink

SSB 342

JUDICIARY: Coleman, Chair; Doyle and Taylor

SSB 343

JUDICIARY: Mann, Chair; Gentleman and Gronstal

SSB 344

ENVIRONMENT & ENERGY UTILITIES: Sturgeon, Chair; Miller and Pate

SSB 348

HUMAN RESOURCES: Hannon, Chair; Carr and Corning

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: March 13, 1989, 4:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Varn and Welsh.

Members Absent: Taylor (excused).

Committee Business: Amended SSB 74 and ordered redrafted as a committee bill; approved SSBs 342 and 31 as committee bills.

Adjourned: 5:50 p.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Brian Webb, Davenport — For Eagle Scout Award. Senator Rife (March 14, 1989).

The Muscatine Muskies, Muscatine — Champions of the 1989 Girls' State five-player high school basketball tournament. Senator Drake (March 13, 1989).

The Durant Wildcats, Durant — Runner-up of the 1989 Girls' State five-player high school basketball tournament. Senator Drake (March 13, 1989).

STUDY BILLS RECEIVED

SSB 200.2 Human Resources

Relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under Title XVIII

of the federal Social Security Act and providing for the collection and analysis of information; the provision of health care insurance to the uninsured and underinsured; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; and providing for other properly related matters.

SSB 344 Environment & Energy Utilities

Relating to the sale, lease, rental, or advertising of water treatment systems.

SSB 345 Education

Relating to student postsecondary financial aid programs and making penalties applicable.

SSB 346 Local Government

Relating to the disposition of found property and subjecting violators to a penalty.

SSB 347 Agriculture

Relating to the establishment of an agricultural research coordinating council and an Iowa agricultural research fund, and providing an effective date.

SSB 348 Human Resources

Requiring the department of inspections and appeals to adopt rules relating to intermediate care facilities for the mentally retarded and providing an effective date.

SSB 349 Judiciary

Relating to alimony.

SSB 350 Judiciary

Relating to the disposition of property devised as a class gift where the testator has survived the devisee, and providing an applicability provision.

SSB 351 Agriculture

Relating to grain held by grain warehouse operators for the payment of charges.

SSB 352 Agriculture

Relating to subjecting buyers of farm products to certain security interests and providing an effective date.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 323, a bill for an act permitting the use of telecommunications in grades nine through twelve to provide courses that are required by the state's minimum educational standards and also are postsecondary prerequisites.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3264.

Final Vote: Ayes, 14: Murphy, Horn, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 3: Taylor, Rensink and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 110, a bill for an act relating to foster care review by establishing certain reporting requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 278, a bill for an act relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 426 (SSB 319), a bill for an act relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 424 (SSB 31), a bill for an act relating to the enforcement of child custody and visitation orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Carr, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Horn, Varn and Welsh. Nays, 2: Gentleman and Hester. Absent or not voting, 3: Mann, Coleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 425 (SSB 342), a bill for an act relating to real estate by providing for the application and regulation of parcel identification numbers, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Varn and Welsh. Nays, none. Absent or not voting, 2: Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 427 (SSB 321), a bill for an act authorizing a writing fee for the issuance of state park user permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Priebe and Tinsman. Nays, none. Absent or not voting, 3: Jensen, Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 428 (SSB 299), a bill for an act relating to the installation and use of telecommunications devices for deaf persons in an enhanced 911 service area.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Kinley, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Jensen and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 132, a bill for an act relating to the fee retained by county treasurers for use tax collection on vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 295, a bill for an act relating to school bus driver education requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 400, a bill for an act relating to expenditures of moneys on state park roads, county conservation parkways, and the great river road.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 210, a bill for an act relating to reports and records of motor vehicle registrations and certificates of title kept by county treasurers, imposing penalty fees for delinquencies, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3263.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3257	S. F.	417	Michael E. Gronstal
S—3258	S. F.	363	Calvin O. Hultman
S—3259	S. F.	362	Larry Murphy
			Richard Varn
S—3260	S. F.	271	John Peterson
S—3261	S. F.	340	Jim Lind
S—3262	S. F.	340	Jim Lind
S—3263	S. F.	210	Transportation
S—3264	S. F.	323	Education

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President pro tempore Mann presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 289, a bill for an act making a supplemental appropriation to the department of general services and providing an effective date.

INTRODUCTION OF BILLS

Senate File 424, by committee on Judiciary, a bill for an act relating to the enforcement of child custody and visitation orders.

Read first time and **placed on calendar**.

Senate File 425, by committee on Judiciary, a bill for an act relating to real estate by providing for the application and regulation of parcel identification numbers, and providing an effective date.

Read first time and **placed on calendar**.

Senate File 426, by committee on Human Resources, a bill for an act relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, and providing penalties.

Read first time and **placed on calendar**.

Senate File 427, by committee on Local Government, a bill for an act authorizing a writing fee for the issuance of state park user permits.

Read first time and **placed on calendar**.

Senate File 428, by committee on Local Government, a bill for an act relating to the installation and use of telecommunications devices for deaf persons in an enhanced 911 service area.

Read first time and **placed on calendar**.

Senate File 429, by Lind, a bill for an act providing scheduled fines for certain violations of snowmobile regulations, game and fish regulations, and parks.

Read first time and **passed on file**.

Senate File 430, by Priebe and Soorholtz, a bill for an act imposing a special sales tax upon certain tickets, providing for the use of the proceeds, and making an appropriation.

Read first time and **passed on file**.

Senate File 431, by committee on Environment and Energy Utilities, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties.

Read first time and **placed on calendar**.

Senate File 432, by Tinsman, a bill for an act relating to third degree sexual abuse as a nonbailable offense.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S. F.	104	Human Resources
S. F.	116	Appropriations
S. F.	392	Business and Labor Relations

Senator Hutchins asked and received unanimous consent that **Senate File 281** be referred from the Unfinished Business Calendar to the committee on **Education**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 300 and House Files 123 and 141.

Senate File 300

On motion of Senator Szymoniak, Senate File 300, a bill for an act relating to the annexation of territory including secondary roads, was taken up for consideration.

Senator Szymoniak offered amendment S—3183 filed by her on March 8, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3183 was adopted by a voice vote.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 300) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Corning Kibbie

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 123

On motion of Senator Fraise, House File 123, a bill for an act relating to the compensation of election boards, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—3125 filed by the committee on Local Government on February 28, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3125 was adopted by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 123) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 141

On motion of Senator Priebe, House File 141, a bill for an act relating to the approval of the natural resource commission of county conservation board acquisitions or developments, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Scott offered amendment S—3130 filed by the committee on Natural Resources on February 28, 1989, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3130 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 141) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Hultman called up the motion to reconsider Senate File 363 filed by him on March 13, 1989, found on page 762 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 363) the vote was:

Ayes, 46:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Bruner	Murphy
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Absent or not voting, 2:

Hultman	Tieden
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The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate File 363 went to its last reading, which motion prevailed by a voice vote.

Senate File 363

On motion of Senator Welsh, Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, was taken up for reconsideration.

Senator Hultman offered amendment S—3258 filed by him from the floor to page 19 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3258 be adopted?” (S.F. 363) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Kinley	Lind
Nystrom	Palmer	Pate	Rensink
Rife	Running	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Peterson
Priebe	Riordan	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—3258 lost.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 363) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 7:

Fuhrman	Gentleman	Hedge	Lind
Rensink	Rife	Tinsman	

Absent or not voting, 2:

Hannon	Hester
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The motion to reconsider the vote by which Senate File 363 passed the Senate on March 13, 1989, filed by Senator Lind on March 13, 1989, and found on page 763 of the Senate Journal, was out of order.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 218 and 332.

Senate File 218

On motion of Senator Deluhery, Senate File 218, a bill for an act relating to the investments of credit unions, by permitting investment in corporate bonds as defined by rule of the administrator, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 218) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Peterson

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 332

On motion of Senator Running, Senate File 332, a bill for an act relating to legal expense insurance by regulating the sale of contracts providing reimbursement for legal expenses in consideration of a specified payment for a period of time, establishing a premium tax, and providing penalties, was taken up for consideration.

Senator Running offered amendment S—3184 filed by Senators Running and Doyle on March 8, 1989, to pages 2, 3, 6 and 10 of the bill and moved its adoption.

Amendment S—3184 was adopted by a voice vote.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 332) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 4:

Drake	Fuhrman	Gentleman	Lind
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Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 339 and 340.

Senate File 339

On motion of Senator Carr, Senate File 339, a bill for an act providing for delivering a deceased inmate's property to a designated person by the department of corrections, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 339) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 340

On motion of Senator Doyle, Senate File 340, a bill for an act imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge, such as a bad check fee, in excess of the amount permitted by law, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **Senate File 340** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 363** and **House File 404** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 433, by Gentleman, a bill for an act to abolish the board of barber examiners and the board of cosmetology examiners and to establish a board of cosmetology and barber examiners.

Read first time and **passed on file**.

Senate File 434, by committee on Judiciary, a bill for an act relating to elimination of the filing and docketing fee for a petition for modification of a dissolution decree and reduction of the fee for a certificate and seal.

Read first time and **placed on calendar**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	429	Natural Resources
S. F.	430	Ways and Means
S. F.	432	Judiciary
S. F.	433	State Government

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Marivel Rivera, Muscatine Muskies, Muscatine — For being selected as Captain of the 1989 Girls' State five-player all-tournament basketball team. Senator Drake (March 13, 1989).

Kristie Langbehn and Stacy Makoben, Durant Wildcats, Durant; and Jenny Noll, Muscatine Muskies, Muscatine — For being selected as members of the 1989 Girls' State five-player all-tournament basketball team. Senator Drake (March 13, 1989).

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 293, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz and Sturgeon. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 431 (SSB 96), a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 434 (SSB 74), a bill for an act relating to elimination of the filing and docketing fee for a petition for modification of a dissolution decree.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 372, a bill for an act relating to the duties of the natural resource commission and the environmental protection commission with respect to budget approval requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe, Rensink and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 321, a bill for an act relating to the provision of child day care to children of state employees and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3265.

Final Vote: Ayes, 8: Carr, Lloyd-Jones, Fraise, Gentleman, Gronstal, Hannon, Horn and Running. Nays, 4: Coleman, Dieleman, Drake and Soorholtz. Absent or not voting, 3: Nystrom, Rife and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 435 (SSB 310), a bill for an act relating to state licensing of asbestos professionals who perform work in schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Nystrom, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 2: Coleman and Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 435, by committee on State Government, a bill for an act relating to state licensing of asbestos professionals who perform work in schools.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENTS FILED

S—3265	S. F.	321	State Government
S—3266	S. F.	280	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Wednesday, March 15, 1989.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 15, 1989

The Senate met in regular session at 9:06 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Josephine Barnes, pastor of the Church of the Brethern, Dallas Center, Iowa.

The Journal of Tuesday, March 14, 1989, was approved.

INTRODUCTION OF BILLS

Senate File 436, by Murphy, a bill for an act relating to the vesting of benefits under the peace officers' retirement system and local police and fire retirement systems, and providing for the applicability of the Act.

Read first time and **passed on file**.

Senate File 437, by committee on Environment and Energy Utilities, a bill for an act relating to solid waste management by providing for the submission of comprehensive solid waste management plans to the department of natural resources by certain entities and permitting the option of dividing the planning requirement into certain separate parts.

Read first time and **placed on calendar**.

Senate File 438, by committee on Transportation, a bill for an act requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

Read first time and **placed on calendar**.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

H.F.	447	Ways and Means
S.F.	426	Judiciary

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Mann presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the item veto authority of the governor.

Read first time and **placed on calendar**.

Senate File 439, by committee on Natural Resources, a bill for an act relating to the development and maintenance of nursery products by the department of natural resources, establishing an Iowa resource trust fund, and providing for the appropriation of proceeds of the fund.

Read first time and **placed on calendar**.

Senate File 440, by committee on Natural Resources, a bill for an act relating to wildlife habitat stamps, by requiring a stamp for fishing licenses, by providing for the administration of the stamp program, and providing an effective date.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:42 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 14, 1989, 10:59 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Szymoniak, Tinsman and Varn.

Members Absent: Rensink and Tieden (both excused).

Committee Business: Recommended passage of Senate File 323.

Adjourned: 12:17 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 14, 1989, 2:50 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 477 and Senate File 293; approved SSBs 96 and 133 as committee bills; amended SSB 307 and ordered redrafted for final approval as a committee bill; discussed Senate Files 183 and 419.

Adjourned: 3:25 p.m.

HUMAN RESOURCES

Convened: March 14, 1989, 9:55 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Carr.

Committee Business: Assigned a bill to subcommittee; recommended passage of Senate Files 278 and 110; approved SSB 319 as a committee bill; discussed and deferred action on SSB 200.2.

Adjourned: 10:38 a.m.

JUDICIARY

Convened: March 14, 1989, 3:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 74 as a committee bill; recommended passage of Senate File 360 as amended; amended and approved SSB 179 as a committee bill waiving Rule 40; recommended passage of Senate File 327.

Adjourned: 4:40 p.m.

LOCAL GOVERNMENT

Convened: March 14, 1989, 8:08 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Kinley (arrived 8:13), Priebe and Tinsman.

Members Absent: Jensen and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 321 and 299 as committee bills; Senate File 136 failed recommendation for passage; discussed and deferred action on Senate File 357.

Adjourned: 8:39 a.m.

NATURAL RESOURCES

Convened: March 14, 1989, 1:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe, Rensink and Tieden.

Members Absent: none.

Committee Business: Presentation by Bill Farris, Nursery Division, Department of Natural Resources; approved SSBs 312 and 313 as committee bills; recommended passage of House File 372.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: March 14, 1989, 1:35 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 310 and 338 as committee bills; recommended passage of Senate File 321.

Adjourned: 2:46 p.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3224 to Senate File 362 was adopted by the Senate on March 10, 1989.

JEAN LLOYD-JONES

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3224 to Senate File 362 was adopted by the Senate on March 10, 1989.

ELAINE SZYMONIAK

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of March, 1989:

Senate File 289.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED**SSB 353 Human Resources**

Relating to liability for the costs to support a mentally ill person.

SSB 354 Judiciary

Relating to business corporations, and related matters including the elimination of filing of corporate documents with the county recorder for all forms of corporate entities, and providing a special effective date.

SSB 355 Judiciary

Relating to certain felons and misdemeanants, by providing for the placement of such parole or probation violators in the county jail, providing for placement following county jail confinement, requiring reimbursement to counties holding such violators, and authorizing the sentencing court to sentence such offenders to imprisonment in the county jail.

SSB 356 Judiciary

Relating to automobile insurance by limiting the extent to which individual rates may be adjusted and by prohibiting the cancellation or nonrenewal of a policy on the basis of an accident involving a collision between a motor vehicle and a wild deer.

SSB 357 Judiciary

Relating to common liens on real or personal property and providing a remedy.

SUBCOMMITTEE ASSIGNMENTS**Senate File 116**

APPROPRIATIONS: Gronstal, Chair; Riordan and Lind

Senate File 380

STATE GOVERNMENT: Carr, Chair; Nystrom, Drake, Horn and Dieleman

Senate File 381

STATE GOVERNMENT: Gronstal, Chair; Running and Soorholtz

Senate File 392

BUSINESS AND LABOR RELATIONS: Mann, Chair; Running and Taylor

Senate File 404

EDUCATION: Kibbie, Chair; Varn and Corning

Senate File 418

JUDICIARY: Mann, Chair; Varn and Drake

Senate File 426

JUDICIARY: Varn, Chair; Carr and Fuhrman

Senate File 429

NATURAL RESOURCES: Kibbie, Chair; Doyle and Hedge

Senate File 432

JUDICIARY: Mann, Chair; Varn and Gentleman

House File 71

JUDICIARY: Gronstal, Chair; Gentleman and Horn

House File 121

STATE GOVERNMENT: Running, Chair; Vande Hoef and Hannon

House File 447

WAYS AND MEANS: Husak, Chair; Dieleman, Riordan, Drake and Hultman

SSB 337

STATE GOVERNMENT: Carr, Chair; Nystrom and Lloyd-Jones

SSB 338

STATE GOVERNMENT: Carr, Chair; Nystrom and Lloyd-Jones

SSB 339

STATE GOVERNMENT: Horn, Chair; Carr and Rife

SSB 345

EDUCATION: Varn, Chair; Boswell and Tieden

SSB 346

LOCAL GOVERNMENT: Fraise, Chair; Szymoniak and Goodwin

SSB 349

JUDICIARY: Horn, Chair; Carr and Taylor

SSB 350

JUDICIARY: Varn, Chair; Mann and Gentleman

SSB 353

HUMAN RESOURCES: Hannon, Chair; Murphy and Tinsman

SSB 354

JUDICIARY: Varn, Chair; Horn and Gentleman

SSB 355

JUDICIARY: Doyle, Chair; Gronstal and Gentleman

SSB 356

JUDICIARY: Hagerla, Chair; Hester and Coleman

SSB 357

JUDICIARY: Doyle, Chair; Varn and Fuhrman

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 441 (SSB 202.1), a bill for an act relating to the plugging of abandoned wells, by providing assistance to well owners, providing for well inspection and certification, providing for fees, making a civil penalty applicable, providing an effective date, and providing for repeal of a portion of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 12: Priebe, Boswell, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Rensink, Hedge, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 444 (SSB 79), a bill for an act relating to the industrial services division of the department of employment services, revising provisions governing deputy industrial commissioners, expanding provisions governing settlements in workers' compensation cases, and providing properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Mann, Palmer, Running and Taylor. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 11, a concurrent resolution relating to the recognition of American sign language as an appropriate school course offering and requiring a study of the inclusion of American sign language in the public school curricula by the department of education.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 437 (SSB 133), a bill for an act relating to solid waste management by providing for the submission of comprehensive solid waste management plans to the department of natural resources by certain entities and permitting the option of dividing the planning requirement into certain separate parts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 31, a bill for an act relating to the violation of a law or rule by a health care facility.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3269.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Carr, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 2: Gentleman and Hagerla.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 327, a bill for an act relating to the misappropriation of property, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Carr, Coleman, Deluhery, Gronstal, Horn, Taylor and Welsh. Nays, 6: Gentleman, Drake, Fuhrman, Hagerla, Hester and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 360, a bill for an act prohibiting the theft of a veteran's grave marker, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3272.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 439 (SSB 312), a bill for an act relating to

the development and maintenance of nursery products by the department of natural resources, establishing an Iowa resource trust fund, and providing for the appropriation of proceeds of the fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Priebe, Rensink and Tieden. Nays, 1: Peterson.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 440 (SSB 313), a bill for an act relating to wildlife habitat stamps, by requiring a stamp for fishing licenses, by providing for the administration of the stamp program, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Priebe and Rensink. Nays, 2: Peterson and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 9 (SSB 338), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the item veto authority of the governor.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gronstal, Hannon, Horn, Running and Soorholtz. Nays, 3: Gentleman, Rife and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 10, a concurrent resolution relating to federal coal slurry pipeline legislation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 58, a bill for an act relating to windshields and windows of motor vehicles and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3270.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 349, a bill for an act relating to the provision of potable water and sanitary cups by a railroad in all locomotive engine and caboose areas, and providing for enforcement.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 413, a bill for an act relating to the registration of rental motor vehicles.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 420, a bill for an act allowing the issuance of personalized collegiate registration plates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 438 (SSB 199), a bill for an act requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen and Nystrom. Nays, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 442 (SSB 246), a bill for an act relating to rules adopted under section 321.450 as they relate to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce and to retail dealers and their employees delivering fertilizers and pesticides to farm customers and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Scott, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 443 (SSB 9), a bill for an act regarding the application process for federal airport funds and mandating that certain governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3267

S. F.

362

Calvin Hultman
Richard Drake

S—3268	S. F.	428	Elaine Szymoniak
S—3269	S. F.	31	Human Resources
S—3270	S. F.	58	Transportation
S—3271	S. F.	340	Donald V. Doyle
S—3272	S. F.	360	Judiciary
S—3273	S. F.	362	Joy Corning
			Jean Lloyd-Jones
			Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Zimmerman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the day on request of Senator Hultman.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 441, by committee on Agriculture, a bill for an act relating to the plugging of abandoned wells, by providing assistance to well owners, providing for well inspection and certification, providing for fees, making a civil penalty applicable, providing an effective date, and providing for repeal of a portion of the Act.

Read first time and **placed on calendar**.

Senate File 442, by committee on Transportation, a bill for an act relating to rules adopted under section 321.450 as they relate to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce and to retail dealers and their employees delivering fertilizers and pesticides to farm customers and providing an effective date.

Read first time and **placed on calendar**.

Senate File 443, by committee on Transportation, a bill for an act regarding the application process for federal airport funds and mandating that certain governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval.

Read first time and **placed on calendar.**

Senate File 444, by committee on Business and Labor Relations, a bill for an act relating to the industrial services division of the department of employment services, revising provisions governing deputy industrial commissioners, expanding provisions governing settlements in workers' compensation cases, and providing properly related matters.

Read first time and **placed on calendar.**

Senate File 445, by committee on Commerce, a bill for an act relating to insurance by requiring the payment of interest on certain delayed claim settlements, making failure to pay interest on claim settlements when required an unfair claim settlement practice subject to penalties, authorizing certain administrative penalties, providing a uniform standard for cancellation notices in personal property lines of insurance, providing for the repeal of requirements to attach applications to policies, altering notice of cancellation provisions for nonrenewal of commercial umbrella or excess policies or contracts, distinguishing nonadmitted and unauthorized insurance companies, and imposing surplus requirements on county mutual associations.

Read first time and **placed on calendar.**

APPENDIX

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S. F. 436 State Government

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 445 (SSB 167), a bill for an act relating to insurance by requiring the payment of interest on certain delayed claim settlements, making failure to pay interest on claim settlements when required an unfair claim settlement practice subject to penalties, authorizing certain administrative penalties, providing a uniform standard for cancellation notices in personal property lines of insurance, providing for the repeal of requirements to attach applications to policies, altering notice of cancellation provisions for nonrenewal of commercial umbrella or excess policies or contracts, distinguishing nonadmitted and unauthorized insurance companies, and imposing surplus requirements on county mutual associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Gronstal, Hannon, Kinley, Mann, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none. Absent or not voting, 3: Jensen, Lind and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 449 (SSB 300), a bill for an act relating to vocational education and requesting a study.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 450 (SSB 294), a bill for an act relating to educational standards, including flexible scheduling within a school year, waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team, and making technical changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tinsman and Varn. Nays, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 446 (SSB 200.2), a bill for an act relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act and providing for the collection and analysis of information; the provision of health care insurance to the uninsured and underinsured; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; and providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Carr, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 2: Gentleman and Hagerla.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 447 (SSB 348), a bill for an act requiring the department of inspections and appeals to adopt rules relating to intermediate care facilities for the mentally retarded and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Horn, Gentleman, Hagerla, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 448 (SSB 247), a bill for an act establishing a family building Act which relates to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of infertility treatment coverage under certain conditions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hannon, Bruner, Carr, Horn, Murphy, Riordan and Sturgeon. Nays, 5: Corning, Gentleman, Hagerla, Taylor and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 76, a bill for an act providing for jailer training programs to be administered by the Iowa law enforcement academy.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 188, a bill for an act relating to the age of a person appointed to serve as a magistrate.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 446, by committee on Human Resources, a bill for an act relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under

Title XVIII of the federal Social Security Act and providing for the collection and analysis of information; the provision of health care insurance to the uninsured and underinsured; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; and providing for other properly related matters.

Read first time under Rule 28 and **placed on calendar.**

Senate File 447, by committee on Human Resources, a bill for an act requiring the department of inspections and appeals to adopt rules relating to intermediate care facilities for the mentally retarded and providing an effective date.

Read first time under Rule 28 and **placed on calendar.**

Senate File 448, by committee on Human Resources, a bill for an act establishing a family building Act which relates to group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations by mandating inclusion of infertility treatment coverage under certain conditions.

Read first time under Rule 28 and **placed on calendar.**

Senate File 449, by committee on Education, a bill for an act relating to vocational education and requesting a study.

Read first time under Rule 28 and **placed on calendar.**

Senate File 450, by committee on Education, a bill for an act relating to educational standards, including flexible scheduling within a school year, waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team, and making technical changes.

Read first time under Rule 28 and **placed on calendar.**

AMENDMENTS FILED

S—3274	S. F.	434	Donald Doyle
S—3275	S. F.	362	Larry Murphy
			Richard Varn
S—3276	S. J. R.	8	Joe Welsh
S—3277	S. F.	387	Jim Lind
S—3278	S. F.	362	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:43 p.m., until 9:00 a.m., Thursday, March 16, 1989.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
 FORTY-SECOND SESSION DAY

Senate Chamber
 Des Moines, Iowa, Thursday, March 16, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Karen Bash, pastor of the Altoona Christian Church, Altoona, Iowa.

The Journal of Wednesday, March 15, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 123, a bill for an act deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date.

ALSO: That the House has on March 14, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 418, a bill for an act relating to the number of elector signatures required to authorize inclusion of a proposition relating to school districts on a regular election ballot.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 451, by Husak, a bill for an act relating to limitations on the number of class "C" liquor control licenses.

Read first time and passed on file.

SPECIAL GUESTS

In further observance of Women's History Month, Senator Tinsman presented the following two members of the Iowa Women's Hall of Fame:

Marguerite Esters Cothorn of Des Moines, who was inducted into the Hall of Fame in 1986. She was escorted by Senator Szymaniak.

Mary Jane Odell of Des Moines, a 1979 Hall of Fame inductee. She was escorted by Senator Mann and addressed the Senate with brief remarks.

Senator Boswell appeared at the rostrum and presented the following Iowa champions of the Iowa High School Rodeo Association:

Jmijon Smith, Winterset; Jill Taylor, Mount Ayr; Spencer Weeks, Buckingham and Lori Boeddeker, Fort Madison.

The students have represented Iowa at the National high school rodeo finals and will be participating in the state finals this May in Fort Madison. They were accompanied by Steve Taylor from Mount Ayr, Director of the National High School Rodeo Association.

POINT OF ORDER (Senate File 445)

Senator Mann raised the point of order that the subject matter of Senate File 445 was not germane to the jurisdiction of the Commerce Committee and, therefore, should be referred from the Regular Calendar to the committee on Judiciary.

The Chair stated she would take the point under advisement and rule later in the day.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rife on request of Senator Jensen and Senators Kinley and Palmer on request of Senator Hutchins for the day and March 17, 1989

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:34 a.m., until 11:00 a.m.

RECONVENED

The Senate reconvened at 11:08 a.m., Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 452, by committee on Human Resources, a bill for an act relating to involuntary hospitalization procedures applicable to the mentally ill and substance abusers.

Read first time and **placed on calendar**.

Senate File 453, by committee on Transportation, a bill for an act relating to the registration of aircraft.

Read first time and **placed on calendar**.

Senate File 454, by committee on Business and Labor Relations, a bill for an act relating to unemployment compensation benefit duration and eligibility and to liability as a successor employer, providing penalties, providing for the Act's applicability, and providing an effective date.

Read first time and **placed on calendar**.

Senate File 455, by committee on Agriculture, a bill for an act relating to grain stored in warehouses licensed by the federal government.

Read first time and **placed on calendar.**

Senate File 456, by committee on Agriculture, a bill for an act relating to grain held by grain warehouse operators for the payment of charges.

Read first time and **placed on calendar.**

Senate File 457, by committee on Agriculture, a bill for an act relating to the definition of agricultural purpose as applied to certain commercial transactions and providing for the Act's applicability.

Read first time and **placed on calendar.**

Senate File 458, by committee on Judiciary, a bill for an act relating to automobile insurance by limiting the extent to which individual rates may be adjusted and by prohibiting the cancellation or nonrenewal of a policy on the basis of an accident involving a collision between a motor vehicle and a wild deer.

Read first time and **placed on calendar.**

Senate File 459, by committee on Judiciary, a bill for an act relating to payment of a senior judge's medical insurance premium and annuity.

Read first time and **placed on calendar.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:16 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 15, 1989, 8:05 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair (excused); Coleman and Palmer.

Committee Business: Approved LSBs 2614 and 2545 and SSBs 202.1, 232 and 351 as committee bills; approved Senate Files 358 and 102 and ordered redrafted as committee bills.

Adjourned: 8:34 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 15, 1989, 1:35 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; amended and approved SSBs 79, 306 and 259 as committee bills; approved SSB 265 as a committee bill.

Adjourned: 2:25 p.m.

COMMERCE

Convened: March 15, 1989, 2:30 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh.

Members Absent: Jensen, Ranking Member (excused).

Committee Business: Recommended passage of Senate File 231 as amended; recommended passage of Senate File 361; approved SSBs 252, 195 and 167.

Adjourned: 3:30 p.m.

EDUCATION

Convened: March 15, 1989, 10:54 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 11; approved SSBs 294 and 300 as committee bills.

Adjourned: 12:19 p.m.

HUMAN RESOURCES

Convened: March 15, 1989, 9:53 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 31 as amended; approved SSBs 200.2, 247, 348 and 222.

Adjourned: 10:54 a.m.

JUDICIARY

Convened: March 15, 1989, 3:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 188 and 76; approved SSBs 303, 355, 356 and 291 as committee bills; approved SSBs 354, 237 and 350, waiving Rule 40.

Adjourned: 4:30 p.m.

TRANSPORTATION

Convened: March 14, 1989, 9:50 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 132, 295, 400, 210 and 58; approved SSBs 199, 246 and 142 as committee bills.

Adjourned: 10:50 a.m.

TRANSPORTATION

Convened: March 15, 1989, 9:45 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 413, 420 and 349; recommended passage of Senate Concurrent Resolution 10; approved SSB 9 as a committee bill.

Adjourned: 10:50 a.m.

WAYS AND MEANS

Convened: March 15, 1989, 9:35 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Soorholtz and Szymoniak.

Members Absent: Palmer and Riordan.

Committee Business: Assigned a bill to subcommittee.

Adjourned: 9:40 a.m.

COMMUNICATIONS RECEIVED

The following communications were received and placed on file in the office of the Secretary of the Senate:

DEPARTMENT OF ELDER AFFAIRS

Annual Report for the year 1988.

DEPARTMENT OF HUMAN SERVICES

The Social Services Block Grant Pre-Expenditure Report, pursuant to Chapter 217.21, Code of Iowa.

The 1987 Annual Report, pursuant to Chapter 217.21, Code of Iowa.

DEPARTMENT OF PERSONNEL

A report which summarizes the South Africa related investments held within the IPERS portfolio, as of December 31, 1988, pursuant to Chapter 12A.4(2)(a), Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

A report on the Formative Evaluation of the Iowa Case Management Demonstration Project, pursuant to Chapter 1277, Section 4(6), 1988 Acts of the Seventy-second General Assembly.

DEPARTMENT OF REVENUE AND FINANCE

A report of an examination of capital gains data reported on 1987 returns as well as a review of the impact of the Long Term Capital Gains Tax Refund Program, pursuant to Chapter 233, 1987 Acts of the Seventy-second General Assembly.

IOWA RAILWAY FINANCE AUTHORITY

The 1988 Annual Report, pursuant to Chapter 307B.8(6), Code of Iowa.

TREASURER OF STATE

A report for the Treasurer of State that there are no South Africa related investments administered by the Treasurer on December 31, 1988, pursuant to Chapter 12A.4(2)(a), Code of Iowa.

STUDY BILLS RECEIVED**SSB 358 Local Government**

Relating to the military tax exemption.

SSB 359 State Government

Relating to the establishment of a mental health, mental illness, mental retardation, and developmental disabilities commission.

SSB 360 State Government

Relating to political campaigns, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, providing incentives for limitations on campaign contributions and expenditures, appropriating funds, providing penalties, providing other properly related matters, and providing effective and retroactive applicability dates.

SSB 361 Judiciary

Relating to victims of crime by reorganizing crime victim assistance programs and services within the department of justice, modifying the crime victim reparation program, imposing a civil penalty for forcible felony violations, and providing a procedure for collection of the penalty.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 11**

EDUCATION: Szymoniak, Chair; Kibbie and Hedge

Senate File 281

EDUCATION: Varn, Chair; Boswell and Corning

Senate File 303

WAYS AND MEANS: Kibbie, Chair; Hester and Gentleman

Senate File 401

WAYS AND MEANS: Husak, Chair; Gentleman and Palmer

Senate File 423

WAYS AND MEANS: Fraise, Chair; Hester and Gentleman

Senate File 430

WAYS AND MEANS: Soorholtz, Chair; Fraise and Fuhrman

Senate File 433

STATE GOVERNMENT: Carr, Chair; Lloyd-Jones, Nystrom, Dieleman and Drake

Senate File 436

STATE GOVERNMENT: Carr, Chair; Nystrom, Dieleman, Drake and Horn

SSB 322

WAYS AND MEANS: Husak, Chair; Palmer and Drake

SSB 336

WAYS AND MEANS: Hester, Chair; Szymoniak and Fuhrman

SSB 340

WAYS AND MEANS: Fuhrman, Chair; Murphy and Riordan

SSB 341

WAYS AND MEANS: Kibbie, Chair; Szymoniak and Soorholtz

SSB 358

LOCAL GOVERNMENT: Fraise, Chair; Miller and Vande Hoef

SSB 359

STATE GOVERNMENT: Gronstal, Chair; Carr and Soorholtz

SSB 360

STATE GOVERNMENT: Carr, Chair; Gronstal, Lloyd-Jones, Drake and Nystrom

SSB 361

JUDICIARY: Varn, Chair; Doyle and Fuhrman

PRESENTATION OF VISITORS

The Chair welcomed the following students who were present in the Senate Gallery as guests of Senator Taylor:

Twenty-one students from Iowa Falls High School, Iowa Falls, Iowa, and nineteen students from Germany as the guests of the Iowa Falls students, accompanied by Don Ruhbe, German instructor.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 455, a bill for an act relating to grain stored in warehouses licensed by the federal government.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 456 (SSB 351), a bill for an act relating to grain held by grain warehouse operators for the payment of charges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 457 (SSB 279), a bill for an act relating to the amending of definition of agricultural purpose as it relates to various commercial transactions and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 454 (SSB 265), a bill for an act relating to unemployment compensation benefit duration and eligibility and to liability as a successor employer, providing penalties, providing for the Act's applicability, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 4: Fuhrman, Hultman, Taylor and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 461 (SSB 306), a bill for an act relating to an exemption to the prohibition against polygraph examinations by employers that are financial institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Peterson, Sturgeon, Fuhrman, Hultman, Taylor and Vande Hoef. Nays, 4: Gettings, Mann, Palmer and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 464 (SSB 259), a bill for an act establishing an employment rights information and referral service in the division of labor services of the department of employment services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Business and Labor Relations Committee on Senate File 464 and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 231, a bill for an act relating to the regulation of alternate operator services and making civil penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3280.

Final Vote: Ayes, 13: Palmer, Deluhery, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 2: Jensen and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 361, a bill for an act relating to reverse annuity and graduated payment mortgages, by providing for their regulation by the administrators of the divisions of banking, savings and loan associations, and credit unions, of the department of commerce, and imposing certain standards and restrictions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Gronstal, Hannon, Kinley, Lind, Mann, Pate, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 3: Jensen, Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 462 (SSB 195), a bill for an act relating to credit transactions by changing the maximum service fee on loans by industrial loan companies, by changing the maximum finance charge for certain consumer loans pursuant to open-end credit, and by changing the maximum finance charge on consolidations of consumer credit transactions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running and Tieden. Nays, 1: Gronstal. Absent or not voting, 2: Jensen and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on Senate File 462 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 463 (SSB 252), a bill for an act relating to securities and investments and properly related matters, by offering a venture capital tax credit, altering allowed exemptions from registration, creating a new class of registration by filing, eliminating certain filing requirements, imposing minimum share prices as a condition for eligibility for certain exemptions and procedures, eliminating the broker-dealer bond requirement for broker-dealers who are members of the securities investors protection corporation, granting the administrator authority to prohibit certain blind pools and direct participation offering, incorporating additional legislative intent language to guide interpretation of the Blue Sky Law, expanding the permitted investments of Iowa insurers to include certain venture capital and small business investments, among other provisions, and mandating a study be prepared by the securities bureau concerning investor protection and the impact of this Act, and repealing limits on securities registered by qualification.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Kinley, Lind, Pate, Priebe, Rife, Running and Tieden. Nays, 4: Deluhery, Gronstal, Hannon and Mann. Absent or not voting, 3: Jensen, Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 107, a bill for an act relating to the calculation of the budget enrollment of reorganized school districts and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 3: Deluhery, Lloyd-Jones and Tieden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 199, a bill for an act relating to group day care home requirements.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3286.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 452 (SSB 222), a bill for an act relating to involuntary hospitalization procedures applicable to the mentally ill and substance abusers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 458 (SSB 356), a bill for an act relating to automobile insurance by limiting the extent to which individual rates may be adjusted and by prohibiting the cancellation or nonrenewal of a policy on the basis of an accident involving a collision between a motor vehicle and a wild deer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Gentleman, Coleman, Drake, Fuhrman, Hagerla, Hester, Taylor and Welsh. Nays, 5: Carr, Deluhery, Gronstal, Horn and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 459 (SSB 179), a bill for an act relating to payment of a senior judge's medical insurance premium.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Gentleman, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Taylor and Varn. Nays, 4: Carr, Hester, Horn and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 459 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 460 (SSB 291), a bill for an act relating to obtaining depositions in a foreign jurisdiction.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Doyle, Mann, Carr, Coleman, Gronstal, Horn, Taylor, Varn and Welsh. Nays, 6: Gentleman, Deluhery, Drake, Fuhrman, Hagerla and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 221, a bill for an act relating to the licensing of fur dealers and subjecting violators to an existing penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3294.

Final Vote: Ayes, 8: Scott, Goodwin, Doyle, Hester, Husak, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 4: Kibbie, Hedge, Mann and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 382, a bill for an act relating to the renewal of permits for regulated uses of water.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Scott, Goodwin, Doyle, Hester, Husak, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 4: Kibbie, Hedge, Mann and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 403, a bill for an act relating to billboard control.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3289.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 12 (SSB 245), a concurrent resolution relating to the implementation of a state transit fund distribution formula recommended by the public transit assistance distribution study steering committee.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 384, a bill for an act prohibiting motor vehicles from driving off of roadways in certain circumstances and providing a penalty and civil liabilities.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 408, a bill for an act relating to roads, including roads identified by the state transportation commission as a network of commercial and industrial highways, by establishing the purpose of the network, by providing the terms for the improvement of the network, and by altering concurrent jurisdiction of extensions of primary roads in municipalities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3285.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 453 (SSB 142), a bill for an act relating to the registration of aircraft.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 88, a bill for an act providing for nonresident hunting licenses for deer and wild turkey.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, and Szymoniak. Nays, 1: Riordan. Absent or not voting, 4: Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, and Szymoniak. Nays, none. Absent or not voting, 4: Murphy, Palmer, Riordan and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3279	S. F.	362	Larry Murphy
S—3280	S. F.	231	Commerce Committee
S—3281	S. F.	362	Larry Murphy
S—3282	S. F.	394	Donald Doyle
S—3283	S. F.	362	Larry Murphy
S—3284	H. F.	146	Elaine Szymoniak
S—3285	S. F.	408	Transportation
S—3286	S. F.	199	Human Resources
S—3287	S. F.	362	Larry Murphy Richard Varn
S—3288	S. F.	340	Donald V. Doyle
S—3289	S. F.	403	Small Business & Economic Development
S—3290	S. F.	271	Jim Lind
S—3291	H. F.	29	Jim Lind
S—3292	S. F.	362	Richard Varn
S—3293	H. F.	447	Richard Drake Joe Welsh Bob Carr Linn Fuhrman William Dieleman
S—3294	S. F.	221	Natural Resources

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 448, a bill for an act relating to the coverage of real estate agents under the workers' compensation law.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 460, by committee on Judiciary, a bill for an act relating to obtaining depositions in a foreign jurisdiction.

Read first time and **placed on calendar**.

Senate File 461, by committee on Business and Labor Relations, a bill for an act relating to an exemption to the prohibition against polygraph examinations by employers that are financial institutions.

Read first time and **placed on calendar**.

Senate File 462, by committee on Commerce, a bill for an act relating to credit transactions by changing the maximum service fee on loans by industrial loan companies, by changing the maximum finance charge for certain consumer loans pursuant to open-end credit, and by changing the maximum finance charge on consolidations of consumer credit transactions.

Read first time and **placed on calendar**.

Senate File 463, by committee on Commerce, a bill for an act relating to securities and investments and properly related matters, by offering a venture capital tax credit, altering allowed

exemptions from registration, creating a new class of registration by filing, eliminating certain filing requirements, imposing minimum share prices as a condition for eligibility for certain exemptions and procedures, eliminating the broker-dealer bond requirement for broker-dealers who are members of the securities investors protection corporation, granting the administrator authority to prohibit certain blind pools and direct participation offering, incorporating additional legislative intent language to guide interpretation of the Blue Sky Law, expanding the permitted investments of Iowa insurers to include certain venture capital and small business investments, among other provisions, and mandating a study be prepared by the securities bureau concerning investor protection and the impact of this Act, and repealing limits on securities registered by qualification.

Read first time and **placed on calendar.**

Senate File 464, by committee on Business and Labor Relations, a bill for an act establishing an employment rights information and referral service in the department of employment services.

Read first time and **placed on calendar.**

Senate File 465, by committee on Human Resources, a bill for an act relating to special health and accident insurance coverages, including individual and group accident and sickness insurance, nonprofit medical service corporation or hospital service corporation contracts, or health maintenance organization contracts, by prohibiting denial of insurance or other third-party payor contract or policy based upon an applicant's receipt of psychological counseling.

Read first time and **placed on calendar.**

Senate File 466, by committee on Small Business and Economic Development, a bill for an act allowing a speculative industrial building built by a local community development organization in a rural community to be eligible under the community and rural development loan program as a new infrastructure.

Read first time and **placed on calendar.**

Senate File 467, by committee on Small Business and Economic Development, a bill for an act relating to an exemption from the state sales, services, and use taxes of the gross receipts from the sales of replacement parts for certain vehicles used substantially in interstate commerce.

Read first time and **placed on calendar**.

Senate File 468, by committee on Agriculture, a bill for an act relating to the powers and duties of the Iowa corn promotion board.

Read first time and **placed on calendar**.

Senate File 469, by committee on Agriculture, a bill for an act relating to information required to be delivered to a warehouse operator upon the termination of a receivership over an agricultural products warehouse.

Read first time and **placed on calendar**.

Senate File 470, by committee on Environment and Energy Utilities, a bill for an act relating to waste minimization and disposal.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 12, by committee on Transportation, a concurrent resolution relating to the implementation of a state transit fund distribution formula recommended by the public transit assistance distribution study steering committee.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 13, by committee on Small Business and Economic Development, a concurrent resolution relating to the inclusion of housing as an economic development factor in the mission statement and policy initiatives of the Iowa economic development strategic plan.

Read first time and **placed on calendar**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 10, 1989)

Senate File 362

The Senate resumed consideration of Senate File 362, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, deferred March 10, 1989.

Senator Varn offered amendment S—3292 filed by him from the floor to pages 8 through 10 and 45 of the bill.

Senator Running called for a division of amendment S—3292: page 1, lines 2 through 50, page 2 and page 3, lines 1 through 17 as division S—3292A; page 3, lines 18 through 44 as division S—3292B.

Senator Varn moved the adoption of division S—3292A.

A record roll call was requested.

On the question “Shall division S—3292A be adopted?” (S.F. 362) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Horn
Hultman	Jensen	Lloyd-Jones	Nystrom
Pate	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 23:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Husak	Hutchins
Kibbie	Miller	Murphy	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Szymoniak	Welsh	

Absent or not voting, 8:

Boswell	Drake	Kinley	Lind
Mann	Palmer	Rensink	Rife

Division S—3292A lost.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boswell for the remainder of the day on request of Senator Hutchins; Senator Bruner for the remainder of the day and March 17, 1989, on request of Senator Gronstal; Senator Lind for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

The Senate resumed consideration of Senate File 362.

Senator Varn withdrew division S—3292B.

With the defeat of division S—3292A, the Chair ruled amendment S—3203 by Senators Hultman and Drake to pages 8 through 11 of the bill, deferred on March 10, 1989, out of order.

Senator Corning asked and received unanimous consent to withdraw amendment S—3273 filed by Senators Corning, Lloyd-Jones and Murphy on March 15, 1989, to pages 13, 17 and 18 of the bill.

Senator Corning offered amendment S—3296 filed by her from the floor to pages 13, 17 and 18 of the bill, moved its adoption and requested a non record roll call.

The ayes were 22, nays 16.

Amendment S—3296 was adopted.

With the adoption of amendment S—3296, the Chair ruled amendment S—3236 by Senator Corning to page 17 of the bill, deferred on March 10, 1989, out of order.

Senator Varn offered amendment S—3241 filed by him on March 13, 1989, to page 27 of the bill, moved its adoption and requested a non record roll call.

The ayes were 27, nays 9.

Amendment S—3241 was adopted.

Senator Murphy offered amendment S—3283 filed by him from the floor to page 27 of the bill and moved its adoption.

Amendment S—3283 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—3229 filed by her on March 10, 1989, to page 32 of of the bill.

Senator Murphy raised the point of order that amendment S—3229 was out of order with the adoption of amendment S—3296.

The Chair ruled the point not well taken and amendment S—3229 in order.

Senator Lloyd-Jones moved the adoption of amendment S—3229, which motion prevailed by a voice vote.

Senator Murphy asked and received unanimous consent to withdraw amendment S—3259 filed by Senators Murphy and Varn on March 14, 1989, to page 45 of the bill.

Senator Murphy asked and received unanimous consent to withdraw amendment S—3275 filed by Senators Murphy and Varn on March 15, 1989, to page 45 of the bill.

Senator Murphy offered amendment S—3287 filed by Senators Murphy and Varn from the floor to pages 45 and 90 of the bill.

Senator Running raised the point of order that amendment S—3287 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3287 out of order.

Senator Lloyd-Jones offered amendment S—3239 filed by her on March 10, 1989, to page 46 of the bill.

Senator Hultman raised the point of order that amendment S—3239 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3239 in order.

Senator Hultman asked and received unanimous consent that action on amendment S—3239 be deferred.

Senator Murphy offered amendment S—3278 filed by him from the floor to pages 47 and 90 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 20.

Amendment S—3278 was adopted.

(Action on Senate File 362 pending on adjournment).

INTRODUCTION OF BILLS

Senate File 471, by committee on Judiciary, a bill for an act relating to certain felons and misdemeanants, by providing for the placement of such parole or probation violators in the county jail, providing for placement following county jail confinement, requiring reimbursement to counties holding such violators, and authorizing the sentencing court to sentence such offenders to imprisonment in the county jail.

Read first time and **placed on calendar**.

Senate File 472, by committee on Education, a bill for an act relating to private and home education and providing a penalty.

Read first time and **placed on calendar.**

Senate File 473, by committee on Education, a bill for an act relating to student postsecondary financial aid programs and making penalties applicable.

Read first time and **placed on calendar.**

Senate File 474, by committee on Agriculture, a bill for an act to establish pseudorabies control program and providing for penalties and the repeal of a chapter.

Read first time and **placed on calendar.**

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	451	State Government
H.F.	418	Education
H.F.	448	Business and Labor Relations

BILLS RETURNED TO CALENDAR

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on March 6, 1989, on Senate Journal page 638, **House Files 6 and 124** were automatically returned to the Senate Regular Calendar from the committee on **Ways and Means** at 5:00 p.m., Thursday, March 16, 1989.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 468, a bill for an act relating to the powers and duties of the Iowa corn promotion board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 469, a bill for an act relating to information required to be delivered to a warehouse operator upon termination of a receivership over an agricultural products warehouse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 474, a bill for an act to establish a pseudorabies control program and providing for penalties and the repeal of a chapter.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Riordan, Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 341, a bill for an act relating to reciprocal tuition rate agreements established by the state board of regents for certain students.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3298.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 3: Deluhery, Lloyd-Jones and Tieden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 472 (SSB 288), a bill for an act relating to private and home education and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Murphy, Taylor, Boswell, Dieleman, Hedge, Kibbie, Lind, Rensink and Szymoniak. Nays, 5: Horn, Bruner, Corning, Tinsman and Varn. Absent or not voting, 3: Deluhery, Lloyd-Jones and Tieden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 473 (SSB 345), a bill for an act relating to student postsecondary financial aid programs and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tinsman and Varn. Nays, none. Absent or not voting, 3: Deluhery, Lloyd-Jones and Tieden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 266, a bill for an act requiring electric utilities to have in effect a comprehensive energy management program before new or changed rates, charges, schedules, and regulations may be approved by the utilities board.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 470 (SSB 307), a bill for an act relating to waste minimization and disposal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Hedge, Miller, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Carr and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 465 (SSB 333), a bill for an act relating to special health and accident insurance coverages, including individual and group accident and sickness insurance, nonprofit medical service corporation or hospital service corporation contracts, or health maintenance organization contracts, by prohibiting denial of insurance or other third-party payor contract or policy based upon an applicant's receipt of psychological counseling.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 471 (SSB 355), a bill for an act relating to certain felons and misdemeanants, by providing for the placement of such parole or probation violators in the county jail, providing for placement following county jail confinement, requiring reimbursement to counties holding such violators, and authorizing the sentencing court to sentence such offenders to imprisonment in the county jail.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Drake and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 136, a bill for an act relating to the hearing and determination of special exceptions to city and county zoning ordinances.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Fraise, Goodwin, Jensen, Murphy and Tinsman. Nays, 1: Vande Hoef. Absent or not voting, 2: Kinley and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 13 (SSB 334), a concurrent resolution relating to the inclusion of housing as an economic development factor in the mission statement and policy initiatives of the Iowa economic development strategic plan.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 466 (SSB 130), a bill for an act allowing a

speculative industrial building built by a local community development organization in a rural community to be eligible under the community and rural development loan program as a new infrastructure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 467 (SSB 235), a bill for an act relating to an exemption from the state sales, services, and use taxes of the gross receipts from the sales of replacement parts for certain vehicles used substantially in interstate commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3295	S. F.	214	Elaine Szymoniak
S—3296	S. F.	362	Joy Corning
S—3297	S. F.	413	Jack Nystrom
			Richard Running
S—3298	S. F.	341	Education

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Friday, March 17, 1989.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
 FORTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, March 17, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by Rachel Knight, Senate Page from Bonaparte, Iowa, who vocally performed "The Irish Prayer."

The Journal of Thursday, March 16, 1989, was approved.

DISTINGUISHED GUEST

Senator Kibbie presented Mr. Frank Fahey, T.D., member of Parliament and Minister of State at the Department of Education from Kilbeacanty, Gort, Co. Galway, Ireland.

Mr. Fahey addressed the Senate briefly and expressed greetings from the Irish government to the people of Iowa. He invited the members of the Senate to attend the St. Patrick's Day festivities in Emmetsburg.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Lloyd-Jones for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 313, a bill for an act relating to the common boundary for a voluntary annexation.

This bill was read first time and **passed on file**.

House File 380, a bill for an act relating to real estate practices, permitting certain activities to be conducted through a corporation owned by a real estate broker associate or salesperson, and providing properly related matters.

This bill was read first time and **passed on file**.

House File 537, a bill for an act relating to motor vehicle registrations and certificates of title and providing penalties and effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 15, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 128, a bill for an act relating to the collection and compilation of information regarding juvenile court activities.

Senate File 159, a bill for an act relating to the sale or contracting for goods and services between a civil service commissioner and a city.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Richard G. Moore as Administrator of the Division of the Criminal and Juvenile Justice Advisory Council.

William L. Wegman as State Public Defender.

Dr. Robert Carleton, Elizabeth A. Coyte, William W. Crews, Thomas L. Mills, Jane Dubberke and Barbara M. Muir as members of the Board of Physician Assistant Examiners.

Clemmie Hightower and Herbert J. Haas as members of the Commission of Elder Affairs.

Mary M. Wiberg, Patricia R. Boesen, Ruth I. Holtan, Mignon Manelli, Michael D. Montgomery, Tom Morain, Mark H. Snell, George Lee Stigler and Naomi L. Christensen as members of the Commission of the Status of Women.

Dr. Marilee Fredericks as a member of the Mental Health and Mental Retardation Commission.

Jerry R. Foxhoven as a member of the State Foster Care Review Board.

Gary L. Lawson as Administrator of the Division on the Status of Blacks.

Vernon A. Avant, Yvonne J. Brockington, Gerald Fields, Lenola Allen-Sommerville, George R. Rossum, Mary Powers, Deatra Robinson and McKenzly Wilson as members of the Commission on the Status of Blacks.

Nancy E. Welter as a member of the Respiratory Care Advisory Committee.

David Roederer as Director of the Department of Commerce.

James E. Forney as Superintendent of Credit Unions.

Margaret Clements as a member of the Iowa Finance Authority.

Carmen E. Halverson as a member of the Iowa Railway Finance Authority.

Michael S. Blue as a member of the Board of Nursing Examiners.

Jolee L. Belzung as a member of Engineering and Land Surveying Examining Board.

John A. Rodriguez as Administrator of the Division of Spanish-speaking people.

John C. Botkin and Lyle L. Simpson as members of the State Health Facilities Council.

Edra E. Broich as a member of the Medical Examining Board.

Diana E. Hoogestraat as a member of the Mortuary Science Examining Board.

Kathy A. Rapp as a member of the Commission on the Deaf.

Dr. William Anderson as a member of the First in the Nation in Education Foundation Governing Board.

Lois H. Eichacker, Ann Jorgensen and Charles A. Long as members of the Iowa Economic Development Board.

Joan B. Poe as a member of the Alcoholic Beverages Commission.

Almo J. Hawkins as a member of the Commission on Children, Youth, and Families.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 40:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 10:

Bruner	Deluhery	Hannon	Kibbie
Kinley	Lloyd-Jones	Mann	Palmer
Rife	Running		

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

REQUEST TO REFER BILL DEFERRED

Senator Dieleman asked unanimous consent that Senate File 463 be referred from the Regular Calendar to the committee on Ways and Means.

Senator Dieleman asked and received unanimous consent to defer action on his request.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 343 and 86.

Senate File 343

On motion of Senator Varn, Senate File 343, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 343) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Deluhery	Kinley	Lloyd-Jones
Mann	Palmer	Rife	Running
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 86

On motion of Senator Carr, Senate File 86, a bill for an act relating to the authority of a city to levy a tax for the support of municipal bands and other musical groups, with report of committee recommending passage, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on **Senate File 86** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 364 and 365.

Senate File 364

On motion of Senator Vande Hoef, Senate File 364, a bill for an act authorizing the board of supervisors to waive a tax penalty, interest, or cost if a clerical error is found, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 364) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Miller	Murphy	Nystrom	Pate
Peterson	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Deluhery	Kinley	Lloyd-Jones
Mann	Palmer	Priebe	Rife
Running			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 365

On motion of Senator Szymoniak, Senate File 365, a bill for an act relating to the filing of campaign finance disclosure reports by city and school elective offices and for local ballot issues, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 365) the vote was:

Ayes, 40:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 10:

Bruner	Deluhery	Drake	Kinley
Lloyd-Jones	Mann	Miller	Palmer
Rife	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 366, 367 and 368.

Senate File 366

On motion of Senator Murphy, Senate File 366, a bill for an act authorizing a city to seek a judgment against a property owner for improvements made to the property, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 366) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Miller
Murphy	Nystrom	Pate	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Peterson

Absent or not voting, 8:

Bruner	Deluhery	Hannon	Kinley
Lloyd-Jones	Mann	Palmer	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 367

On motion of Senator Miller, Senate File 367, a bill for an act relating to the powers and duties of county recorders, was taken up for consideration.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 367) the vote was:

Ayes, 42:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Lind	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Bruner	Deluhery	Hultman	Kinley
Lloyd-Jones	Mann	Palmer	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 368

On motion of Senator Nystrom, Senate File 368, a bill for an act relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 368) the vote was:

Ayes, 42:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise

Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Bruner	Deluhery	Hester	Kinley
Lloyd-Jones	Mann	Palmer	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 273.

Senate File 273

On motion of Senator Lind, Senate File 273, a bill for an act relating to child day care by amending certain definitions, with report of committee recommending passage, was taken up for consideration.

Senator Riordan asked and received unanimous consent that further action on **Senate File 273** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 447.

House File 447

On motion of Senator Gronstal, House File 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue

bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates, with reports of committee on Environment and Energy Utilities and Ways and Means recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 447** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 277.

Senate File 277

On motion of Senator Corning, Senate File 277, a bill for an act relating to the establishment of resident councils, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon took the chair at 10:12 a.m.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 277) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell	Carr	Drake	Gronstal
Hannon	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Miller
Murphy	Nystrom	Pate	Running
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 22:

Coleman	Corning	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Kibbie	Peterson	Priebe	Rensink

Riordan
Tieden

Scott
Vande Hoef

Soorholtz

Taylor

Absent or not voting, 7:

Bruner
Mann

Deluhery
Palmer

Kinley
Rife

Lloyd-Jones

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Doyle.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Hutchins presiding.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 16, 1989, 12:40 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Dieleman, Hedge, Kibbie, Lind, Rensink, Szymoniak, Tinsman and Varn.

Members Absent: Deluhery, Lloyd-Jones and Tieden (all excused).

Committee Business: Approved SSBs 345 and 288 as committee bills; recommended passage of Senate File 341 as amended; recommended passage of Senate File 107.

Adjourned: 1:50 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 16, 1989, 2:55 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn.

Members Absent: Rife (excused).

Committee Business: Approved SSBs 307, 169.1 and 125 as committee bills; recommended passage of Senate File 419 as amended; Senate File 99 failed recommendation for passage; recommended passage of Senate File 266; amended and approved SSB 344 as a committee bill under Rule 40.

Adjourned: 3:35 p.m.

HUMAN RESOURCES

Convened: March 16, 1989, 9:42 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Approved SSB 333 as a committee bill; amended and approved SSB 353 as a committee bill; recommended passage of Senate File 199 as amended.

Adjourned: 10:17 a.m.

JUDICIARY

Convened: March 16, 1989, 3:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: Drake (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 357, 127, 349, 98 and 238 as committee bills; amended and approved SSBs 308 and 214 as committee bills; SSB 293 failed recommendation for approval.

Adjourned: 4:40 p.m.

LOCAL GOVERNMENT

Convened: March 16, 1989, 3:35 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Murphy (arrived 3:39) and Tinsman.

Members Absent: Kinley (excused) and Priebe.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 258 as a committee bill; approved SSBs 346 and 315 as committee bills; reconsidered prior vote on Senate File 136 and recommended passage.

Adjourned: 4:13 p.m.

NATURAL RESOURCES

Convened: March 16, 1989, 1:30 p.m.

Members Present: Scott, Chair; Goodwin, Ranking Member; Doyle, Hester, Husak, Peterson, Priebe and Tieden.

Members Absent: Kibbie, Vice Chair; Hedge, Mann and Rensink.

Committee Business: Recommended passage of Senate Files 221 and 382.

Adjourned: 1:45 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 16, 1989, 8:10 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef.

Members Absent: Rife (excused).

Committee Business: Presentations by Allan Thoms, Director of Economic Development and Jon Kuchner, Bureau Chief of Trade, Commerce and Agriculture of Economic Development; approved SSBs 235, 130 and 334 as committee bills; deferred action on SSB 233 and Senate File 257; recommended passage of Senate File 403 as amended.

Adjourned: 9:05 a.m.

STATE GOVERNMENT

Convened: March 16, 1989, 1:50 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef.

Members Absent: Rife and Soorholtz (both excused).

Committee Business: Approved SSBs 296, 359, 317, 226, 318, 337, 339, 309 and 360 as committee bills.

Adjourned: 2:45 p.m.

TRANSPORTATION

Convened: March 16, 1989, 9:45 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 408 and 384.

Adjourned: 10:00 a.m.

WAYS AND MEANS

Convened: March 16, 1989, 10:40 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Riordan and Szymoniak.

Members Absent: Murphy, Palmer (excused) and Soorholtz.

Committee Business: Recommended passage of House Files 88 and 477.

Adjourned: 11:10 a.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 368 passed the Senate on March 17, 1989.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 277 failed to pass the Senate on March 17, 1989.

JOY CORNING

STUDY BILLS RECEIVED**SSB 362 Agriculture**

To prohibit the sale, purchase, or use of a pesticide containing daminozide, providing an effective date, and making a penalty applicable.

SSB 363 Agriculture

Relating to transportation certificates for livestock by requiring inclusion of the driver's license number of the owner of the livestock on the transportation certificate.

SSB 364 Judiciary

Relating to the destruction of the contents of an original court file.

SSB 365 Ways & Means

Creating an Iowa resources enhancement and protection fund, providing for the allocation of fund revenue and making appropriations, imposing a tax on certain beverage containers, and subjecting violators to penalties.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	313	Local Government
H.F.	380	Commerce
H.F.	537	Transportation

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 17, 1989, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 289 — Making a supplemental appropriation to the Department of General Services and providing an effective date.

SUBCOMMITTEE ASSIGNMENT

SSB 364

JUDICIARY: Doyle, Chair; Varn and Gentleman

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 190, a bill for an act to repeal the Iowa export trading company Act.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, Boswell, Fraise, Hedge, Hester, Husak, Rensink, Scott and Vande Hoef. Nays, 1: Miller. Absent or not voting, 5: Riordan, Soorholtz, Coleman, Fuhrman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 479 (SSB 329), a bill for an act directing the Code editor to transfer various chapters and sections of the Code relating to authority to regulate drainage to a new chapter.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, Boswell, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 6: Riordan, Soorholtz, Coleman, Fraise, Fuhrman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 484 (SSB 347), a bill for an act relating to the establishment of an agricultural research coordinating council and an Iowa agricultural research fund, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, Boswell, Husak, Miller, Scott, Hester, Rensink, Hedge, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 5: Riordan, Coleman, Fraise, Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 485 (SSB 362), a bill for an act to prohibit the sale, purchase, or use of a pesticide containing daminozide, providing an effective date, and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, Boswell, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 6: Riordan, Soorholtz, Coleman, Fraise, Fuhrman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 497 (SSB 363), a bill for an act relating to transportation certificates for livestock by requiring inclusion of the driver's license number of the owner of the livestock on the transportation certificate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Priebe, Boswell, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 6: Riordan, Soorholtz, Coleman, Fraise, Fuhrman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 487 (SSB 169.1), a bill for an act relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting the use of certain other products, requiring city or county solid waste management programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, and providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 488 (SSB 125), a bill for an act relating to solid waste disposal and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 490 (SSB 344), a bill for an act relating to the sale, lease, rental, or advertising of water treatment systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported

nonsubstantive changes to the members of the Environment and Energy Utilities on Senate File 490 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 483 (SSB 353), a bill for an act requesting a study of the liability for the costs to support a mentally ill person.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 483 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 475 (SSB 303), a bill for an act relating to Article 8 of the Uniform Commercial Code, by including both certificated and uncertificated securities within the scope of Article 8, and by making conforming amendments to Articles 1, 5, and 9.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn and Varn. Nays, none. Absent or not voting, 3: Drake, Taylor and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 478 (SSB 237), a bill for an act relating to the juvenile justice code and provisions regarding child abuse, child in need of assistance, termination of parental rights, and confidentiality of information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 486 (SSB 214), a bill for an act relating to rent-to-own regulations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 491 (SB 364), a bill for an act relating to the destruction of the contents of an original court file.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Gentleman, Carr, Coleman, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 3: Mann, Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 494 (SSB 350), a bill for an act relating to the disposition of property devised as a class gift where the testator has survived the devisee, and providing an applicability provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 496 (SSB 270), a bill for an act relating to stockholder indemnity and contribution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Gentleman, Carr, Coleman, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 3: Mann, Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 498 (SSB 308), a bill for an act relating to the appointment, terms, retention, and qualifications of magistrates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 489 (SSB 346), a bill for an act relating to the disposition of found property and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 500 (SSB 315), a bill for an act relating to the powers and duties of certain local governmental bodies, by providing for the use of ordinances in certain instances, by changing procedures for certain city elections, by requiring written veto messages, by changing filing procedures for a special assessment, and by specifying the duties of city finance offices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Murphy and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: *SENATE FILE 495 (SSB 233), a bill for an act establishing a science and technology foundation, and authorizing the issuance of bonds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Boswell, Hagerla, Kibbie, Miller, Pate, Scott and Vande Hoef. Nays, 2: Hannon and Peterson. Absent or not voting, 3: Lind, Rife and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Small Business and Economic Development Committee on Senate File 495 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 476 (SSB 317), a bill for an act relating to barter exchanges, by requiring the registration and regulation of barter exchanges, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 477 (SSB 339), a bill for an act relating to the markup of the wholesale price for alcoholic liquor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Hannon, Horn, Running and Vande Hoef. Nays, 2: Dieleman and Gronstal. Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 480 (SSB 226), a bill for an act relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, 1: Gentleman.

Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 480 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 481 (SSB 337), a bill for an act relating to the public release of the names of applicants for employment with government bodies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 11: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, 2: Gentleman and Nystrom. Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 481 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 482 (SSB 309), a bill for an act relating to the appeal process for bidders aggrieved by awards of the purchasing division of the department of general services, and providing properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes. 13: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 492 (SSB 318), a bill for an act relating to the certification and standards of real estate appraisers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gronstal, Hannon, Horn and Running. Nays, 2: Gentleman and Vande Hoef. Absent or not voting, 3: Nystrom, Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 493 (SSB 360), a bill for an act relating to political campaigns, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, providing incentives for limitations on campaign contributions and expenditures, appropriating funds, providing penalties, providing other properly related matters, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn and Running. Nays, 2: Nystrom and Vande Hoef. Absent or not voting, 2: Rife and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 499 (SSB 359), a bill for an act relating to the establishment of a mental health, mental illness, mental retardation, and developmental disabilities commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Carr, Lloyd-Jones, Coleman, Drake, Fraise, Gronstal, Hannon, Horn and Running. Nays, 2: Nystrom and Gentleman. Absent or not voting, 4: Dieleman, Rife, Soorholtz and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 499 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 501 (SSB 296), a bill for an act revising certain provisions relating to dispute resolution, transferring authority over specified dispute resolution activities to the Iowa peace institute, and generally relating to dispute resolution.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Nystrom, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Dieleman, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on Senate File 501 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 475, by committee on Judiciary, a bill for an act relating to Article 8 of the Uniform Commercial Code, by including both certificated and uncertificated securities within the scope of Article 8, and by making conforming amendments to Articles 1, 5, and 9.

Read first time under Rule 28 and **placed on calendar**.

Senate File 476, by committee on State Government, a bill for an act relating to barter exchanges, by requiring the registration and regulation of barter exchanges, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 477, by committee on State Government, a bill for an act relating to the markup of the wholesale price for alcoholic liquor.

Read first time under Rule 28 and **placed on calendar**.

Senate File 478, by committee on Judiciary, a bill for an act relating to the juvenile justice code and provisions regarding child abuse, child in need of assistance, termination of parental rights, and confidentiality of information.

Read first time under Rule 28 and **placed on calendar**.

Senate File 479, by committee on Agriculture, a bill for an act directing the Code editor to transfer various chapters and sections of the Code relating to the authority to regulate drainage to a new chapter.

Read first time under Rule 28 and **placed on calendar**.

Senate File 480, by committee on State Government, a bill for an act relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review.

Read first time under Rule 28 and **placed on calendar**.

Senate File 481, by committee on State Government, a bill for an act relating to the confidentiality of applications for public employment.

Read first time under Rule 28 and **placed on calendar**.

Senate File 482, by committee on State Government, a bill for an act relating to the appeal process for bidders aggrieved by awards of the purchasing division of the department of general services, and providing properly related matters.

Read first time under Rule 28 and **placed on calendar**.

Senate File 483, by committee on Human Resources, a bill for an act requesting a study of the liability for the costs to support a mentally ill person.

Read first time under Rule 28 and **placed on calendar**.

Senate File 484, by committee on Agriculture, a bill for an act relating to the establishment of an agricultural research coordinating council and an Iowa agricultural research fund, and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

Senate File 485, by committee on Agriculture, a bill for an act to prohibit the sale, purchase, or use of a pesticide containing daminozide, providing an effective date, and making a penalty applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 486, by committee on Judiciary, a bill for an act relating to rent-to-own regulations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 487, by committee on Environment and Energy Utilities, a bill for an act relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting the use of certain other products, requiring city or county solid waste management programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, and providing for other properly related matters.

Read first time under Rule 28 and **placed on calendar**.

Senate File 488, by committee on Environment and Energy Utilities, a bill for an act relating to solid waste disposal and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 489, by committee on Local Government, a bill for an act relating to the disposition of found property and subjecting violators to a penalty.

Read first time under Rule 28 and **placed on calendar**.

Senate File 490, by committee on Environment and Energy Utilities, a bill for an act relating to the sale, lease, rental, or advertising of water treatment systems.

Read first time under Rule 28 and **placed on calendar**.

Senate File 491, by committee on Judiciary, a bill for an act relating to the destruction of the contents of an original court file.

Read first time under Rule 28 and **placed on calendar**.

Senate File 492, by committee on State Government, a bill for an act relating to the certification and standards of real estate appraisers.

Read first time under Rule 28 and **placed on calendar**.

Senate File 493, by committee on State Government, a bill for an act relating to political campaigns, providing that the lieutenant governor is not considered a separate candidate for campaign

finance purposes, providing incentives for limitations on campaign contributions and expenditures, appropriating funds, providing penalties, providing other properly related matters, and providing effective and retroactive applicability dates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 494, by committee on Judiciary, a bill for an act relating to the disposition of property devised as a class gift where the testator has survived the devisee.

Senate File 495, by committee on Small Business and Economic Development, a bill for an act establishing a science and technology foundation, and authorizing the issuance of bonds.

Read first time under Rule 28 and **placed on calendar**.

Senate File 496, by committee on Judiciary, a bill for an act relating to certain for-profit corporations, by modifying provisions regarding stockholder indemnity and contribution, and providing limited immunity from personal liability for directors, officers, and stockholders of such corporations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 497, by committee on Agriculture, a bill for an act relating to transportation certificates for livestock by requiring inclusion of the driver's license number of the owner of the livestock on the transportation certificate.

Read first time under Rule 28 and **placed on calendar**.

Senate File 498, by committee on Judiciary, a bill for an act relating to the appointment, terms, retention, and qualifications of magistrates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 499, by committee on State Government, a bill for an act relating to the establishment of a mental health, mental illness, mental retardation, and developmental disabilities commission.

Read first time under Rule 28 and **placed on calendar**.

Senate File 500, by committee on Local Government, a bill for an act relating to the powers and duties of certain local governmental bodies, by providing for the use of ordinances in certain instances, by changing procedures for certain city elections, by requiring written veto messages, by changing filing procedures for a special assessment, and by specifying the duties of city finance offices.

Read first time under Rule 28 and **placed on calendar**.

Senate File 501, by committee on State Government, a bill for an act revising certain provisions relating to dispute resolution, transferring authority over specified dispute resolution activities to the Iowa peace institute, and generally relating to dispute resolution.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENTS FILED

S—3299	S. F.	362	Ray Taylor Larry Murphy Jim Lind
S—3300	S. F.	434	Donald V. Doyle
S—3301	S. F.	327	John P. Kibbie

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:06 a.m., until 10:00 a.m., Monday, March 20, 1989.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
 FORTY-FOURTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 20, 1989

The Senate met in regular session at 10:14 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Gerald Zeman, pastor of the Sacred Heart Catholic Parishes, Ruthven and Ayshire, Iowa.

The Journal of Friday, March 17, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Priebe, Murphy and Coleman for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 119, a bill for an act relating to state financial management by revising provisions governing the reversion of appropriations, the prescribing of uniform accounting systems and forms, account coding to identify authorizing statutes, and authorization for the prepayment of claims, and providing properly related matters (S—3302).

ALSO: That the House has on March 15, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 252, a bill for an act relating to leave for a chief deputy sheriff, second deputy sheriff, or other officer or employee subject to civil service who becomes a candidate for elective office.

This bill was read first time and **passed on file**.

House File 384, a bill for an act relating to sheriffs' sales by permitting written sealed bids to be received, and providing procedures for written sealed bids.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 17, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 574, a bill for an act relating to health and disability insurance and other third-party payor health and disability benefit providers, by prohibiting discrimination on the basis of sex or marital status in the issuance or operation of a policy, contract, or plan including the establishment of premium rates or other charges, providing an applicability date, and by making such discrimination an unfair and discriminatory practice under the jurisdiction of the civil rights commission.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 502, by committee on Judiciary, a bill for an act relating to business corporations, and related matters including the elimination of filing of corporate documents with the county recorder for all forms of corporate entities, and providing a special effective date.

Read first time and **placed on calendar**.

RULING ON POINT OF ORDER

(Raised March 16, 1989)

(Senate File 445)

Pertaining to the point of order raised by Senator Mann on March 16, 1989, that the subject matter of Senate File 445 was not germane to the jurisdiction of the Commerce Committee and, therefore should be referred to the committee on Judiciary, the

Chair ruled the point not well taken and Senate File 445 would retain its place on the Senate Calendar.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to the committee on **Ways and Means**:

Senate Files 389, 210, 293, 427, 431, 434, 440, 463 and 467; House File 331.

OBJECTION TO REQUEST TO REFER BILL TO COMMITTEE

Senator Mann asked unanimous consent to rerefer Senate File 445 from the Regular Calendar to the committee on Judiciary.

Objection was raised by Senator Hutchins.

POINT OF ORDER (Senate File 461)

Senator Mann raised the point of order that the subject matter of Senate File 461 was not germane to the jurisdiction of the Business and Labor Relations Committee and, therefore, should be referred from the Regular Calendar to the committee on Judiciary under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Mann asked unanimous consent to rerefer Senate File 461 from the Regular Calendar to the committee on Judiciary under Senate Rule 38.

Objection was raised by Senator Hutchins.

Senator Mann moved that Senate File 461 be rereferred to the committee on Judiciary.

Senator Welsh asked unanimous consent that action on the motion to rerefer be deferred.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

Senator Welsh withdrew his request for unanimous consent to defer action on the motion to rerefer Senate File 461 to the committee on Judiciary.

Senator Mann withdrew his motion to rerefer Senate File 461 from the Regular Calendar to the committee on Judiciary.

Senator Hutchins asked and received unanimous consent that **Senate File 461** be referred from the Regular Calendar to the committee on **Judiciary**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:50 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 17, 1989, 8:07 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Palmer (excused).

Committee Business: Approved SSBs 329, 347, 362 and 363 as committee bills; recommended passage of Senate File 190; amended and approved Senate File 377 as a committee bill.

Adjourned: 8:27 a.m.

JUDICIARY

Convened: March 17, 1989, 10:00 a.m.

Members Present: Doyle, Chair; Gentleman, Ranking Member; Carr, Coleman, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: Mann, Vice Chair; Deluhery and Drake (all excused).

Committee Business: Assigned bills to subcommittees; approved SSB 364 as a committee bill; amended and approved SSB 270 as a committee bill; SSB 239 failed recommendation for approval as a committee bill; motion to reconsider prior vote on SSB 293 failed.

Adjourned: 10:30 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 17, 1989, 8:35 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Miller, Pate, Peterson, Scott and Vande Hoef.

Members Absent: Lind, Rife and Szymoniak (all excused).

Committee Business: Amended and approved SSB 233 as a committee bill; Senate File 257 failed recommendation for passage.

Adjourned: 9:05 a.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Keota High School - Champions of the 1989 Class A Boys' State high school basketball tournament. Senator Hedge (March 20, 1989).

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 419, a bill for an act relating to energy efficiency and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3310.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Soorholtz, Surgeon and Varn. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 502, a bill for an act relating to business corporations, and related matters including the elimination of filing of corporate documents with the county recorder for all forms of corporate entities, and providing a special effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 502 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 503 (SSB 349), a bill for an act relating to alimony.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Carr, Coleman, Gronstal, Horn, Taylor, Varn and Welsh. Nays, 2: Gentleman and Hester. Absent or not voting, 5: Mann, Deluhery, Drake, Fuhrman and Hagerla.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 504 (SSB 98), a bill for an act relating to entry by a public agency with condemnation power onto private property for certain purposes related to that power.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Mann, Gentleman, Carr, Coleman, Gronstal, Hagerla, Horn, Taylor and Varn. Nays, 3: Fuhrman, Hester and Welsh. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 506 (SSB 127), a bill for an act relating to the administration of small estates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 507 (SSB 238), a bill for an act relating to juvenile justice by providing certain requirements regarding shelter care, detention hearings, the state juvenile institutions, and the costs of a child's care, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, 1: Welsh. Absent or not voting, 1: Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3302	S.F.	119	House amendment
S—3303	S.F.	485	Jack W. Hester
S—3304	S.F.	188	Jack W. Hester
S—3305	S.F.	220	Calvin O. Hultman
S—3306	H.F.	447	Emil J. Husak
S—3307	H.F.	447	Emil Husak Michael Gronstal Patrick Deluhery Paul Pate H. Kay Hedge Jack Rife
S—3308	S.F.	362	Wally Horn Joy Corning
S—3309	S.F.	472	Wally Horn
S—3310	S.F.	419	Environment/Energy Utilities
S—3311	H.F.	447	Emil Husak Berl Priebe Michael Gronstal Patrick Deluhery Paul Pate H. Kay Hedge Jack Rife
S—3312	S.F.	323	Linn Fuhrman
S—3313	H.F.	447	Mark R. Hagerla
S—3314	H.F.	447	Michael E. Gronstal
S—3315	S.F.	445	Michael E. Gronstal
S—3316	H.F.	447	Michael E. Gronstal Emil J. Husak
S—3317	H.F.	447	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 1:37 p.m., Senator Welsh presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the afternoon on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred March 17, 1989)

House File 447

On motion of Senator Gronstal, House File 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates, deferred March 17, 1989, was taken up for consideration.

Senator Gronstal offered amendment S—3307 filed by Senators Husak, et al., from the floor to pages 6, 22, 25 through 27, 31, 42, 45, 48, 55 and 57 of the bill.

Senator Gronstal offered amendment S—3316 filed by Senators Gronstal and Husak from the floor to amendment S—3307 and moved its adoption.

Amendment S—3316 was adopted by a voice vote.

Senator Gronstal offered amendment S—3314 filed by him from the floor to amendment S—3307 and moved its adoption.

Amendment S—3314 was adopted by a voice vote.

Senator Boswell offered amendment S—3322 filed by him from the floor to amendment S—3307 and called for a division: lines 4 and 5 as division S—3322A and lines 6 through 19 as division S—3322B.

Senator Boswell withdrew division S—3322A to amendment S—3307.

Senator Boswell moved the adoption of division S—3322B to amendment S—3307.

A non record roll call was requested.

The ayes were 32, nays 10.

Division S—3322B was adopted.

Senator Gronstal moved the adoption of amendment S—3307 as amended, which motion prevailed by a voice vote.

Senator Husak offered amendment S—3311 filed by Senators Husak, et al., from the floor to pages 7 through 10, 13, 16, 17, 19 through 27, 30, 32, 36 through 38, 41, 42, 46, 51 and 52 of the bill and moved its adoption.

Amendment S—3311 was adopted by a voice vote.

Senator Drake offered amendment S—3293 filed by Senators Drake, et al., on March 16, 1989, to pages 33, 34 and 57 of the bill.

Senator Gronstal called for a division of amendment S—3293: lines 3 through 10 as division S—3293A and lines 11 through 14 as division S—3293B.

On motion by Senator Drake, divisions S—3293A and S—3293B were adopted by a voice vote.

Senator Gronstal offered amendment S—3317 filed by him from the floor to page 46 of the bill and moved its adoption.

Amendment S—3317 was adopted by a voice vote.

Senator Husak offered amendment S—3306 filed by him from the floor to pages 46 and 57 of the bill and moved its adoption.

Amendment S—3306 was adopted by a voice vote.

Senator Hagerla offered amendment S—3313 filed by him from the floor to page 50 of the bill and moved its adoption.

Amendment S—3313 was adopted by a voice vote.

Senator Pate offered amendment S—3327 filed by Senators Pate and Rife from the floor to page 25 of the bill and moved its adoption.

Amendment S—3327 was adopted by a voice vote.

Senator Rensink offered amendment S—3326 filed by him from the floor to page 43 of the bill, moved its adoption and requested a non record roll call.

The ayes were 15, nays 31.

Amendment S—3326 lost.

Senator Rife offered amendment S—3330 filed by him from the floor to pages 43, 54 and 55 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 25.

Amendment S—3330 lost.

Senator Lind filed the following motion to reconsider from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3307 to House File 447 was adopted by the Senate on March 20, 1989.

Senator Gronstal asked and received unanimous consent that action on the motion to reconsider by Senator Lind and **House File 447** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 317.

Senate File 317

On motion of Senator Fraise, Senate File 317, a bill for an act relating to the sale of milk products, by providing for the issuance of permits, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 317) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Murphy Running

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 447

The Senate resumed consideration of House File 447 and the motion to reconsider amendment S—3307, previously deferred.

Senator Lind moved the adoption of the motion to reconsider amendment S—3307.

A non record roll call was requested.

The ayes were 17, nays 29.

The motion lost.

Amendment S—3331 filed by Senators Lind and Jensen from the floor to amendment S—3307 was out of order.

Senator Gronstal asked and received unanimous consent that action on **House File 447** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 342.

On motion of Senator Mann, Senate File 342, a bill for an act relating to providing interpreters in legal proceedings for persons unable to speak or understand the English language, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **Senate File 342** be **deferred**.

BUSINESS PENDING

House File 447

The Senate resumed consideration of House File 447, previously deferred.

Senator Priebe offered amendment S—3332 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3332 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 447) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 447** be **immediately messaged** to the House.

President Zimmerman took the chair at 3:01 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 344, 346, 371, 374 and 271.

Senate File 344

On motion of Senator Mann, Senate File 344, a bill for an act relating to the violation of or interference with civil rights, including discrimination based upon association with protected

class members and age, the definition of public accommodation, the right to a jury trial, and providing penalties, was taken up for consideration.

Senator Mann offered amendment S—3321 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3321 was adopted by a voice vote.

Senator Fuhrman offered amendment S—3197 filed by him on March 9, 1989, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 24.

Amendment S—3197 lost.

Senator Mann offered amendment S—3195 filed by him on March 9, 1989, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 20.

Amendment S—3195 was adopted.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 344) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 14:

Dieleman	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Taylor
Tieden	Vande Hoef		

Absent or not voting, 1:

Hutchins

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 346

On motion of Senator Palmer, Senate File 346, a bill for an act relating to the adoption by the division of labor services of the department of employment services of rules based on the most recent federal occupational safety and health administration's standards, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 346) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Pate

Absent or not voting, 1:

Hutchins

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 371

On motion of Senator Gronstal, Senate File 371, a bill for an act relating to elections and election procedures, was taken up for consideration.

Senator Gronstal offered amendment S—3182 filed by Senators Gronstal, Drake and Carr on March 8, 1989, to pages 1, 27 and 32 of the bill and moved its adoption.

Amendment S—3182 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 371) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 3:

Hultman	Taylor	Tieden
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Absent or not voting, 2:

Dieleman	Hannon
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 374

On motion of Senator Gronstal, Senate File 374, a bill for an act allowing certain elections to be conducted by mail ballots, providing penalties, and providing for the prospective repeal of the Act, was taken up for consideration.

Senator Gronstal offered amendment S—3339 filed by him from the floor to page 10 of the bill.

Senator Vande Hoef asked and received unanimous consent that action on amendment S—3339 and **Senate File 374** be **deferred**.

Senate File 271

On motion of Senator Peterson, Senate File 271, a bill for an act providing for a minimum wage for entry level employees of certain businesses receiving government assistance, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Peterson offered amendment S—3188 filed by the committee on Business and Labor Relations on March 8, 1989, to page 1 of the bill.

Senator Boswell asked and received unanimous consent that action on amendment S—3188 and **Senate File 271** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 315, 391, 393, 395, 396 and 398.

Senate File 315

On motion of Senator Mann, Senate File 315, a bill for an act relating to the delivery of controlled substances, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hagerla offered amendment S—3325 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Mann raised the point of order that amendment S—3325 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3325 out of order.

Senator Hultman asked and received unanimous consent that action on **Senate File 315** be **deferred**.

Senate File 391

On motion of Senator Gronstal, Senate File 391, a bill for an act relating to reporting county jail information to the director of the department of corrections, was taken up for consideration.

President pro tempore Mann took the chair at 4:32 p.m.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 391) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 7:

Hagerla	Jensen	Lind	Pate
Rensink	Rife	Vande Hoef	

Absent or not voting, 1:

Dieleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 393

On motion of Senator Doyle, Senate File 393, a bill for an act providing for the commitment of certain persons convicted of operating a motor vehicle while intoxicated, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **Senate File 393** be **deferred**.

Senate File 395

On motion of Senator Horn, Senate File 395, a bill for an act adding certain controlled substances to schedule I, schedule IV, and schedule V controlled substances, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 395) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, none.

Absent or not voting, 3:

Dieleman	Hannon	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 396

On motion of Senator Carr, Senate File 396, a bill for an act relating to victim notification, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, and notification to victims by various departments, was taken up for consideration.

Senator Hagerla offered amendment S—3201 filed by him on March 9, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3201 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that action on **Senate File 396** be **deferred**.

Senate File 398

On motion of Senator Varn, Senate File 398, a bill for an act relating to the location of the personal office space and equipment, and facilities for a secretary and law clerk of a judge of the court of appeals, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **Senate File 398** be **deferred**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Joint Resolution 8.

Senate Joint Resolution 8

On motion of Senator Welsh, Senate Joint Resolution 8, a joint resolution to nullify an administrative rule of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date, was taken up for consideration.

Senator Welsh withdrew amendment S—3276 filed by him on March 15, 1989, to page 1 of the resolution.

Senator Welsh moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 8) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman Hester

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 406, 407 and 410.

Senate File 406

On motion of Senator Varn, Senate File 406, a bill for an act relating to retention of a court reporter by a newly appointed judge, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 406) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Dieleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 407

On motion of Senator Carr, Senate File 407, a bill for an act relating to unclaimed intangible personal property by providing for the treatment of claims in the course of the dissolution of a corporation in the same manner as unclaimed property held by a court or by the state and by altering certain aspects of claim administration, distribution of moneys, and other matters properly related with the disposition of unclaimed personal property and procedures related thereto, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 407) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 410

On motion of Senator Hannon, Senate File 410, a bill for an act relating to the conducting of an epidemiological blinded study to determine the prevalence of the human immunodeficiency virus infection, was taken up for consideration.

Senator Hannon offered amendment S—3246 filed by her on March 13, 1989, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3246 was adopted by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 410) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S. F.	411	State Government
S. F.	439	Appropriations
S. F.	458	Commerce
S. F.	473	Ways and Means
S. F.	483	Rules and Administration

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 15, 1989

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees from Iowa as members of state boards, departments, divisions and commissions pursuant to 1989 Iowa Code Sections:

Diane R. Quinn, Urbandale, Polk County, for appointment as Administrator of the Division of Children, Youth, and Families pursuant to Section 601K.2 for a term beginning May 4, 1989, and serving at the pleasure of the Governor.

To the Accountancy Examining Board pursuant to Section 116.3 for terms beginning May 1, 1989, and ending April 30, 1992:

John Cain, Sheldon, O'Brien County, for appointment and Diane J. McNulty, Mason City, Cerro Gordo County, for reappointment.

Lorraine Tate, Ankeny, Polk County, for reappointment to the Alcoholic Beverages Commission pursuant to Section 123.5 for a term beginning May 1, 1989, and ending April 30, 1994.

For reappointment to the Architectural Examining Board pursuant to Section 118.1 for terms beginning May 1, 1989, and ending April 30, 1992:

William M. Dikis, Des Moines, Polk County, and Ruth M. Roberts, Cedar Rapids, Linn County.

Al C. Maiers, Dubuque, Dubuque County, for reappointment to the Barber Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1989, and ending April 30, 1992.

To the Board of Corrections pursuant to Section 246.104 for terms beginning May 1, 1989, and ending April 30, 1993:

Mildred Elliott, Mount Ayr, Ringgold County, for reappointment and Joni L. Keith, Ottumwa, Wapello County, for appointment.

For reappointment to the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to Section 154A.2 for terms beginning May 1, 1989, and ending April 30, 1992:

Joseph C. Huibsch, Iowa Falls, Hardin County and Dorothea M. Luddington, Des Moines, Polk County.

For reappointment to the Board of Nursing Examiners pursuant to Section 147.14(3) for terms beginning May 1, 1989, and ending April 30, 1992:

Marjorie M. Matzen, Council Bluffs, Pottawattamie County and Erlene Veverka, Prairie City, Jasper County.

To the Board of Parole pursuant to Section 904A.1 for terms beginning May 1, 1989, and ending April 30, 1993:

Robert A. Jackson, Sr., Des Moines, Polk County, for reappointment as a full-time member and Joanne C. Lorence, Atlantic, Cass County, for appointment as a part-time member.

For reappointment to the Board of Physician Assistant Examiners pursuant to Section 147.14(12) for terms beginning May 1, 1989, and ending April 30, 1992:

Dr. Robert Carleton, Morning Sun, Louisa County and Elizabeth A. Coyte, Redfield, Dallas County.

To the Campaign Finance Disclosure Commission pursuant to Section 56.9 for terms beginning May 1, 1989, and ending April 30, 1995:

Beverly Jo Jackson, Marshalltown, Marshall County, for reappointment and Robert R. Rush, Cedar Rapids, Linn County, for appointment.

Carl H. Lundahl, Indianola, Warren County for reappointment to the Chiropractic Examining Board pursuant to Section 147.14(8) for a term beginning May 1, 1989, and ending April 30, 1992.

John C. Wellman, Des Moines, Polk County, for reappointment to the Commission for the Blind pursuant to Section 601K.122 for a term beginning May 1, 1989, and ending April 30, 1992.

To the Commission of Elder Affairs pursuant to Section 249D.11 for terms beginning May 1, 1989, and ending April 30, 1993:

Alyce M. Elmitt, Des Moines, Polk County, for appointment; Edwin Gantz, Albia, Monroe County, for appointment and Clemmie Hightower, Clinton, Clinton County, for reappointment.

Cyndi Fisher, Spencer, Clay County for reappointment to the Commission on Judicial Qualifications pursuant to Section 602.2102 for a term beginning May 1, 1989, and ending April 30, 1995.

For reappointment to the Commission on the Deaf pursuant to Section 601K.112 for terms beginning May 1, 1989, and ending April 30, 1992:

Linda Groves, Webster City, Hamilton County and Shirley A. Hampton, Davenport, Scott County.

Jo Ann Nina Pals, Mason City, Cerro Gordo County for reappointment to the Cosmetology Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1989, and ending April 30, 1992.

To the Council on Human Services pursuant to Section 217.2 for terms beginning May 1, 1989, and ending April 30, 1995:

Myrna L. Langerud, Lake Mills, Winnebago County, for reappointment and Ferrell C. Reed, Clarinda, Page County, for appointment.

For reappointment to the County Finance Committee pursuant to Section 333A.2 for terms beginning May 1, 1989, and ending April 30, 1993:

Beverly A. Anderson, Cherokee, Cherokee County and Anne M. Pedersen, Fort Madison, Lee County.

For reappointment to the Credit Union Review Board pursuant to Section 533.53 for terms beginning May 1, 1989, and ending April 30, 1992:

Marcia J. Benit, Spirit Lake, Emmet County and Barbara A. Nixon, Fairfield, Jefferson County.

For appointment to the Criminal and Juvenile Justice Advisory Council pursuant to Section 601K.132 to fulfill unexpired terms beginning immediately and ending April 30, 1990:

Lee W. Poppen, Clarion, Wright County and William Westendorf, Tripoli, Bremer County.

To the Dental Examining Board pursuant to Section 147.14(4) for terms beginning May 1, 1989, and ending April 30, 1992:

Pamela G. Kapple, Sigourney, Keokuk County, for reappointment; Jerry C. Prah, Sioux City, Woodbury County, for appointment and James A. Raecker, Waterloo, Black Hawk County, for appointment.

Mary Jane Oakland, Ames, Story County, for reappointment to the Dietetic Examining Board pursuant to Section 147.14(11) for a term beginning May 1, 1989, and ending April 30, 1992.

For reappointment to the Engineering and Land Surveying Examining Board pursuant to Section 114.3 for terms beginning May 1, 1989, and ending April 30, 1992:

Cheryl J. Richardson, Waukee, Dallas County and James W. Vande Woude, Rock Rapids, Lyon County.

To the Environmental Protection Commission pursuant to Section 455A.6 for terms beginning May 1, 1989, and ending April 30, 1993:

James M. Earley, Waterloo, Black Hawk County, for appointment; Donna M. Hammitt, Woodbine, Harrison County, for reappointment; Richard C. Hartsuck, Des Moines, Polk County, for appointment; Margaret M. Prah, Sioux City, Woodbury County, for appointment and Robert W. Schlutz, Columbus Junction, Louisa County, for reappointment.

For reappointment to the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2 for terms beginning May 1, 1989, and ending April 30, 1995:

Margaret P. Borgen, Des Moines, Polk County and William Lepley, West Des Moines, Polk County.

For reappointment to the Investment Board (IPERS) pursuant to Section 97B.8 for terms beginning May 1, 1989, and ending April 30, 1995:

Beverly A. Anderson, Cherokee, Cherokee County and Robb B. Kelley, Des Moines, Polk County.

To the Iowa Board of Veterinary Medicine pursuant to Section 169.5:

Jane A. Bishop, Manchester, Delaware County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1991; and Rex W. Wilhelm, Stuart, Guthrie County, for reappointment to a term beginning May 1, 1989, and ending April 30, 1992.

To the Iowa Economic Development Board pursuant to Section 15.103 for terms beginning May 1, 1989, and ending April 30, 1993:

Julie J. Bulkeley, Red Oak, Montgomery County, for reappointment; Harris D. Honsey, Lake Mills, Winnebago County, for appointment; Harry G. Slife, Cedar Falls, Black Hawk County, for reappointment and Robert A. Van Vooren, Pleasant Valley, Scott County, for appointment.

To the Iowa Finance Authority pursuant to Section 220.2 for terms beginning May 1, 1989, and ending April 30, 1995:

James Balmer, Iowa City, Johnson County, for reappointment; Roosevelt Taylor, Waterloo, Black Hawk County, for reappointment and Darwin Thomas (Tom) Lynner, Jr., Des Moines, Polk County, for appointment.

For reappointment to the Iowa Law Enforcement Academy Council pursuant to Section 80B.6 for terms beginning May 1, 1989, and ending April 30, 1993:

Jacqueline Day, Des Moines, Polk County and John P. Stark, Nevada, Story County.

To the Iowa Product Development Corporation pursuant to Section 28.83 for terms beginning May 1, 1989, and ending April 30, 1993:

Harry Bookey, Des Moines, Polk County, for reappointment; Mary L. Heistand-Bro, Woodbine, Harrison County, for reappointment and Jeanine S. Hettinga, Adel, Dallas County, for appointment.

For appointment to the Iowa State Civil Rights Commission pursuant to Section 601A.3 for terms beginning May 1, 1989, and ending April 30, 1993:

James H. Collins, Davenport, Scott County; Orlando Ray Dial, Waterloo, Black Hawk County; Frank J. Marcovis, Clive, Polk County and Carolyn Rants, Sioux City, Woodbury County.

To the Job Service Advisory Council pursuant to Section 96.11:

Perry J. Chapin, Des Moines, Polk County, for reappointment; Sally Jo Riekema, Osceola, Clarke County, for appointment and Frederick Weber, Cedar Rapids, Linn County, for reappointment for terms beginning May 1, 1989, and ending April 30, 1995; Mary W. Greenleaf, Shenandoah, Page County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1993.

For appointment to the Landscape Architectural Examining Board pursuant to Section 118A.3 for terms beginning May 1, 1989, and ending April 30, 1992:

Alfred C. Bohling, Jr., Columbus Junction, Louisa County and Diana E. Hoogestraat, Glenwood, Mills County.

To the Medical Examining Board pursuant to Section 147.14(2) for terms beginning May 1, 1989, and ending April 30, 1992:

Dr. Donna M. Drees, West Des Moines, Polk County, for appointment; Dr. George G. Spellman, Sr., Sioux City, Woodbury County, for appointment and Dr. Robert B. Stickler, Des Moines, Polk County, for reappointment.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5:

Glenda D. Gorsh, Boone, Boone County, for reappointment; Jean E. Oxley, Marion, Linn County, for appointment; Sharon K. Smith, Bloomfield, Davis County, for reappointment; James A. Thomas, Glenwood, Mills County, for appointment; Karen A. Vossberg, Marion, Linn County, for reappointment to terms beginning May 1, 1989, and ending April 30, 1992; and Dr. Thomas W. Hansen, Cedar Rapids, Linn County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1991.

To the Mortuary Science Examining Board pursuant to Section 147.14(1):

Burnita T. Ankerstjerne, Sergeant Bluff, Woodbury County, for appointment to a term beginning immediately and ending April 30, 1991; and Calvin J. Van Arkel, Oskaloosa, Mahaska County, for reappointment to a term beginning May 1, 1989, and ending April 30, 1992.

For appointment to the Natural Resource Commission pursuant to Section 455A.5 for terms beginning May 1, 1989, and ending April 30, 1995:

Marian L. Kieffer, Bellevue, Jackson County, and Barbara Nelson, Ruthven, Palo Alto County.

For reappointment to the Optometry Examining Board pursuant to Section 147.14(6) for terms beginning May 1, 1989, and ending April 30, 1992:

Larry D. Brewer, Charles City, Floyd County, and Ann M. Lohman, Denison, Crawford County.

Merlin D. Hulse, Clarence, Cedar County, for appointment to the Personnel Commission pursuant to Section 19A.6 for a term beginning May 1, 1989, and ending April 30, 1995.

For reappointment to the Pharmacy Examining Board pursuant to Section 147.14(5) for terms beginning May 1, 1989, and ending April 30, 1992:

Rollin C. Bridge, Lamoni, Decatur County, and Melba L. Scaglione, Des Moines, Polk County.

For appointment to the Physical and Occupational Therapy Examining Board pursuant to Section 147.14(10) for terms beginning May 1, 1989, and ending April 30, 1992:

Ken C. Leo, North Liberty, Johnson County and Karen K. Randall, Vinton, Benton County.

Terry K. Lichy, Waterloo, Black Hawk County, for reappointment to the Podiatry Examining Board pursuant to Section 147.14(1) for a term beginning May 1, 1989, and ending April 30, 1992.

To the Psychology Examining Board pursuant to Section 147.14(7):

Darlene E.K. Blake, Des Moines, Polk County, for reappointment to a term beginning May 1, 1989, and ending April 30, 1992; Dan Loren Rogers, Fort Dodge, Webster County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1989; and Dan Loren Rogers, Fort Dodge, Webster County, for reappointment to a term beginning May 1, 1989, and ending April 30, 1993.

David D. Knock, Des Moines, Polk County, for appointment to the Public Employment Relations Board pursuant to Section 20.5 to fulfill an unexpired term beginning immediately and ending April 30, 1992.

Jerry F. Duggan, Council Bluffs, Pottawattamie County, for reappointment to the Real Estate Examining Board pursuant to Section 117.8 for a term beginning May 1, 1989, and ending April 30, 1992.

Earl L. Howard, Bloomfield, Davis County, for reappointment to the Respiratory Care Advisory Committee pursuant to Section 135F.13 for a term beginning May 1, 1989, and ending April 30, 1992.

To the Social Work Examining Board pursuant to Section 147.14(1):

Bruce D. Buchanan, Des Moines, Polk County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1990; Alyce Ann Clasen, Council Bluffs, Pottawattamie County and Judith Kaye Rinehart, Bondurant, Polk County, for reappointment to terms beginning May 1, 1989, and ending April 30, 1992.

For reappointment to the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9) for terms beginning May 1, 1989, and ending April 30, 1992:

Sherry J. Carter, Bellevue, Clinton County and Sue Ann N. Hillman, West Des Moines, Polk County.

Donna R. Robinson, Des Moines, Polk County, for reappointment to the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, for a term beginning May 1, 1989, and ending April 30, 1992.

For appointment to the State Board of Regents pursuant to Section 262.2:

Marvin S. Berenstein, Sioux City, Woodbury County; Betty Jean (BJ) Furgerson, Waterloo, Black Hawk County and Elizabeth D. Hatch, Cedar Rapids, Linn County for appointment to terms beginning May 1, 1989, and ending April 30, 1995; Victoria A. Westenfield, Huxley, Story County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1991.

Virginia A. Nichols, Dallas Center, Dallas County, for appointment to the State Board of Tax Review pursuant to Section 421.1 for a term beginning May 1, 1989, and ending April 30, 1995.

For reappointment to the State Foster Care Review Board pursuant to Section 237.16 for terms beginning May 1, 1989, and ending April 30, 1992:

Harriet Vande Hoef, Harris, Osceola County, and Carol A. Young, West Des Moines, Polk County.

To the State Health Facilities Council pursuant to Section 135.62 for terms beginning May 1, 1989, and ending April 30, 1995:

Ann L. Dorr, Marcus, Cherokee County, for appointment and Joel H. Weinstein, Ankeny, Polk County, for reappointment.

For appointment to the State Judicial Nominating Commission pursuant to Section 46.1 for terms beginning May 1, 1989, and ending April 30, 1995:

Bernard J. Byers, Fort Madison, Lee County; William D. Murphy, Spencer, Clay County and Carolyn J. Seeley, Monticello, Jones County.

To the State Library Commission pursuant to Section 303.92 for terms beginning May 1, 1989, and ending April 30, 1993:

M. Noreen Coyan, Mason City, Cerro Gordo County, for appointment and George C. Otte, Davenport, Scott County, for reappointment.

To the State Racing Commission pursuant to Section 99D.5:

Richard P. Canella, Fort Madison, Lee County, for reappointment for a term beginning May 1, 1989, and ending April 30, 1992; Lorraine J. May, Des Moines, Polk County, for appointment to fulfill an unexpired term beginning immediately and ending April 30, 1991.

To the State Soil Conservation Committee pursuant to Section 467A.4 for terms beginning May 1, 1989, and ending April 30, 1995:

Sally Puttman, Kingsley, Plymouth County, for reappointment and Bertha M. Versteegh, New Sharon, Mahaska County, for appointment.

To the State Transportation Commission pursuant to Section 307.3 for terms beginning May 1, 1989, and ending April 30, 1993:

Catherine Dunn, Dubuque, Dubuque County, for appointment and Douglas K. Shull, Indianola, Warren County, for reappointment.

Robert R. Rigler, New Hampton, Chickasaw County, for appointment as Superintendent of Banking pursuant to Section 524.201 for a term beginning May 1, 1989, and ending April 30, 1993.

To the Title Guaranty Division Board pursuant to Section 220.2 for terms beginning May 1, 1989, and ending April 30, 1995:

M. Jane Bell, Atlantic, Cass County, for reappointment and Maria M. Waterman, Davenport, Scott County, for appointment.

To the Utilities Board pursuant to Section 474.1:

Dennis Nagel, Des Moines, Polk County, for reappointment as a member to the Utilities Board for a term beginning May 1, 1989, and ending April 30, 1995; Dennis Nagel, Des Moines, Polk County, for reappointment as Chairperson of the Utilities Board for a term beginning May 1, 1989, and ending April 30, 1991.

Sincerely
TERRY E. BRANSTAD
Governor

COMMUNICATION

The following communication from the Iowa State Racing Commission was presented:

March 15, 1989

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

I am writing to notify the Senate that Michael R. Lura has been appointed as Administrator of the Racing and Gaming Division of the Department of Inspections and Appeals by the State Racing Commission. This appointment is to fulfill the unexpired term of the previous Administrator. The term of four years began on May 1, 1986, and will end on April 30, 1990.

The appointment was made in accordance with Iowa Code, Chapter 99D.6.

Sincerely,
L.C. PIKE
Chairman

Communications were read and referred to the committee on **Rules and Administration.**

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 15, 1989

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the Iowa Grain Indemnity Fund Board currently held by Owen Fincham. This appointment has been deferred pending a list of applicants to be submitted by the Secretary of Agriculture.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the Iowa Grain Indemnity Fund Board currently held by John Tomlinson. This appointment has been deferred pending a list of applicants to be submitted by the Secretary of Agriculture.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the Iowa High Technology Council currently held by Varel Bailey. This appointment has been deferred to allow a review of the future of the Iowa High Technology Council following the possible creation of the Iowa Science and Technology Foundation.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the Iowa High Technology Council currently held by Donna Keppy. This appointment has been deferred to allow a review of the future of the Iowa High Technology Council following the possible creation of the Iowa Science and Technology Foundation.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the Iowa High Technology Council currently held by Wayne Newton. This appointment has been deferred to allow a review of the future of the Iowa High Technology Council following the possible creation of the Iowa Science and Technology Foundation.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the Iowa High Technology Council currently held by Becky Richardson. This appointment has been deferred to allow a review of the future of the Iowa High Technology Council following the possible creation of the Iowa Science and Technology Foundation.

ALSO:

Iowa High Technology Council currently held by Ann Schodde. This appointment has been deferred to allow a review of the future of the Iowa High Technology Council following the possible creation of the Iowa Science and Technology Foundation.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the State Board of Examiners for Nursing Home Administrators currently held by Darrel Devick. The appointment to replace Dr. DeVick has been deferred because no individual has been selected.

ALSO:

Pursuant to Iowa Code Section 2.32(4) (1989), I submit the deferral of the appointment to the State Board of Examiners for Nursing Home Administrators currently held by James Tweeten. The appointment has been deferred because no individual has been selected.

Sincerely,
TERRY E. BRANSTAD
Governor

INTRODUCTION OF BILLS

Senate File 503, by committee on Judiciary, a bill for an act relating to alimony.

Read first time and **placed on calendar**.

Senate File 504, by committee on Judiciary, a bill for an act relating to entry by a public agency with condemnation power onto private property for certain purposes related to that power.

Read first time and **placed on calendar**.

Senate File 505, by committee on Local Government, a bill for an act limiting tax increment financing of city urban renewal projects.

Read first time and **placed on calendar**.

Senate File 506, by committee on Judiciary, a bill for an act relating to the administration of small estates.

Read first time and **placed on calendar**.

Senate File 507, by committee on Judiciary, a bill for an act relating to juvenile justice by providing certain requirements regarding shelter care, detention hearings, the state juvenile institutions, and the costs of a child's care, and providing effective dates.

Read first time and **placed on calendar**.

Senate File 508, by committee on Judiciary, a bill for an act relating to common liens on real or personal property and providing a remedy.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 14, by Hultman, a concurrent resolution requesting an interim study of peace officer retirement systems.

Read first time and **passed on file**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 377

AGRICULTURE: Riordan, Chair; Fuhrman and Fraise

House File 537

TRANSPORTATION: Scott, Chair; Gettings and Nystrom

SSB 347

AGRICULTURE: Coleman, Chair; Fuhrman and Rensink

SSB 362

AGRICULTURE: Hester, Chair; Coleman and Fuhrman

LSB 2514

AGRICULTURE: Scott, Chair; Coleman, Fraise, Hester and Rensink

LSB 2545

AGRICULTURE: Soorholtz, Chair; Hedge, Palmer, Husak and Boswell

PETITIONS

The following petitions were presented and placed on file by:

Senator Hester from sixty residents of Harrison County favoring legislation mandating insurance coverage of screening mammograms.

Senator Husak from thirty residents of Jefferson County favoring legislation banning all public roadside trapping in Iowa.

Senator Pate from twenty-four residents of Linn County favoring House File 146, if amended to include a grandfather clause to protect non-veterans currently serving as Executive Directors of the County Commission of Veteran Affairs in Iowa.

Senator Hutchins from thirteen residents of Shelby and Harrison Counties opposing abortion.

The following petitions opposing legislation increasing any tax on beer, wine or soft drinks were presented and placed on file by:

Senator Scott from fifty-five residents of Chickasaw County.

Senator Taylor from fifty-four residents of Franklin, Wright and Hardin Counties.

PRESENTATION OF VISITOR

Senator Gronstal presented Trish Brown, former Miss Southwest Iowa and current Miss Northwest Iowa, who was present in the Senate chamber.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 377, a bill for an act relating to farm mediation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3345.

Final Vote: Ayes, 14: Priebe, Riordan, Boswell, Coleman, Fraise, Husak, Miller, Scott, Soorholtz, Hester, Rensink, Hedge, Vande Hoef and Fuhrman. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 508 (SSB 357), a bill for an act relating to common liens on real or personal property and providing a remedy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 2: Deluhery and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 505 (SSB 258), a bill for an act relating to notice and approval of tax increment expenditures by a municipality.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Miller, Vande Hoef, Fraise, Goodwin, Jensen and Murphy. Nays, 2: Szymoniak and Tinsman. Absent or not voting, 2: Kinley and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Local Government Committee on Senate File 505 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	252	Local Government
H.F.	384	Local Government
H.F.	574	Commerce

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber when the votes were taken on Senate Files 371 and 395.

Had I been present, I would have voted "aye".

BEVERLY A. HANNON

AMENDMENTS FILED

S—3318	S.F.	280	John P. Kibbie
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S—3319	S. F.	362	Leonard Boswell
S—3320	H. F.	201	Jim Lind
S—3321	S. F.	344	Tom Mann, Jr.
S—3322	H. F.	447	Leonard Boswell
S—3323	S. F.	454	Calvin O. Hultman Ray Taylor
S—3324	S. F.	454	Calvin O. Hultman Ray Taylor
S—3325	S. F.	315	Mark Hagerla
S—3326	H. F.	447	Wilmer Rensink
S—3327	H. F.	447	Paul D. Pate Jack Rife
S—3328	S. F.	31	Ray Taylor
S—3329	S. F.	498	Pat Deluhery C. Joseph Coleman
S—3330	H. F.	447	Jack Rife
S—3331	H. F.	447	Jim Lind John Jensen
S—3332	H. F.	447	Berl E. Priebe
S—3333	S. F.	409	Jim Lind Tom Mann, Jr. Jim Riordan Julia Gentleman Paul Pate Wally E. Horn Richard J. Varn Maggie Tinsman Richard V. Running Jack Rife Linn Furhman Al Sturgeon John Soorholtz C. Joseph Coleman
S—3334	S. F.	442	Leonard Boswell
S—3335	S. F.	388	Berl E. Priebe
S—3336	S. F.	190	James Riordan Berl Priebe
S—3337	S. F.	434	Donald V. Doyle
S—3338	S. F.	86	Jim Lind Joy Corning Jean Lloyd-Jones

			Julia Gentleman
			Bob Carr
S—3339	S. F.	374	Michael E. Gronstal
S—3340	S. F.	368	Donald V. Doyle
			Emil J. Husak
			Jack Nystrom
S—3341	S. F.	374	Richard Vande Hoef
S—3342	S. F.	374	Richard Vande Hoef
S—3343	S. F.	385	Linn Fuhrman
S—3344	S. F.	440	John P. Kibbie
S—3345	S. F.	377	Agriculture
S—3346	S. F.	472	Wilmer Rensink
S—3347	S. F.	396	Bob Carr
S—3348	S. F.	220	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:43 p.m., until 9:00 a.m., Tuesday, March 21, 1989.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 21, 1989

The Senate met in regular session at 9:02 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Harold Varce, Director of the Des Moines Area Religious Council, Des Moines, Iowa.

The Journal of Monday, March 20, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Corning for the day on request of Senator Hultman and Senator Riordan for the day on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 96, a bill for an act extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and providing requirements regarding the installation of computerized severity of illness systems.

FURTHER OBSERVANCE OF WOMEN'S HISTORY MONTH

Senator Priebe read to the Senate the 1989 sixth and seventh grade second place essay winner of the "Write Women Back Into

History" contest written by Noelle Schreck, 7th grader from Rolfe Community School, Rolfe, Iowa.

SPECIAL GUEST

Senator Pate presented Raymond G. Oltmann, Central City, Iowa, winner of the 1989 Outstanding Farmer Award given by the Iowa NAMA "Friends of Agriculture" Award committee in conjunction with the Department of Agriculture and Land Stewardship.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 388, 441 and 485** be referred from the Regular Calendar to the committee on **Energy and Environment**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 190, 333, 341 and 409.

Senate File 190

On motion of Senator Miller, Senate File 190, a bill for an act to repeal the Iowa export trading company Act, with report of committee on Agriculture recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—3336 filed by Senators Riordan and Priebe on March 20, 1989, to page 1 and the title page of the bill.

Senator Priebe asked and received unanimous consent that action on amendment S—3336 and **Senate File 190** be **deferred**.

Senate File 333

On motion of Senator Gronstal, Senate File 333, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of- state regional bank holding company, and making penalties applicable, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 333** be **deferred**.

Senate File 341

On motion of Senator Doyle, Senate File 341, a bill for an act relating to reciprocal tuition rate agreements established by the state board of regents for certain students, with report of committee on Education recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3298 filed by the committee on Education on March 16, 1989, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3298 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 341) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running

Scott
Taylor
Varn

Soorholtz
Tieden

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Nays, 1:

Welsh

Absent or not voting, 4:

Corning

Drake

Mann

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 409

On motion of Senator Horn, Senate File 409, a bill for an act relating to liquor and beer sales on Sundays, by extending the permitted hours for sales on Sunday to include the hours between 6:00 a.m. on Sunday and 2:00 a.m. on the following Monday, was taken up for consideration.

Senator Lind offered amendment S—3333 filed by Senators Lind, et al., on March 20, 1989, to page 2 of the bill.

Senator Taylor raised the point of order that amendment S—3333 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3333 out of order.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 409) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Bruner
Doyle
Horn

Carr
Fraise
Husak

Coleman
Gronstal
Hutchins

Deluhery
Hagerla
Kibbie

Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Priebe
Rife	Running	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Nays, 20:

Boswell	Dieleman	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hannon
Hedge	Hester	Hultman	Jensen
Nystrom	Peterson	Rensink	Scott
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 3:

Corning	Mann	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 8 and Senate Joint Resolution 6.

Senate Concurrent Resolution 8

On motion of Senator Coleman, Senate Concurrent Resolution 8, a concurrent resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates, was taken up for consideration.

Senator Coleman moved the adoption of Senate Concurrent Resolution 8, which motion prevailed by a voice vote.

Senate Joint Resolution 6

On motion of Senator Murphy, Senate Joint Resolution 6, a joint resolution to nullify an administrative rule of the department of education relating to identification markings allowed on school buses and providing an effective date, was taken up for consideration.

Senator Murphy moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 6) the vote was:

Ayes, 31:

Bruner	Carr	Coleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Gronstal	Hannon	Hedge	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Running	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 16:

Boswell	Deluhery	Dieleman	Fraise
Goodwin	Hagerla	Hester	Jensen
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Tieden	Vande Hoef

Absent or not voting, 3:

Corning	Mann	Riordan
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The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the morning on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 416, 110 and 424.

Senate File 416

On motion of Senator Doyle, Senate File 416, a bill for an act relating to the identification of persons engaged in private investigation and private security businesses, was taken up for consideration.

Senator Doyle offered amendment S—3252 filed by him on March 13, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3252 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 416) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Corning	Mann	Pate	Riordan
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 110

On motion of Senator Bruner, Senate File 110, a bill for an act relating to foster care review by establishing certain reporting

requirements, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3349 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3349 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 110) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Corning	Jensen	Mann	Riordan
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 424

On motion of Senator Horn, Senate File 424, a bill for an act relating to the enforcement of child custody and visitation orders, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 424) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Gettings	Gronstal
Hagerla	Horn	Husak	Hutchins
Kibbie	Kinley	Miller	Murphy
Pate	Priebe	Rife	Running
Scott	Soorholtz	Sturgeon	Varn
Welsh			

Nays, 20:

Bruner	Fraise	Fuhrman	Gentleman
Goodwin	Hannon	Hedge	Hester
Hultman	Jensen	Lind	Lloyd-Jones
Nystrom	Palmer	Peterson	Rensink
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 5:

Corning	Drake	Mann	Riordan
Szymoniak			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 58, 76, 327 and 349.

Senate File 58

On motion of Senator Doyle, Senate File 58, a bill for an act relating to windshields and windows of motor vehicles and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **Senate File 58** be **deferred**.

Senate File 76

On motion of Senator Welsh, Senate File 76, a bill for an act providing for jailer training programs to be administered by the

Iowa law enforcement academy, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 76) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Corning	Drake	Mann
Riordan	Szymoniak		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 327

On motion of Senator Horn, Senate File 327, a bill for an act relating to the misappropriation of property, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie offered amendment S—3301 filed by him on March 17, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3301 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 327) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Coleman	Corning	Drake	Mann
Riordan	Szymoniak		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 349

On motion of Senator Gettings, Senate File 349, a bill for an act relating to the provision of potable water and sanitary cups by a railroad in all locomotive engine and caboose areas, and providing for enforcement, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 349) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn

Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 5:

Fuhrman	Gentleman	Lind	Pate
Tinsman			

Absent or not voting, 5:

Corning	Drake	Mann	Riordan
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the morning on request of Senator Gentleman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 360, 413, 442 and Senate Concurrent Resolution 10.

Senate File 360

On motion of Senator Lind, Senate File 360, a bill for an act prohibiting the theft of a veteran's grave marker, and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—3272 filed by the committee on Judiciary on March 15, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3272 was adopted by a voice vote.

Senator Lind moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 360) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Corning	Jensen	Mann
Miller	Riordan	Sturgeon	Szymoniak
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 413

On motion of Senator Nystrom, Senate File 413, a bill for an act relating to the registration of rental motor vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom offered amendment S—3297 filed by Senators Nystrom and Running on March 16, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3297 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 413) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Corning	Jensen	Mann	Riordan
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 442

On motion of Senator Scott, Senate File 442, a bill for an act relating to rules adopted under section 321.450 as they relate to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce and to retail dealers and their employees delivering fertilizers and pesticides to farm customers and providing an effective date, was taken up for consideration.

Senator Boswell offered amendment S—3334 filed by him on March 20, 1989, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3334 was adopted by a voice vote.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 442) the vote was:

Ayes, 34:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Running	Scott	Soorholtz
Sturgeon	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 10:

Bruner	Drake	Gentleman	Goodwin
Gronstal	Hagerla	Hultman	Lloyd-Jones
Rife	Taylor		

Absent or not voting, 6:

Corning	Gettings	Jensen	Mann
Riordan	Szymoniak		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate Concurrent Resolution 10

On motion of Senator Gettings, Senate Concurrent Resolution 10, a concurrent resolution relating to federal coal slurry pipeline legislation, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 10, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred March 14, 1989)

Senate File 340

The Senate resumed consideration of Senate File 340, a bill for an act imposing a civil penalty and remedies for a maker of an instrument assessed a surcharge, such as a bad check fee, in excess of the amount permitted by law, deferred March 14, 1989.

Senator Doyle offered amendment S—3271 filed by him on March 15, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3271 was adopted by a voice vote.

With the adoption of amendment S—3271, the Chair ruled amendment S—3288 filed by Senator Doyle on March 16, 1989, to page 1 of the bill, out of order.

Senator Lind offered amendment S—3261 filed by him on March 14, 1989, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 16, nays 25.

Amendment S—3261 lost.

Senator Lind withdrew amendment S—3262 filed by him on March 14, 1989, to page 1 of the bill.

Senator Sturgeon asked and received unanimous consent that action on **Senate File 340** be **deferred**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon until 3:00 p.m.

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 21st day of March, 1989:

Senate Files 158, 179 and 202.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards, commissions, divisions and departments to Senate standing committees as indicated for investigation on March 21, 1989:

AGRICULTURE

Bertha M. Versteegh and Sally Puttmann — State Soil Conservation Committee.

BUSINESS AND LABOR RELATIONS

Mary W. Greenleaf, Frederick Weber, Sally Jo Riekema and Perry J. Chapin — Job Service Advisory Council.

David D. Knock — Public Employment Relations Board.

COMMERCE

Robert R. Rigler — Superintendent of Banking.

Barbara A. Nixon and Marcia J. Benit — Credit Union Review Board.

Maria M. Waterman and M. Jane Bell — Title Guaranty Division Board.

EDUCATION

Elizabeth D. Hatch, Marvin S. Berenstein, Betty Jean Furgerson and Victoria A. Westenfield — State Board of Regents.

George C. Otte and M. Noreen Coyan — State Library Commission.

William Lepley and Margaret P. Borgen — First in the Nation in Education Foundation Governing Board.

ENVIRONMENT AND ENERGY UTILITIES

James M. Earley, Richard C. Hartsuck, Robert W. Schlutz, Margaret M. Prah and Donna M. Hammitt — Environmental Protection Commission.

Dennis Nagel — member and Chairperson of the Utilities Board.

HUMAN RESOURCES

Alyce M. Elmitt, Edwin Gantz and Clemmie Hightower — Commission of Elder Affairs.

Dr. Robert Carleton and Elizabeth A. Coyte — Board of Physician Assistant Examiners.

John C. Wellman - Commission for the Blind.

Ferrell C. Reed and Myrna L. Langerud — Council on Human Services.

Linda Groves and Shirley A. Hampton — Commission on the Deaf.

Joel H. Weinstein and Ann L. Dorr — State Health Facilities Council.

Carol A. Young and Harriet Vande Hoef — State Foster Care Review Board.

Dr. Thomas W. Hansen, Jean E. Oxley, Karen A. Voosberg, James A. Thomas, Sharon K. Smith and Glenda D. Gorsh — Mental Health and Mental Retardation Commission.

Diane R. Quinn — Administrator of the Division of Children, Youth, and Families.

JUDICIARY

Frank J. Marcovis, Orlando Ray Dial, Carolyn J. Rants and James H. Collins — Iowa State Civil Rights Commission.

Joni L. Keith and Mildred Elliott — Board of Corrections.

Joanne C. Lorence and Robert A. Jackson, Sr. — Board of Parole.

Cyndi Fisher — Commission on Judicial Qualifications.

Carolyn J. Seeley, William D. Murphy and Bernard J. Byers — State Judicial Nominating Commission.

Lee E. Poppen and William Westendorf — Criminal and Juvenile Justice Advisory Council.

LOCAL GOVERNMENT

Beverly A. Anderson and Anne M. Pedersen — County Finance Committee.

NATURAL RESOURCES

Barbara Nelson and Marian L. Kieffer - Natural Resource Commission.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Harry Bookey, Jeanine S. Hettinga and Mary L. Heistand-Bro — Iowa Product Development Corporation.

Robert A. Van Vooren, Harry G. Slife, Julie J. Bulkeley and Harris D. Honsey — Iowa Economic Development Board.

STATE GOVERNMENT

Jane A. Bishop and Rex W. Wilhelm — Iowa Board of Veterinary Medicine.

Terry K. Lichty — Podiatry Examining Board.

Dr. George G. Spellman, Sr., Dr. Robert B. Stickler and Dr. Donna M. Drees — Medical Examining Board.

Sherry J. Carter and Sue Ann N. Hillman — Speech Pathology and Audiology Examining Board.

Lorraine J. May and Richard P. Canella — State Racing Commission.

Lorraine Tate — Alcoholic Beverages Commission.

Ruth M. Roberts and William M. Dikis — Architectural Examining Board.

Al C. Maiers — Barber Examining Board.

Dan Loren Rogers and Darlene E.K. Blake — Psychology Examining Board.

Ken C. Leo and Karen K. Randall — Physical and Occupational Therapy Examining Board.

Michael R. Lura — Administrator of the Racing and Gaming Division of the Department of Inspections and Appeals.

Robert R. Rush and Beverly Jo Jackson — Campaign Finance Disclosure Commission.

Marjorie M. Matzen and Erlene Veverka — Board of Nursing Examiners.

Larry D. Brewer and Ann M. Lohman — Optometry Examining Board.

Bruce D. Buchanan, Alyce Ann Clasen and Judith Kaye Rinehart — Social Work Examining Board.

Earl L. Howard - Respiratory Care Advisory Committee.

Jerry F. Duggan — Real Estate Examining Board.

Merlin D. Hulse — Personnel Commission.

Burnita T. Ankerstjerne and Calvin J. Van Arkel — Mortuary Science Examining Board.

Donna R. Robinson — State Board of Examiners for Nursing Home Administrators.

Carl H. Lundahl — Chiropractic Examining Board.

Cheryl J. Richardson and James W. Vander Woude — Engineering and Land Surveying Examining Board.

James A. Raecker, Jerry C. Prahel and Pamela G. Kapple — Dental Examining Board.

Jo Ann Nina Pals — Cosmetology Examining Board.

Beverly A. Anderson and Robb B. Kelley — Investment Board (IPERS).

Mary Jane Oakland — Dietetic Examining Board.

Joseph C. Huibsch and Dorothea M. Luddington — Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Alfred C. Bohling, Jr. and Diana E. Hoogestraat — Landscape Architectural Examining Board.

John Cain and Diane J. McNulty — Accountancy Examining Board.

Rollin C. Bridge and Melba L. Scaglione — Pharmacy Examining Board.

TRANSPORTATION

Catherine Dunn and Douglas K. Shull — State Transportation Commission.

Jacqueline Day and John P. Stark — Iowa Law Enforcement Academy Council.

WAYS AND MEANS

James Balmer, Roosevelt Taylor and Darwin Thomas (Tom) Lynner, Jr. — Iowa Finance Authority.

Virginia A. Nichols — State Board of Tax Review.

BILL HUTCHINS, Chair

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 413 passed the Senate on March 21, 1989.

JIM LIND

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 424 failed to pass the Senate on March 21, 1989.

JOHN A. PETERSON

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty sixth grade students from Wilson Elementary School, Newton Iowa, accompanied by Jackie Smith. Senator Soorholtz.

Twenty-four students, members of the Boy Scouts from Troop 124, Indianola, Iowa, accompanied by Walt Trembley. Senator Peterson.

AMENDMENTS FILED

S—3349	S.F.	110	Richard Vande Hoef
S—3350	S.F.	321	John W. Jensen
S—3351	S.F.	394	Donald Doyle
S—3352	S.F.	454	Calvin Hultman
S—3353	S.F.	490	Berl E. Priebe
			Emil J. Husak
			Dale Tieden
			John E. Soorholtz
S—3354	S.F.	417	Julia Gentleman

S—3355	S. F.	372	Alvin V. Miller Donald V. Doyle
S—3356	S. F.	271	Alvin V. Miller
S—3357	S. F.	321	John W. Jensen

AFTERNOON SESSION

The Senate reconvened at 3:12 p.m., Senator Sturgeon presiding.

QUORUM CALL

Senator Boswell requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 278.

Senate File 278

On motion of Senator Deluhery, Senate File 278, a bill for an act relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Miller offered amendment S—3359 filed by Senators Miller and Deluhery from the floor to page 6 of the bill and moved its adoption.

Amendment S—3359 was adopted by a voice vote.

Senator Gentleman asked and received unanimous consent that action on **Senate File 278** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 474.

Senate File 474

On motion of Senator Soorholtz, Senate File 474, a bill for an act to establish a pseudorabies control program and providing for penalties and the repeal of a chapter, was taken up for consideration.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 474) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Corning	Riordan	Running
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 474** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 321 and 428.

Senate File 321

On motion of Senator Varn, Senate File 321, a bill for an act relating to the provision of child day care to children of state employees and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jensen offered amendment S—3357 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3357 be adopted?” (S.F. 321) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Carr	Dieleman	Drake	Fuhrman
Gettings	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Nystrom
Pate	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 25:

Boswell	Bruner	Deluhery	Doyle
Fraise	Gentleman	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Running	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 3:

Coleman	Corning	Riordan
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Amendment S—3357 lost.

Senator Hannon offered amendment S—3265 filed by the committee on State Government on March 14, 1989, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3265 was adopted by a voice vote.

Senator Jensen offered amendment S—3350 filed by him from the floor to pages 1 and 3 of the bill and moved its adoption.

Amendment S—3350 was adopted by a voice vote.

President pro tempore Mann took the chair at 4:05 p.m.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 321) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Deluhery
Doyle	Fraise	Gentleman	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 12:

Dieleman	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hultman	Pate
Rife	Taylor	Tieden	Vande Hoef

Absent or not voting, 3:

Coleman	Corning	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 428

On motion of Senator Vande Hoef, Senate File 428, a bill for an act relating to the installation and use of telecommunications devices for deaf persons in an enhanced 911 service area, was taken up for consideration.

Senator Szymoniak offered amendment S—3268 filed by her on March 15, 1989, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 13.

Amendment S—3268 was adopted.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 428) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Coleman	Corning	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 11 and Senate Joint Resolution 9.

Senate Concurrent Resolution 11

On motion of Senator Szymoniak, Senate Concurrent Resolution 11, a concurrent resolution relating to the recognition of American sign language as an appropriate school course offering and requiring a study of the inclusion of American sign language in the public school curricula by the department of education, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 11, which motion prevailed by a voice vote.

Senate Joint Resolution 9

On motion of Senator Carr, Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the item veto authority of the governor, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate Joint Resolution 9** be deferred.

BUSINESS PENDING

Senate File 278

The Senate resumed consideration of Senate File 278, a bill for an act relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties, previously deferred.

Senator Gentleman offered amendment S—3365 filed by her from the floor to pages 2, 4, 6 through 8 and 12 of the bill and moved its adoption.

Amendment S—3365 was adopted by a voice vote.

Senator Gentleman offered amendment S—3362 filed by her from the floor to pages 3 and 7 of the bill.

Senator Deluhery called for a division of amendment S—3362: lines 2 through 4 as division S—3362A and lines 5 through 19 as division S—3363B.

Senator Gentleman moved the adoption of division S—3362A, which motion lost by a voice vote.

Senator Gentleman moved the adoption of division S—3362B and requested a non record roll call.

The ayes were 17, nays 25.

Division S—3362B lost.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Mann presiding.

BUSINESS PENDING

Senate File 278

The Senate resumed consideration of Senate File 278.

Senator Welsh offered amendment S—3369 filed by Senators Welsh and Deluhery from the floor to page 1 of the bill and moved its adoption.

Amendment S—3369 was adopted by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 278) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Hultman	Taylor
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Absent or not voting, 4:

Coleman	Corning	Pate	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 17, 1989)

Senate File 86

The Senate resumed consideration of Senate File 86, a bill for an act relating to the authority of a city to levy a tax for the support of municipal bands and other musical groups, deferred March 17, 1989.

Senator Lind offered amendment S—3338 filed by Senators Lind, et al., on March 20, 1989, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3338 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 86) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	

Nays, 3:

Scott	Tieden	Welsh
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Absent or not voting, 4:

Coleman	Corning	Hultman	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 266 and 454.

Senate File 266

On motion of Senator Varn, Senate File 266, a bill for an act requiring electric utilities to have in effect a comprehensive energy management program before new or changed rates, charges, schedules, and regulations may be approved by the utilities board, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—3368 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3368 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 266) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hagerla	Hannon	Hedge
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Running	Scott	Soorholtz
Szymoniak	Tieden	Tinsman	Varn
Welsh			

Nays, 8:

Fuhrman	Gentleman	Goodwin	Hester
Hultman	Rensink	Taylor	Vande Hoef

Absent or not voting, 5:

Coleman	Corning	Drake	Riordan
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 454

On motion of Senator Palmer, Senate File 454, a bill for an act relating to unemployment compensation benefit duration and eligibility and to liability as a successor employer, providing penalties, providing for the Act's applicability, and providing an effective date, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on **Senate File 454** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the afternoon session on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 394.

Senate File 394

On motion of Senator Doyle, Senate File 394, a bill for an act relating to the administration and use of the civil reparations trust fund, was taken up for consideration.

Senator Doyle offered amendment S—3351 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3351 was adopted by a voice vote.

Senator Doyle offered amendment S—3282 filed by him on March 16, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3282 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 394) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Running	Scott
Soorholtz	Szymoniak	Varn	Welsh

Nays, 17:

Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Nystrom	Pate	Rensink
Rife	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 5:

Coleman	Corning	Drake	Riordan
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 386** be referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by committee on Rules and Administration, a resolution honoring Alphonse J. "Babe" Bisignano and Babe's Restaurant.

Read first time and placed on calendar.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Hull Western Christian High School — For placing third in the 1989 Class 2-A Boys' State high school basketball tournament. Senator Rensink (March 20, 1989).

Hull Western Christian High School Student Body — For winning the 1989 Class 2-A Boys' State high school basketball tournament Sportsmanship Award. Senator Rensink (March 20, 1989).

Maurice-Orange City High School — For winning the 1989 Class 1-A Boys' State high school basketball tournament. Senator Rensink (March 20, 1989).

Maurice-Orange City High School Student Body — For winning the 1989 Class 1-A Boys' State high school basketball tournament Sportsmanship Award. Senator Rensink (March 20, 1989).

SUBCOMMITTEE ASSIGNMENTS

Senate File 210

WAYS AND MEANS: Dieleman, Chair; Riordan and Drake

Senate File 293

WAYS AND MEANS: Husak, Chair; Hester and Soorholtz

Senate File 389

WAYS AND MEANS: Fraise, Chair; Palmer and Soorholtz

Senate File 411

STATE GOVERNMENT: Horn, Chair; Carr and Soorholtz

Senate File 427

WAYS AND MEANS: Soorholtz, Chair; Fraise and Gentleman

Senate File 431

WAYS AND MEANS: Husak, Chair; Hester and Soorholtz

Senate File 434

WAYS AND MEANS: Fraise, Chair; Dieleman and Gentleman

Senate File 439

APPROPRIATIONS: Gronstal, Chair; Tieden and Running

Senate File 440

WAYS AND MEANS: Husak, Chair; Kibbie and Hester

Senate File 451

STATE GOVERNMENT: Horn, Chair; Carr and Rife

Senate File 463

WAYS AND MEANS: Dieleman, Chair; Riordan and Soorholtz

Senate File 467

WAYS AND MEANS: Dieleman, Chair; Hultman and Szymoniak

Senate File 473

WAYS AND MEANS: Bruner, Chair; Murphy and Drake

House File 252

LOCAL GOVERNMENT: Fraise, Chair; Kinley and Tinsman

House File 313

LOCAL GOVERNMENT: Kinley, Chair; Szymoniak and Tinsman

House File 324

LOCAL GOVERNMENT: Vande Hoef, Chair; Murphy and Miller

House File 331

WAYS AND MEANS: Hester, Chair; Riordan and Fraise

House File 384

LOCAL GOVERNMENT: Priebe, Chair; Fraise and Jensen

House File 418

EDUCATION: Szymoniak, Chair; Bruner and Hedge

House File 448

BUSINESS AND LABOR RELATIONS: Peterson, Chair; Fuhrman and Mann

SSB 365

WAYS AND MEANS: Riordan, Chair; Kibbie and Hester

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSION**

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 1989, to investigate the appointment or reappointment of the following appointees:

BUSINESS AND LABOR RELATIONS

As members of the Job Service Advisory Council:

PERRY J. CHAPIN: Palmer, Chair; Taylor and Running
MARY W. GREENLEAF: Sturgeon, Chair; Hultman and Peterson
SALLY JO RIEKENA: Gettings, Chair; Fuhrman and Palmer
FREDERICK WEBER: Running, Chair; Fuhrman and Sturgeon

As a member of the Public Employment Relations Board:

DAVID D. KNOCK: Mann, Chair; Vande Hoef and Gettings

COMMERCE

As members of the Credit Union Review Board:

MARCIA J. BENIT: Pate, Chair; Rife and Hannon
BARBARA A. NIXON: Tieden, Chair; Mann and Running

As Superintendent of Banking:

ROBERT R. RIGLER: Priebe, Chair; Kinley and Lind

As members of the Title Guaranty Division Board:

M. JANE BELL: Deluhery, Chair; Tieden and Jensen
MARIA M. WATERMAN: Nystrom, Chair; Deluhery and Priebe

JUDICIARY

As members of the Board of Corrections:

MILDRED ELLIOTT: Hester, Chair; Gronstal and Taylor
JONI L. KEITH: Varn, Chair; Coleman and Hagerla

As members of the Board of Parole:

ROBERT A. JACKSON, SR.: Mann, Chair; Gentleman and Carr
JOANNE C. LORENCE: Hester, Chair; Gentleman and Welsh

As members of the Iowa State Civil Rights Commission:

JAMES H. COLLINS: Deluhery, Chair; Mann and Drake
ORLANDO RAY DIAL: Mann, Chair; Varn and Taylor
FRANK J. MARCOVIS: Varn, Chair; Mann and Gentleman
CAROLYN J. RANTS: Varn, Chair; Doyle and Hester

As a member of the Commission on Judicial Qualifications:

CYNDI FISHER: Coleman, Chair; Taylor and Hester

As members of the Criminal and Juvenile Justice Advisory Council:

LEE E. POPPEN: Taylor, Chair; Drake and Carr
WILLIAM WESTENDORF: Taylor, Chair; Drake and Carr

As members of the State Judicial Nominating Commission:

BERNARD J. BYERS: Drake, Chair; Carr and Hagerla
WILLIAM D. MURPHY: Fuhrman, Chair; Coleman and Varn
CAROLYN J. SEELEY: Horn, Chair; Carr and Hagerla

NATURAL RESOURCES

As members of the Natural Resource Commission:

MARIAN L. KIEFFER: Goodwin, Chair; Husak and Tieden
BARBARA NELSON: Hester, Chair; Kibbie and Rensink

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As members of the Iowa Product Development Corporation:

HARRY BOOKEY: Vande Hoef, Chair; Boswell and Hagerla
MARY L. HEISTAND-Bro: Hannon, Chair; Miller and Lind
JEANINE S. HETTINGA: Szymoniak, Chair; Lind and Kibbie

As members of the Iowa Economic Development Board:

JULIE J. BULKELEY: Kibbie, Chair; Boswell and Rife
HARRIS D. HONSEY: Hagerla, Chair; Boswell and Kibbie
HARRY G. SLIFE: Scott, Chair; Hannon and Vande Hoef
ROBERT A. VAN VOOREN: Miller, Chair; Pate and Rife

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 241, a bill for an act relating to the authority of fire chiefs and their officers at fire scenes and emergencies, and providing a penalty for violations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3358.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley and Tinsman. Nays, none. Absent or not voting, 2: Murphy and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 7, a resolution honoring Alphonse J. "Babe" Bisignano and Babe's Restaurant.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 3, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 4, a concurrent resolution relating to a biennial memorial session.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 201, a bill for an act relating to the regulation of lotteries, lottery tickets, and other games of chance, or contest, by amending provisions relating to advertising, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Dieleman. Absent or not voting, 4: Lloyd-Jones, Nystrom, Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 256, a bill for an act relating to the elimination of the risk management division of the department of general services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Lloyd-Jones, Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 301, a bill for an act relating to the rulemaking authority of the labor commissioner.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 4: Lloyd-Jones, Nystrom, Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 367, a bill for an act relating to the powers and duties of the state historical society and the historical division of the department of cultural affairs.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Lloyd-Jones, Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S. C. R. 14 Rules and Administration

AMENDMENTS FILED

S—3358	H.F.	241	Local Government
S—3359	S.F.	278	Alvin Miller
			Patrick Deluhery
S—3360	S.F.	333	Michael E. Gronstal
S—3361	S.F.	214	Wally Horn
S—3362	S.F.	278	Julia B. Gentleman
S—3363	S.F.	495	Leonard Boswell
S—3364	S.F.	342	Julia Gentleman
			Maggie Tinsman
S—3365	S.F.	278	Julia Gentleman
S—3366	S.F.	438	William Dieleman
S—3367	H.F.	5	Tom Mann, Jr.
			John Peterson
			Richard Running
			Al Sturgeon
			Willia D. Palmer
			Don Gettings
			Bill Hutchins
S—3368	S.F.	266	Richard Varn
S—3369	S.F.	278	Joe Welsh

S—3370	S. F.	458	Patrick Deluhery
S—3371	S. F.	199	Mark Hagerla
			Maggie Tinsman
			Jean Lloyd-Jones
			Beverly A. Hannon
			Charles Bruner
			Jim Lind
			Ray Taylor

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Wednesday, March 22, 1989.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 22, 1989

The Senate met in regular session at 9:06 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Jeff Borg, pastor of the United Methodist Church, Springville, Iowa.

The Journal of Tuesday, March 21, 1989, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 475, a bill for an act providing for the refund of unexpired registration fees for certain vehicles registered as special mobile equipment and providing an effective date.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 402.

Senate File 402

On motion of Senator Nystrom, Senate File 402, a bill for an act relating to the membership of the medical assistance advisory council, was taken up for consideration.

Senator Szymoniak offered amendment S—3244 filed by her on March 13, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3244 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 402) the vote was:

Ayes, 48:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Bruner Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

UNFINISHED BUSINESS (Deferred February 23, 1989)

House File 5

The Senate resumed consideration of House File 5, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits, deferred February 23, 1989.

Senator Sturgeon offered amendment S—3367 filed by Senators Mann, et al., on March 21, 1989, to strike everything after the enacting clause of the bill.

Senator Hultman offered amendment S—3383 filed by him from the floor to amendment S—3367, moved its adoption and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—3383 to amendment S—3367 be adopted?" (H.F. 5) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise

Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Riordan

Amendment S—3383 lost.

Senator Sturgeon moved the adoption of amendment S—3367.

A record roll call was requested.

On the question “Shall amendment S—3367 be adopted?” (H.F. 5) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 11:

Corning	Fuhrman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Rensink	Taylor	Vande Hoef	

Absent or not voting, 1:

Riordan

Amendment S—3367 was adopted.

With the adoption of amendment S—3367, the Chair ruled amendment S—3178 filed by Senator Szymoniak on March 7, 1989, to page 1 of the bill, out of order.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 5) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 14:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Rensink	Tieden		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sturgeon asked and received unanimous consent that **Senate File 32** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 21, 1989)

Senate Joint Resolution 9

The Senate resumed consideration of Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution

of the State of Iowa relating to the item veto authority of the government, deferred March 21, 1989.

Senator Hultman asked and received unanimous consent that action on **Senate Joint Resolution 9** be deferred.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Kinley, Senate Resolution 7, a resolution honoring Alphonse J. "Babe" Bisignano and Babe's Restaurant, was taken up for consideration.

Senator Kinley moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 475 and 491.

Senate File 475

On motion of Senator Varn, Senate File 475, a bill for an act relating to Article 8 of the Uniform Commercial Code, by including both certificated and uncertificated securities within the scope of Article 8, and by making conforming amendments to Articles 1, 5, and 9, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 475) the vote was:

Ayes, 48:

Boswell
Corning

Bruner
Deluhery

Carr
Dieleman

Coleman
Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 491

On motion of Senator Varn, Senate File 491, a bill for an act relating to the destruction of the contents of an original court file, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 491) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 21, 1989, 2:25 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Rife, Soorholtz and Sturgeon.

Members Absent: Carr and Varn (both excused).

Committee Business: There was no business to come before the committee.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: March 21, 1989, 8:31 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley, and Tinsman.

Members Absent: Murphy and Priebe (both excused).

Committee Business: Assigned bills to subcommittees and recommended passage of House File 241 as amended.

Adjourned: 8:39 a.m.

NATURAL RESOURCES

Convened: March 21, 1989, 1:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Priebe, Rensink and Tieden.

Members Absent: Mann and Peterson (excused).

Committee Business: Assigned Governor's appointees to subcommittees; discussed and deferred action on House File 198.

Adjourned: 1:50 p.m.

RULES AND ADMINISTRATION

Convened: March 21, 1989, 4:55 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Approved proposed resolution honoring Babe Bisignano; recommended passage of House Concurrent Resolutions 3 and 4; assigned bills to subcommittees.

Adjourned: 5:00 p.m.

STATE GOVERNMENT

Convened: March 21, 1989, 1:33 p.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Dieleman, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Lloyd-Jones, Vice Chair; Coleman and Drake (all excused).

Committee Business: Recommended passage of House Files 367, 256, 201 and 301.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: March 21, 1989, 9:25 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Fraise, Fuhrman, Gentleman, Hultman, Kibbie and Szymoniak.

Members Absent: Drake, Murphy, Palmer, Riordan (excused) and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:28 a.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 409 passed the Senate on March 21, 1989.

ELAINE SZYMONIAK

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 409 passed the Senate on March 21, 1989.

BILL HUTCHINS

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 409 passed the Senate on March 21, 1989.

WALLY E. HORN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3296 to Senate File 362 was adopted by the Senate on March 16, 1989.

LEONARD L. BOSWELL

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSION

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21 and 22, 1989, to investigate the appointment or reappointment of the following appointees:

AGRICULTURE (March 22, 1989)

As members of the State Soil Conservation Committee:

SALLY PUTTMANN: Rensink, Chair; Vande Hoef and Coleman
BERTHA M. VERSTEEGH: Fraise, Chair; Hedge and Palmer

EDUCATION (March 22, 1989)

As members of the First in the Nation in Education Governing Board:

MARGARET P. BORGAN: Varn, Chair; Corning and Szymoniak
WILLIAM LEPLEY: Corning, Chair; Lind and Lloyd-Jones

As members of the State Library Commission:

M. NOREEN COYAN: Varn, Chair; Rensink and Szymoniak
 GEORGE C. OTTE: Varn, Chair; Rensink and Szymoniak

As members of the State Board of Regents:

MARVIN S. BERENSTEIN: Horn, Chair; Varn and Rensink
 BETTY JEAN FURGERSON: Horn, Chair; Varn and Rensink
 ELIZABETH D. HATCH: Horn, Chair; Varn and Rensink
 VICTORIA A. WESTENFIELD: Horn, Chair; Varn and Rensink

ENVIRONMENT AND ENERGY UTILITIES (March 22, 1989)

As members of the Environmental Protection Commission:

JAMES M. EARLEY: Sturgeon, Chair; Gronstal and Pate
 DONNA M. HAMMITT: Soorholtz, Chair; Pate and Sturgeon
 RICHARD C. HARTSUCK: Varn, Chair; Carr and Hedge
 MARGARET M. PRAHL: Sturgeon, Chair; Hedge and Soorholtz
 ROBERT W. SCHLUTZ: Rife, Chair; Carr and Miller

As a member and Chairperson of the Utilities Board:

DENNIS NAGEL: Gronstal, Chair; Deluhery and Pate

HUMAN RESOURCES (March 21, 1989)

As Administrator of the Division of Children, Youth, and Families:

DIANE R. QUINN: Bruner, Chair; Hannon and Corning

As members of the Board of Physician Assistant Examiners:

DR. ROBERT CARLETON: Taylor, Chair; Bruner and Carr
 ELIZABETH A. COYTE: Hagerla, Chair; Carr and Bruner

As a member of the Commission for the Blind:

JOHN C. WELLMAN: Corning, Chair; Sturgeon and Horn

As members of the Commission on Elder Affairs:

ALYCE M. ELMITT: Tinsman, Chair; Sturgeon and Carr
 EDWIN GANTZ: Sturgeon, Chair; Horn and Tinsman
 CLEMMIE HIGHTOWER: Hagerla, Chair; Sturgeon and Carr

As members of the Commission on the Deaf:

LINDA GROVES: Tinsman, Chair; Carr and Murphy

SHIRLEY A. HAMPTON: Horn, Chair; Sturgeon and Tinsman

As members of the Council on Human Services:

MYRNA L. LANGERUD: Bruner, Chair; Murphy and Tinsman

FERRELL C. REED: Horn, Chair; Bruner and Gentleman

As members of the Mental Health and Mental Retardation Commission:

GLENDA D. GORSH: Riordan, Chair; Carr and Tinsman

DR. THOMAS W. HANSEN: Carr, Chair; Horn and Tinsman

JEAN E. OXLEY: Hannon, Chair; Carr and Hagerla

SHARON K. SMITH: Gentleman, Chair; Bruner and Carr

JAMES A. THOMAS: Sturgeon, Chair; Riordan and Corning

KAREN A. VOSSBERG: Horn, Chair; Murphy and Taylor

As members of the State Foster Care Review Board:

HARRIET VANDE HOEF: Taylor, Chair; Bruner and Horn

CAROL A. YOUNG: Gentleman, Chair; Bruner and Hannon

As members of the State Health Facilities Council:

ANN L. DORR: Bruner, Chair; Sturgeon and Corning

JOEL H. WEINSTEIN: Sturgeon, Chair; Hannon and Taylor

WAYS AND MEANS

(March 22, 1989)

As members of the Iowa Finance Authority:

JAMES BALMER: Fuhrman, Chair; Palmer and Gentleman

ROOSEVELT TAYLOR: Bruner, Chair; Szymoniak and Drake

DARWIN THOMAS (Tom) LYNNER, JR.: Gentleman, Chair; Hultman and Riordan

As a member of the State Board of Tax Review:

VIRGINIA A. NICHOLS: Riordan, Chair; Hester and Soorholtz

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessary absent from the Senate chamber when the final votes were taken on Senate File 270 on March 20 and Senate File 278 on March 21.

Had I been present, I would have voted "aye" on both bills.

PAUL PATE

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-eight fifth grade students from Colo Elementary School, Colo, Iowa, accompanied by Liz Robinson. Senators Bruner and Nystrom.

Sixty-five eighth grade students from Dallas Center-Grimes Jr. High School, Grimes, Iowa, accompanied by Bill Wineland. Senators Riordan and Palmer.

AMENDMENTS FILED

S-3372	S.F.	450	Mark Hagerla
S-3373	S.F.	449	Larry Murphy
S-3374	S.F.	362	Larry Murphy
S-3375	S.F.	470	Alvin V. Miller Patrick Deluhery
S-3376	S.F.	271	Richard Running
S-3377	S.F.	438	Jean Lloyd-Jones Julia Gentleman Tom Mann, Jr.
S-3378	S.F.	438	Jean Lloyd-Jones Julia Gentleman Tom Mann, Jr.
S-3379	S.F.	438	Jean Lloyd-Jones Julia Gentleman Tom Mann, Jr.
S-3380	S.F.	438	Jean Lloyd-Jones Tom Mann, Jr.
S-3381	S.F.	438	Jean Lloyd-Jones Tom Mann, Jr.
S-3382	S.F.	438	Jean Lloyd-Jones Julia Gentleman Tom Mann, Jr.
S-3383	H.F.	5	Calvin O. Hultman
S-3384	S.F.	438	Elaine Szymoniak
S-3385	S.F.	271	Leonard Boswell

S—3386	S. F.	362	Larry Murphy
S—3387	S. F.	108	Linn Fuhrman
			James Riordan
			Berl E. Priebe
S—3388	S. F.	362	Michael E. Gronstal
			Julia Gentleman

AFTERNOON SESSION

The Senate reconvened at 3:04 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Varn for the remainder of the day on request of Senator Hutchins.

MOTION TO RECONSIDER ADOPTED

Senator Hutchins called up the motion to reconsider Senate File 409 filed by him on March 22, 1989, found on page 967 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 409) the vote was:

Ayes, 34:

Boswell	Bruner	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Goodwin	Gronstal	Hannon
Hedge	Hester	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Riordan
Scott	Szymoniak	Taylor	Tinsman
Vande Hoef	Welsh		

Nays, 14:

Carr	Gentleman	Gettings	Hagerla
Horn	Lind	Mann	Murphy
Pate	Rife	Running	Soorholtz
Sturgeon	Tieden		

Absent or not voting, 2:

Coleman Varn

The motion prevailed.

Senator Hutchins moved to reconsider the vote by which Senate File 409 went to its last reading, which motion prevailed by a voice vote.

Senate File 409

On motion of Senator Horn, Senate File 409, a bill for an act relating to liquor and beer sales on Sundays, by extending the permitted hours for sales on Sunday to include the hours between 6:00 a.m. on Sunday and 2:00 a.m. on the following Monday, was taken up for reconsideration.

The Chair ruled the motions to reconsider the vote by which Senate File 409 was adopted by the Senate on March 21, 1989, filed by Senators Horn and Szymoniak on March 22, 1989, and found on page 967 of the Senate Journal, out of order.

Senator Szymoniak offered amendment S—3389 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3389 was adopted by a voice vote.

Senator Husak asked unanimous consent that action on Senate File 409 be deferred.

Senator Murphy raised the point of order that Senator Horn was giving final remarks on the bill and the request to defer by Senator Husak was not in order.

The Chair ruled the point well taken and recognized Senator Horn to continue his final remarks.

Senator Horn asked and received unanimous consent that action on **Senate File 409** be deferred.

BUSINESS PENDING**Senate Joint Resolution 9**

The Senate resumed consideration of Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the item veto authority of the governor, previously deferred.

Senator Hultman asked and received unanimous consent that action on **Senate Joint Resolution 9** be **deferred**.

Senator Deluhery took the chair at 3:30 p.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 417.

Senate File 417

On motion of Senator Mann, Senate File 417, a bill for an act relating to the time within which a claim must be brought by a minor or incompetent under the state tort claims Act, was taken up for consideration.

Senator Gentleman offered amendment S—3354 filed by her on March 21, 1989, to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 27.

Amendment S—3354 lost.

Senator Gronstal offered amendment S—3257 filed by him on March 14, 1989, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3257 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 417) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Szymoniak	Welsh

Nays, 21:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Rife	Running
Soorholtz	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 437.

Senate File 437

On motion of Senator Gronstal, Senate File 437, a bill for an act relating to solid waste management by providing for the submission of comprehensive solid waste management plans to the department of natural resources by certain entities and permitting the option of dividing the planning requirement into certain separate parts, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 437) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none.

Absent or not voting, 2:

Sturgeon Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 451, a bill for an act relating to audits, amending provisions governing audits of governmental subdivisions and revising the powers and duties of the auditor of state with respect to such audits, providing for payment to the auditor of state for certain advisory and consultative services, providing for filing fees, providing properly related matters, and providing an effective date.

This bill was read first time and **passed on file**.

APPENDIX**BILLS ASSIGNED TO COMMITTEE**

President Zimmerman announced the assignment of the following bills to committee:

H.F.	451	State Government
H.F.	475	Transportation

STUDY BILL RECEIVED**SSB 366 Ways and Means**

To extend job training tax credits to financial institutions and insurance companies and associations and nonprofit health service corporations.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 14**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 386

WAYS AND MEANS: Dieleman, Chair; Riordan and Hester

Senate File 388

ENVIRONMENT AND ENERGY UTILITIES: Miller, Chair; Gronstal and Rife

Senate File 441

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Miller and Rife

Senate File 458

COMMERCE: Deluhery, Chair; Priebe and Jensen

Senate File 483

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 485

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Carr and Soorholtz

House File 380

COMMERCE: Mann, Chair; Gronstal and Lind

House File 574

COMMERCE: Hannon, Chair; Running, Kinley, Jensen and Rife

SSB 366

WAYS AND MEANS: Bruner, Chair; Husak and Hester

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSION

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 22, 1989, to investigate the appointment or reappointment of the following appointees:

LOCAL GOVERNMENT

As members of the County Finance Committee:

BEVERLY A. ANDERSON: Vande Hoef, Chair; Priebe and Kinley

ANNE M. PEDERSEN: Fraise, Chair; Goodwin and Tinsman

STATE GOVERNMENT

As members of the Accountancy Examining Board:

JOHN CAIN: Vande Hoef, Chair; Soorholtz and Gentleman

DIANE J. McNULTY: Running, Chair; Carr and Soorholtz

As Administrator of the Racing and Gaming Division of the Department of Inspections and Appeals:

MICHAEL R. LURA: Soorholtz, Chair; Rife and Carr

As a member of the Alcoholic Beverages Commission:

LORRAINE TATE: Horn, Chair; Running and Drake

As members of the Architectural Examining Board:

WILLIAM M. DIKIS: Nystrom, Chair; Drake and Lloyd-Jones
RUTH M. ROBERTS: Running, Chair; Nystrom and Drake

As a member of the Barber Examining Board:

AL C. MAIERS: Drake, Chair; Rife and Coleman

As members of the Board of Examiners for the Licensing and Regulation of
Hearing Aid Dealers:

JOSEPH C. HUIBSCH: Fraise, Chair; Gronstal and Nystrom
DOROTHEA M. LUDDINGTON: Gronstal, Chair; Hannon and Drake

As members of the Board of Nursing Examiners:

MARJORIE M. MATZEN: Lloyd-Jones, Chair; Drake and Coleman
ERLENE VEVERKA: Coleman, Chair; Dieleman and Rife

As members of the Campaign Finance Disclosure Commission:

BEVERLY JO JACKSON: Gentleman, Chair; Vande Hoef and Hannon
ROBERT R. RUSH: Carr, Chair; Nystrom and Lloyd-Jones

As a member of the Chiropractic Examining Board:

CARL H. LUNDAHL: Vande Hoef, Chair; Nystrom and Hannon

As a member of the Cosmetology Examining Board:

JO ANN NINA PALS: Horn, Chair; Running and Drake

As members of the Dental Examining Board:

PAMELA G. KAPPLE: Hannon, Chair; Horn and Nystrom
JERRY C. PRAHL: Gronstal, Chair; Hannon and Vande Hoef
JAMES A. RAECKER: Fraise, Chair; Gronstal and Soorholtz

As a member of the Dietetic Examining Board:

MARY JANE OAKLAND: Dieleman, Chair; Fraise and Vande Hoef

As members of the Engineering and Land Surveying Examining Board:

CHERYL J. RICHARDSON: Coleman, Chair; Dieleman and Rife
JAMES W. VANDER WOUDE: Dieleman, Chair; Fraise and Gentleman

As members of the Investment Board (IPERS):

BEVERLY A. ANDERSON: Running, Chair; Lloyd-Jones and Rife
ROBB B. KELLEY: Lloyd-Jones, Chair; Coleman and Gentleman

As members of the Iowa Board of Veterinary Medicine:

JANE A. BISHOP: Rife, Chair; Gentleman and Dieleman
REX W. WILHELM: Gentleman, Chair; Soorholtz and Fraise

As members of the Landscape Architectural Examining Board:

ALFRED C. BOHLING, JR.: Hannon, Chair; Drake and Rife
DIANA E. HOOGESTRAAT: Horn, Chair; Running and Gentleman

As members of the Medical Examining Board:

DR. DONNA M. DREES: Coleman, Chair; Dieleman and Rife
DR. GEORGE G. SPELLMAN, SR.: Vande Hoef, Chair; Nystrom and Hannon
DR. ROBERT B. STICKLER: Lloyd-Jones, Chair; Coleman and Drake

As members of the Mortuary Science Examining Board:

BURNITA T. ANKERSTJERNE: Gentleman, Chair; Soorholtz and Fraise
CALVIN J. VAN ARKEL: Coleman, Chair; Dieleman and Soorholtz

As members of the Optometry Examining Board:

LARRY D. BREWER: Dieleman, Chair; Fraise and Rife
ANN M. LOHMAN: Fraise, Chair; Gronstal and Gentleman

As a member of the Personnel Commission:

MERLIN D. HULSE: Rife, Chair; Gentleman and Dieleman

As members of the Pharmacy Examining Board:

ROLLIN C. BRIDGE: Nystrom, Chair; Drake and Lloyd-Jones
MELBA L. SCAGLIONE: Drake, Chair; Rife and Coleman

As members of the Physical and Occupational Therapy Examining Board:

KEN C. LEO: Soorholtz, Chair; Vande Hoef and Gronstal
KAREN K. RANDALL: Lloyd-Jones, Chair; Coleman and Drake

As a member of the Podiatry Examining Board:

TERRY K. LICHTY: Soorholtz, Chair; Vande Hoef and Gronstal

As members of the Psychology Examining Board:

DARLENE E.K. BLAKE: Gentleman, Chair; Soorholtz and Fraise

DAN LOREN ROGERS: Rife, Chair; Gentleman and Dieleman

As a member of the Real Estate Examining Board:

JERRY F. DUGGAN: Drake, Chair; Rife and Coleman

As a member of the Respiratory Care Advisory Committee:

EARL L. HOWARD: Nystrom, Chair; Drake and Lloyd-Jones

As members of the Social Work Examining Board:

BRUCE D. BUCHANAN: Gronstal, Chair; Hannon and Soorholtz

ALYCE ANN CLASEN: Hannon, Chair; Horn and Vande Hoef

JUDITH KAYE RINEHART: Horn, Chair; Running and Nystrom

As members of the Speech Pathology and Audiology Examining Board:

SHERRY J. CARTER: Dieleman, Chair; Fraise and Gentleman

SUE ANN N. HILLMAN: Fraise, Chair; Gronstal and Soorholtz

As a member of the State Board of Examiners for Nursing Home Administrators:

DONNA R. ROBINSON: Soorholtz, Chair; Vande Hoef and Gronstal

As members of the State Racing Commission:

RICHARD P. CANELLA: Hannon, Chair; Horn and Nystrom

LORRAINE J. MAY: Gronstal, Chair; Hannon and Vande Hoef

TRANSPORTATION

As members of the Iowa Law Enforcement Academy Council:

JACQUELINE DAY: Lloyd-Jones, Chair; Scott and Jensen

JOHN P. STARK: Dieleman, Chair; Drake and Scott

As members of the State Transportation Commission:

CATHERINE DUNN: Gettings, Chair; Doyle and Goodwin

DOUGLAS K. SHULL: Doyle, Chair; Dieleman and Nystrom

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following Governor's appointments, completed its investigations on March 22, 1989, and recommends the appointees be confirmed:

Marcia J. Benit as a member of the Credit Union Review Board.

M. Jane Bell as a member of the Title Guaranty Division Board.

INTRODUCTION OF BILLS

Senate File 509, by Welsh, a bill for an act relating to the advertisement and sale of wood building materials, and making penalties applicable.

Read first time under Rule 28 and **passed on file**.

Senate File 510, by Welsh and Lind, a bill for an act relating to classification of alcoholic beverages by percentage weight of alcohol and manner of production.

Read first time under Rule 28 and **passed on file**.

AMENDMENTS FILED

S—3389	S.F.	409	Elaine Szymoniak
S—3390	S.F.	384	Mark R. Hagerla
S—3391	S.F.	390	Jim Riordan
S—3392	S.F.	271	John P. Kibbie Leonard L. Boswell

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:01 p.m., until 9:00 a.m., Thursday, March 23, 1989.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 23, 1989

The Senate met in regular session at 9:09 a.m., President Zimmerman presiding.

Prayer was offered by Sister Ruth Poochigan, Director of Adult Education, St. Joseph Educational Center, West Des Moines, Iowa.

The Journal of Wednesday, March 22, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 329, a bill for an act relating to the name of and liabilities arising from activities of the small business assistance center at the University of Northern Iowa.

This bill was read first time and **passed on file**.

House File 513, a bill for an act prohibiting the theft of telephone service, and making penalties applicable.

This bill was read first time and **passed on file**.

House File 570, a bill for an act relating to the registration of aircraft.

This bill was read first time and **passed on file**.

House File 628, a bill for an act relating to the purchase or sale of an individual and providing a penalty.

This bill was read first time and **passed on file**.

FURTHER OBSERVANCE OF WOMEN'S HISTORY MONTH

Senator Tinsman presented the following seven members of the Iowa Women's Hall of Fame and their respective induction year:

1987 — Jolly Ann Davidson, Clarinda, escorted by Senator Hultman.

1978 — Jacqueline Day, Des Moines, escorted by Senator Mann.

1983 — Beverly Everett, New Sharon, escorted by Senator Hedge.

1981 — Mary Garst, Des Moines, escorted by Senator Szymoniak.

1981 — Louise Noun, Des Moines, escorted by Senator Coleman.

1986 — Willie Glanton, Des Moines, escorted by Senator Corning.

1977 — Mary Louise Smith, Des Moines, escorted by Senator Gentleman.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kinley for the day on request of Senator Horn and Senator Soorholtz for the day on request of Senator Jensen.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 22, 1989)

Senate Joint Resolution 9

The Senate resumed consideration of Senate Joint Resolution

9, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the item veto authority of the governor, deferred March 22, 1989.

Senator Hultman offered amendment S—3393 filed by him from the floor to page 1 of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 29.

Amendment S—3393 lost.

Senator Carr moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

Senate Joint Resolution 9, a joint resolution proposing an amendment to the Constituion of the State of Iowa relating to the item veto authority of the governor.

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 16 of Article III of the Constitution of the State of Iowa, as amended by Amendment 4 of the Amendments of 1968, is repealed and the following adopted in lieu thereof:

EXECUTIVE APPROVAL -- VETO -- ITEM VETO BY GOVERNOR. SEC. 16. Before it becomes law, each bill which has passed the general assembly, shall be presented to the governor. If the governor approves of the bill, the governor shall sign it. If the governor disapproves of the bill, the governor shall return it with the governor's objections, to the house in which it originated, which house shall enter the return in its journal, and proceed to reconsider it. If, after reconsideration, it again passes both houses, by yeas and nays, by a majority of two thirds of the members of each house, it shall become a law, notwithstanding the governor's objections. If a bill is not returned within three days after it has been presented to the governor, Sunday excepted, the bill shall become law in the same manner as if the governor had signed it, unless the general assembly, by adjournment, prevents the return. A bill submitted to the governor

for approval during the last three days of a session of the general assembly, shall be deposited by the governor in the office of the secretary of state, within thirty days after the adjournment, with the governor's signature, if approved by the governor, and with the governor's objections, if the governor disapproves of it.

The governor may approve or disapprove of an appropriation bill in its entirety. The governor may disapprove a portion of an appropriation bill, provided the portion contains a monetary appropriation amount. The governor shall not disapprove conditional language without disapproving the entire appropriation upon which the language is conditioned. The portion approved shall become law. Any portion of an appropriation bill disapproved by the governor shall be returned, with the governor's objections, to the house in which it originated, or shall be deposited by the governor in the office of the secretary of state in the case of an appropriations bill submitted to the governor for the governor's approval during the last three days of a session of the general assembly, and the procedure in each case shall be the same as provided for entire bills. Any disapproved portion of an appropriation bill may be enacted into law notwithstanding the governor's objections, in the same manner as provided for entire bills.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause it to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 9) the vote was:

Yeas, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Taylor	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 3:

Kinley	Pate	Soorholtz
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The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the day on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 444, 445 and 449.

Senate File 444

On motion of Senator Running, Senate File 444, a bill for an act relating to the industrial services division of the department of employment services, revising provisions governing deputy industrial commissioners, expanding provisions governing settlements in workers' compensation cases, and providing properly related matters, was taken up for consideration.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 444) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Kinley	Nystrom	Pate	Soorholtz
Tieden	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 445

On motion of Senator Rife, Senate File 445, a bill for an act relating to insurance by requiring the payment of interest on certain delayed claim settlements, making failure to pay interest on claim settlements when required an unfair claim settlement practice subject to penalties, authorizing certain administrative penalties, providing a uniform standard for cancellation notices in personal property lines of insurance, providing for the repeal of requirements to attach applications to policies, altering notice of cancellation provisions for nonrenewal of commercial umbrella or excess policies or contracts, distinguishing nonadmitted and unauthorized insurance companies, and imposing surplus requirements on county mutual associations, was taken up for consideration.

Senator Gronstal offered amendment S—3315 filed by him on March 20, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3315 was adopted by a voice vote.

Senator Mann offered amendment S—3399 filed by him from the floor to pages 6 and 7 of the bill and moved its adoption.

Amendment S—3399 was adopted by a voice vote.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 445) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Nystrom	Pate	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Mann took the chair at 10:31 a.m.

Senate File 449

On motion of Senator Dieleman, Senate File 449, a bill for an act relating to vocational education and requesting a study, was taken up for consideration.

Senator Murphy offered amendment S—3373 filed by him on March 22, 1989, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3373 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent to withdraw amendment S—3401 filed by Senators Murphy and Taylor from the floor to pages 1 through 3 of the bill.

Senator Murphy offered amendment S—3404 filed by Senators Murphy and Taylor from the floor to pages 1 through 3 of the bill and moved its adoption.

Amendment S—3404 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 449) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Kinley	Nystrom	Pate	Rife
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 59, a bill for an act relating to the purchase and sale of grain by providing for the offering of a special quality grains electronic bulletin board service through the department of agriculture and land stewardship and providing for an advisory committee study of grain marketing to draft proposed legislation to develop the market for special quality grains.

This bill was read first time and **passed on file**.

House File 501, a bill for an act relating to workers' compensation coverage for participants in work and training programs and unemployed parent-community work experience programs.

This bill was read first time and **passed on file**.

House File 534, a bill for an act relating to the regulation of commercial feed and providing for the increase of fees.

This bill was read first time and **passed on file**.

House File 575, a bill for an act relating to the investment authority of state banks.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:22 a.m., until 3:00 p.m.

APPENDIX

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 280, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3400.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 303, a bill for an act providing an individual and corporate income tax credit for certain breeding cattle, providing a date of applicability, and providing for a repeal.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 427, a bill for an act authorizing a writing fee for the issuance of state park user permits.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Fraise, Fuhrman, Gentleman, Kibbie, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 2: Drake and Murphy. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 430, a bill for an act imposing a special sales tax upon certain tickets, providing for the use of the proceeds, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of March, 1989:

Senate Files 123, 128, 152 and 159.

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 445 passed the Senate on March 23, 1989.

JACK RIFE

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3399 to Senate File 445 was adopted by the Senate on March 23, 1989.

JACK RIFE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 445 passed the Senate on March 23, 1989.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3399 to Senate File 445 was adopted by the Senate on March 23, 1989.

MICHAEL E. GRONSTAL

SUBCOMMITTEE ASSIGNMENT

Senate File 461

JUDICIARY: Mann, Chair; Varn and Drake

AMENDMENTS FILED

S—3393	S. J. R.	9	Calvin O. Hultman
S—3394	S. F.	390	Richard Vande Hoef
S—3395	S. F.	438	Ray Taylor
S—3396	S. F.	472	Wally Horn
S—3397	S. F.	498	Jack W. Hester
S—3398	S. F.	273	Jim Lind
			Jean Lloyd-Jones
			Beverly Hannon
			Ray Taylor
			Maggie Tinsman
			Charles Bruner
S—3399	S. F.	445	Tom Mann, Jr.
S—3400	S. F.	280	Ways and Means
S—3401	S. F.	449	Larry Murphy
			Ray Taylor
S—3402	S. F.	494	Richard Varn
S—3403	S. F.	390	Richard Vande Hoef
S—3404	S. F.	449	Larry Murphy
			Ray Taylor
S—3405	S. F.	445	Michael E. Gronstal
S—3406	S. F.	504	Ray Taylor
S—3407	S. F.	370	Eugene Fraise

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 3:06 p.m.

The vote revealed 42 present, 8 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the remainder of the day on request of Senator Hultman.

WITHDRAWN

Senator Szymoniak asked and received unanimous consent that **Senate Concurrent Resolution 13** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER ADOPTED

Senator Rife called up the motion to reconsider Senate File 445 filed by him on March 23, 1989, found on page 993 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 445) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Palmer

Peterson	Priebe	Rensink	Rife
Running	Scott	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 3:

Murphy	Riordan	Tieden
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Absent or not voting, 7:

Corning	Hultman	Kinley	Nystrom
Pate	Soorholtz	Sturgeon	

The motion prevailed.

Senator Rife moved to reconsider the vote by which Senate File 445 went to its last reading, which motion prevailed by a voice vote.

Senate File 445

On motion of Senator Rife, Senate File 445, a bill for an act relating to insurance by requiring the payment of interest on certain delayed claim settlements, making failure to pay interest on claim settlements when required an unfair claim settlement practice subject to penalties, authorizing certain administrative penalties, providing a uniform standard for cancellation notices in personal property lines of insurance, providing for the repeal of requirements to attach applications to policies, altering notice of cancellation provisions for nonrenewal of commercial umbrella or excess policies or contracts, distinguishing nonadmitted and unauthorized insurance companies, and imposing surplus requirements on county mutual associations, was taken up for reconsideration.

The Chair ruled the motion to reconsider the vote by which Senate File 445 was adopted by the Senate on March 23, 1989, filed by Senator Gronstal on March 23, 1989, and found on page 993 of the Senate Journal, out of order.

Senator Rife called up the motion to reconsider the vote by which amendment S—3399 to Senate File 445 was adopted by the Senate on March 23, 1989, filed by him on March 23, 1989, found on page 993 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3399 by Senator Mann to pages 6 and 7 of the bill, was taken up for reconsideration.

Senator Gronstal offered amendment S—3405 filed by him from the floor to amendment S—3399 and moved its adoption.

Amendment S—3405 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—3399 as amended, which motion prevailed by a voice vote.

The motion to reconsider the vote by which amendment S—3399 to Senate File 445 was adopted by the Senate on March 23, 1989, filed by Senator Gronstal on March 23, 1989, and found on page 993 of the Senate Journal, was out of order.

Senator Rife moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 445) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Kinley	Nystrom	Pate	Soorholtz
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the remainder of the day on request of Senator Husak.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 199, 460, 470 and 479.

Senate File 199

On motion of Senator Lloyd-Jones, Senate File 199, a bill for an act relating to group day care home requirements, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent to withdraw amendment S—3286 filed by the committee on Human Resources on March 16, 1989, to page 1 of the bill.

Senator Tinsman offered amendment S—3371 filed by Senators Tinsman, et al., on March 21, 1989, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3371 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 199) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rife	Riordan	Running	Scott

Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Hutchins	Kinley	Nystrom	Pate
Rensink	Soorholtz	Sturgeon	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 460

On motion of Senator Mann, Senate File 460, a bill for an act relating to obtaining depositions in a foreign jurisdiction, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 460) the vote was:

Ayes, 26:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Palmer	Peterson	Priebe
Riordan	Szymoniak	Taylor	Tieden
Varn	Welsh		

Nays, 16:

Corning	Deluhery	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Rensink
Rife	Running	Tinsman	Vande Hoef

Absent or not voting, 8:

Hutchins	Kinley	Murphy	Nystrom
Pate	Scott	Soorholtz	Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 470

On motion of Senator Miller, Senate File 470, a bill for an act relating to waste minimization and disposal, was taken up for consideration.

Senator Miller offered amendment S—3375 filed by Senators Miller and Deluhery on March 22, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3375 was adopted by a voice vote.

Senator Drake asked and received unanimous consent that action on **Senate File 470** be deferred.

Senate File 479

On motion of Senator Priebe, Senate File 479, a bill for an act directing the Code editor to transfer various chapters and sections of the Code relating to the authority to regulate drainage to a new chapter, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 479) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Hutchins	Kinley	Nystrom	Pate
Soorholtz	Sturgeon		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order Senate File 494 and 390.

Senate File 494

On motion of Senator Varn, Senate File 494, a bill for an act relating to the disposition of property devised as a class gift where the testator has survived the devisee, was taken up for consideration.

Senator Varn offered amendment S—3402 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3402 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 494) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Hutchins	Kinley	Nystrom	Pate
Soorholtz	Sturgeon		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 390

On motion of Senator Husak, Senate File 390, a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability, was taken up for consideration.

Senator Riordan offered amendment S—3391 filed by him on March 22, 1989, to pages 2 through 6 of the bill.

Senator Riordan asked and received unanimous consent that action on amendment S—3391 and **Senate File 390** be deferred.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 273** be referred from the Unfinished Business Calendar to the committee on **Human Resources**.

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	425	Local Government
S. F.	448	Commerce
S. F.	107	Ways and Means
S. F.	415	Judiciary

APPENDIX

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 21. Had I been present, I would have voted "aye" on Senate Files 76, 86, 110, 266, 278, 321, 327, 341, 360, 413, 416, 428, 474, and "nay" on Senate Files 349, 394, 409, 424, and 442.

JOY CORNING

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Raymond G. Oltmann, Central City, Iowa — Winner of the 1989 Outstanding Farmer Award given by the Iowa Chapter of the National Agriculture Manufacturers Association. Senator Pate (March 21, 1989).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 22, 1989, 2:15 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Pate, Priebe, Rife, Running and Tieden.

Members Absent: Mann, Nystrom and Welsh (all excused).

Committee Business: Recommended confirmation of Governor's appointees.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: March 22, 1989, 4:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 303, 430 and 427; recommended passage of Senate File 280 as amended.

Adjourned: 4:47 p.m.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 418, a bill for an act relating to the number of elector signatures required to authorize inclusion of a proposition relating to school districts on a regular election ballot.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Murphy, Horn, Taylor, Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden and Varn. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 426, a bill for an act relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3408.

Final Vote: Ayes, 10: Doyle, Mann, Gentleman, Carr, Deluhery, Drake, Gronstal, Horn, Varn and Welsh. Nays, 4: Coleman, Fuhrman, Hester and Taylor. Absent or not voting, 1: Hagerla.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-two twelfth grade students from Clarksville High School, Clarksville, Iowa, accompanied by Dave Waskow. Senator Jensen.

Thirteen students, members of the National Honor Society from Dunkerton High School, Dunkerton, Iowa, accompanied by Mrs. Sandy Brooks. Senator Murphy.

Senator Hutchins welcomed the Honorable Bill Mc Ilbain, Speaker of the Wyoming House of Representatives, who was present in the Senate chamber as his guest.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	509	Commerce
S.F.	510	State Government
H.F.	59	Agriculture
H.F.	329	Judiciary
H.F.	501	Business & Labor Relations
H.F.	513	Judiciary
H.F.	534	Agriculture
H.F.	575	Commerce

AMENDMENTS FILED

S-3408	S.F.	426	Judiciary
S-3409	S.F.	450	Jean Lloyd-Jones Larry Murphy Richard Varn Bob Carr Beverly Hannon Charles Bruner
S-3410	S.F.	459	Donald V. Doyle
S-3411	S.F.	210	William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:42 p.m., until 1:00 p.m., Monday, March 27, 1989.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 27, 1989

The Senate met in regular session at 1:07 p.m., Senator Sturgeon presiding.

Prayer was offered by Harriet Vande Hoef, Senate Secretary, from Harris, Iowa, who vocally performed "Let Your Love Flow Through Me."

The Journal of Thursday, March 23, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fuhrman and Lind for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 22, 1989, adopted the following joint resolutions in which the concurrence of the Senate is asked:

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa removing the disqualification from office for parties to a duel.

This bill was read first time and **passed on file**.

House Joint Resolution 12, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 22, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 18, a bill for an act relating to the possession and delivery of alcoholic liquor, wine, or beer by a person under legal age.

This bill was read first time and **passed on file**.

House File 127, a bill for an act to allow class "C" liquor control license holders and class "B" beer permit holders to brew beer to be served on the premises and making the barrel tax on beer applicable, and providing an effective date.

This bill was read first time and **passed on file**.

House File 379, a bill for an act relating to the hospice licensure renewal fee.

This bill was read first time and **passed on file**.

House File 400, a bill for an act relating to state capital projects and other state fiscal planning, budgeting, oversight, and expenditures.

This bill was read first time and **passed on file**.

House File 473, a bill for an act relating to the cancellation, suspension, and revocation of motor vehicle licenses by providing for a reinstatement fee in certain circumstances, and by providing for the cancellation of operator's and chauffeur's licenses in certain circumstances during their first year of licensure.

This bill was read first time and **passed on file**.

House File 480, a bill for an act relating to the licensing of fur dealers and subjecting violators to an existing penalty.

This bill was read first time and **passed on file**.

House File 506, a bill for an act relating to the solicitation of public donations and making penalties applicable.

This bill was read first time and **passed on file**.

House File 529, a bill for an act relating to the exemption from civil and criminal liability arising from the donation of food.

This bill was read first time and **passed on file**.

House File 533, a bill for an act relating to the regulation of grain management, by providing for licensing and regulation of grain dealers and warehouse operators and the administration of licensing and regulation within the department of agriculture and land stewardship and by the Iowa grain indemnity board.

This bill was read first time and **passed on file**.

House File 550, a bill for an act relating to providing assistance to retrain workers in existing businesses and providing for an evaluation of retraining programs.

This bill was read first time and **passed on file**.

House File 598, a bill for an act relating to the testing of public water systems, and making penalties applicable.

This bill was read first time and **passed on file**.

House File 643, a bill for an act relating to the filing of a bond by out-of-state contractors.

This bill was read first time and **passed on file**.

House File 647, a bill for an act relating to governmental bodies under the open meetings law, including the definition of governmental body and the provision of information relating to open meetings and public records to governmental bodies.

This bill was read first time and **passed on file**.

House File 655, a bill for an act relating to the second injury fund, by increasing payments to the fund in event of a job-related death, and providing an effective date.

This bill was read first time and **passed on file**.

House File 659, a bill for an act relating to a guaranteed student loan payment program, providing for loans to nurses, math-science teachers, and occupational therapists.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 22, 1989, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7, a concurrent resolution relating to the implementation of a state public transit assistance fund distribution formula recommended by the Iowa public transit assistance distribution study steering committee.

This resolution was read first time and **passed on file**.

President Zimmerman took the chair at 1:13 p.m.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 362** be referred from the Unfinished Business Calendar to the committee on **Education**.

Senator Hutchins asked and received unanimous consent that **Senate File 464** be referred from the Regular Calendar to the committee on **Appropriations**.

BILL ASSIGNED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 535** be assigned to the committee on **Education**.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Concurrent Resolutions 3 and 4.

House Concurrent Resolution 3

On motion of Senator Hultman, House Concurrent Resolution 3, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 3, which motion prevailed by a voice vote.

House Concurrent Resolution 4

On motion of Senator Hultman, House Concurrent Resolution 4, a concurrent resolution relating to a biennial memorial session, with report of committee recommending passage, was taken up for consideration.

Senator Hultman moved the adoption of House Concurrent Resolution 4, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 105

Senator Riordan called up for consideration Senate File 105, a bill for an act relating to assisting the department of human services in dependent adult abuse investigations, amended by the House, and moved that the Senate concur in House amendment S—3171 filed March 6, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 105) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley

Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn		

Nays, 12:

Dieleman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Jensen
Mann	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

Coleman	Fuhrman	Lind	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 176, 375, 397, and 412.

Senate File 176

On motion of Senator Murphy, Senate File 176, a bill for an act relating to service of notice of expiration of the right of redemption from tax sales, with report of committee recommending passage, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 176) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley

Lloyd-Jones	Mann	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymaniak
Taylor	Tieden	Tinsman	Vande Hoef

Nays, none.

Absent or not voting, 6:

Fuhrman	Hultman	Lind	Miller
Varn	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 375

On motion of Senator Priebe, Senate File 375, a bill for an act relating to the creation of an artificial lake or impoundment by the department of natural resources, was taken up for consideration.

Senator Priebe offered amendment S—3413 filed by Senators Priebe and Riordan from the floor to page 1 and to the title page of the bill.

Senator Peterson called for a division of amendment S—3413: lines 2 through 5 as division S—3413A and lines 6 through 26 as division S—3413B.

Senator Priebe moved the adoption of division S—3413A, which motion prevailed by a voice vote.

Senator Peterson raised the point of order that division S—3413B was not germane to the bill.

The Chair ruled the point well taken and division S—3413B out of order.

Senator Coleman withdrew amendment S—3421 filed by him from the floor to amendment S—3413.

Senator Coleman asked and received unanimous consent that action on **Senate File 375** be **deferred**.

Senate File 397

On motion of Senator Doyle, Senate File 397, a bill for an act relating to salaries of the clerks of the district court, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 397) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Jensen

Absent or not voting, 2:

Fuhrman Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 412

On motion of Senator Riordan, Senate File 412, a bill for an act relating to the medical assistance subrogation rights of the department of human services, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 412) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hageria
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 498, 420, 450 and 408.

Senate File 498

On motion of Senator Horn, Senate File 498, a bill for an act relating to the appointment, terms, retention, and qualifications of magistrates, was taken up for consideration.

Senator Deluhery offered amendment S—3329 filed by Senators Deluhery and Coleman on March 20, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3329 was adopted by a voice vote.

Senator Hester offered amendment S—3397 filed by him on March 23, 1989, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3397 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 498) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Lind Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 420

On motion of Senator Lloyd-Jones, Senate File 420, a bill for an act allowing the issuance of personalized collegiate registration plates, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 420) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fuhrman	Gettings	Hagerla
Hannon	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Welsh

Nays, 9:

Fraise	Gentleman	Goodwin	Gronstal
Hedge	Hester	Rife	Tieden
Vande Hoef			

Absent or not voting, 1:

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 450

On motion of Senator Horn, Senate File 450, a bill for an act relating to educational standards, including flexible scheduling within a school year, waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team, and making technical changes, was taken up for consideration.

Senator Corning offered amendment S—3417 filed by her from the floor to page 2 of the bill, moved its adoption and requested a non record roll call.

The ayes were 19, nays 26.

Amendment S—3417 lost.

Senator Hagerla offered amendment S—3372 filed by him on March 22, 1989, to page 5 and to the title page of the bill.

Senator Mann raised the point of order that amendment S—3372 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3372 out of order.

Senator Lloyd-Jones offered amendment S—3409 filed by Senators Lloyd-Jones, et al., on March 23, 1989, to page 6 of the bill.

Senator Hultman raised the point of order that amendment S—3409 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3409 out of order.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 450) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 3:

Fuhrman	Hannon	Tieden
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Absent or not voting, 2:

Hultman	Lind
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 408

On motion of Senator Lloyd-Jones, Senate File 408, a bill for an act relating to roads, including roads identified by the state transportation commission as a network of commercial and industrial highways, by establishing the purpose of the network,

by providing the terms for the improvement of the network, and by altering concurrent jurisdiction of extensions of primary roads in municipalities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3285 filed by the committee on Transportation on March 16, 1989, to pages 1 and 5 of the bill and moved its adoption.

Amendment S—3285 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 408) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order Senate Files 466, 481, 486, 502, 506 and 488.

Senate File 466

On motion of Senator Scott, Senate File 466, a bill for an act allowing a speculative industrial building built by a local community development organization in a rural community to be eligible under the community and rural development loan program as a new infrastructure, was taken up for consideration.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 466) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 481

On motion of Senator Carr, Senate File 481, a bill for an act relating to the confidentiality of applications for public employment, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 481** be **deferred**.

Senate File 486

On motion of Senator Gronstal, Senate File 486, a bill for an act relating to rent-to-own regulations, was taken up for consideration.

Senator Gronstal offered amendment S—3412 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3412 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 486) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hageria
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 502

On motion of Senator Varn, Senate File 502, a bill for an act relating to business corporations, and related matters including the elimination of filing of corporate documents with the county

recorder for all forms of corporate entities, and providing a special effective date, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 502) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hutchins Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 506

On motion of Senator Varn, Senate File 506, a bill for an act relating to the administration of small estates, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 506) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kibbie Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 488

On motion of Senator Deluhery, Senate File 488, a bill for an act relating to solid waste disposal and providing penalties, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 488) the vote was:

Ayes, 26:

Bruner	Carr	Corning	Deluhery
Dieleman	Gentleman	Gronstal	Hannon
Horn	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Priebe	Riordan
Running	Sturgeon	Szymoniak	Tinsman
Varn	Welsh		

Nays, 23:

Boswell	Coleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Kibbie	Nystrom	Peterson
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 1:

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to immediately message to the House the following bills:

Senate Files 105, 176, 397, 408, 412, 420, 450, 466, 486, 488, 498, 502 and 506.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 309, a bill for an act to establish an Iowa sportsperson license and a license fee.

This bill was read first time and **passed on file**.

House File 579, a bill for an act relating to involuntary hospitalization procedures applicable to the mentally ill.

This bill was read first time and **passed on file**.

House File 644, a bill for an act relating to institutions, programs, and funds for which the college aid commission acts as a guaranteeing agency.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILL

Senate File 511, by Priebe, a bill for an act relating to meetings of subcommittees of the standing committees on appropriations when the general assembly is not in session.

Read first time and **passed on file.**

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 24, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 158 — Relating to demolition insurance reserve for property in cities.

SENATE FILE 179 — Allowing the issuance of seven-alphanumeric character personalized registration plates upon its enactment.

SENATE FILE 202 — Relating to the timely notification of the chairperson of the proper judicial nominating commission of a vacancy in the supreme court, the court of appeals, or the district court.

ALSO:

A communication was received announcing that on March 27, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 123 — Deappropriating and reappropriating moneys for the planning or construction of juvenile facilities and providing an effective date.

SENATE FILE 128 — Relating to the collection and compilation of information regarding juvenile court activities.

SENATE FILE 152 — Relating to relocation payments and relocation advisory assistance for displaced persons, and real property acquisition, and providing an effective date.

SENATE FILE 159 — Relating to the sale or contracting for goods and services between a civil service commissioner and a city.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Elk Horn-Kimballton Lady Danes — For placing third in the 1989 Girls' State six-player high school basketball tournament. Senator Hutchins (March 24, 1989).

Elk Horn-Kimballton Danes — For a successful season and participation in the 1989 Class A Boys' State high school basketball tournament. Senator Hutchins (March 24, 1989).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 23, 1989, 1:31 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Bruner, Corning, Deluhery, Dieleman, Hedge, Kibbie, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 418 and recommended confirmation of governor's appointees.

Adjourned: 2:10 p.m.

JUDICIARY

Convened: March 23, 1989, 11:00 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; recommended passage of Senate File 426 as amended.

Adjourned: 12:20 p.m.

PETITIONS

The following petitions opposing legislation increasing any tax on beer, wine or soft drinks were presented and placed on file by:

Senator Corning from fifty-five residents of Black Hawk County.

Senator Gettings from fourteen residents of Wapello County.

Senator Kinley from one hundred twenty-five residents of Polk County.

Senator Lloyd-Jones from fifty-five residents of Johnson County.
Senator Miller from two hundred eighty-two residents of Senate District 10.

Senator Palmer from sixty-nine residents of Polk County.

Senator Rensink from fifty-five residents of Sioux, Lyon and O'Brien Counties.

Senator Vande Hoef from one hundred forty-four residents of Cherokee and Lyon Counties.

The following petition was presented and placed on file by:

Senator Husak from seven hundred nineteen residents of Benton, Linn and Black Hawk Counties favoring legislation establishing guidelines for the standard of care for the severely brain injured persons.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 23, 1989. Had I been present, I would have voted "aye" on Senate Files 199, 444, 445, 449, 479, 494 and "nay" on Senate Joint Resolution 9.

PAUL PATE

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following Governor's appointments, completed its investigations on March 23, 1989, and recommended the appointees be confirmed:

Margaret P. Borgen and William Lepley for reappointment as members of the First in the Nation in Education Foundation Governing Board.

Marvin S. Berenstein, Betty Jean Furgerson, Elizabeth D. Hatch and Victoria A. Westenfield for appointment as members of the State Board of Regents.

M. Noreen Coyan for appointment and George C. Otte for reappointment as members of the State Library Commission.

JUDICIARY

Mildred Elliott for reappointment and Joni L. Keith for appointment as members of the Board of Corrections.

Robert A. Jackson, Sr. for reappointment as a full-time member and Joanne C. Lorence for appointment as a part-time member of the Board of Parole.

Cyndi Fisher for reappointment as a member of the Commission on Judicial Qualifications.

Lee E. Poppen and William Westendorf for appointment as members of the Criminal and Juvenile Justice Advisory Council.

James H. Collins, Orlando Ray Dial, Frank J. Marcovis and Carolyn J. Rants for appointment as members of the Iowa State Civil Rights Commission.

Bernard J. Byers, William D. Murphy and Carolyn J. Seeley for appointment as members of the State Judicial Nominating Commission.

REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MADAM PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committees to prepare memorial resolutions:

J. LOUIS FISHER, Osceola: Boswell, Chair; Peterson and Hultman

HOWARD L. VINCENT, Russell: Peterson, Chair; Gettings and Hedge

ELIZABETH R. MILLER, Marshalltown: Soorholtz, Chair; Husak and Bruner

JOHN PATTON, Independence: Murphy, Chair; Pate and Husak

C. JOSEPH COLEMAN, Chair
DONALD DOYLE
DALE L. TIEDEN
RICHARD F. DRAKE

SUBCOMMITTEE ASSIGNMENTS

Senate File 464

APPROPRIATIONS: Gronstal, Chair; Riordan and Goodwin

House File 329

JUDICIARY: Horn, Chair; Welsh and Fuhrman

House File 451

STATE GOVERNMENT: Gronstal, Chair; Carr and Drake

House File 475

TRANSPORTATION: Gettings, Chair; Doyle and Jensen

House File 513

JUDICIARY: Gronstal, Chair; Deluhery and Drake

STUDY BILLS RECEIVED**SSB 367 Ways and Means**

Providing for a homeowners and renters credit for state individual income tax purposes and providing an applicability date.

SSB 368 Ways and Means

Relating to the reduction in the school foundation property tax levy.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which division S-3413A to Senate File 375 was adopted by the Senate on March 27, 1989.

JIM RIORDAN

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	511	Rules & Administration
H.J.R.	5	State Government
H.J.R.	12	State Government
H.F.	18	Judiciary
H.F.	127	State Government
H.F.	309	Natural Resources
H.F.	379	Human Resources
H.F.	400	Appropriations
H.F.	473	Transportation
H.F.	506	State Government
H.F.	529	Judiciary

H.F.	533	Agriculture
H.F.	550	Small Business & Economic Development
H.F.	598	Environment & Energy Utilities
H.F.	643	State Government
H.F.	644	Education
H.F.	647	State Government
H.F.	655	Business & Labor Relations
H.F.	659	Education

AMENDMENTS FILED

S-3412	S.F.	486	Michael Gronstal
S-3413	S.F.	375	Berl E. Priebe James Riordan
S-3414	S.F.	462	Joe Welsh
S-3415	S.F.	136	Donald D. Doyle
S-3416	S.F.	315	Mark Hagerla
S-3417	S.F.	450	Joy Corning
S-3418	S.F.	419	Richard Varn
S-3419	S.F.	385	Richard Running
S-3420	S.F.	443	Jean Lloyd-Jones
S-3421	S.F.	375	C. Joseph Coleman
S-3422	S.F.	377	John P. Kibbie
S-3423	S.F.	472	Wally Horn
S-3424	S.F.	440	John P. Kibbie
S-3425	S.F.	470	Richard F. Drake Alvin Miller
S-3426	S.F.	31	Ray Taylor
S-3427	S.F.	472	Mark Hagerla
S-3428	S.F.	375	C. Joseph Coleman
S-3429	S.F.	375	Berl E. Priebe Linn Fuhrman Julia Gentleman Jim Riordan
S-3430	S.F.	375	Dale L. Tieden
S-3431	S.F.	323	Richard Varn John Kibbie Larry Murphy
S-3432	S.F.	481	Calvin O. Hultman Wally Horn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:59 p.m., until 9:00 a.m., Tuesday, March 28, 1989.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 28, 1989

The Senate met in regular session at 9:06 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Paul Fredrickson, pastor of the Ventura United Methodist Church, Ventura, Iowa.

The Journal of Monday, March 27, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soorholtz for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 466, a bill for an act relating to fishing license reciprocity.

This bill was read first time and **passed on file**.

House File 542, a bill for an act relating to reprisals and orders with respect to certain disclosures of information and other actions by employees of the state and its political subdivisions, providing penalties, providing civil remedies, and providing properly related matters.

This bill was read first time and **passed on file**.

House File 549, a bill for an act relating to the agricultural product advisory council.

This bill was read first time and **passed on file**.

House File 662, a bill for an act relating to court proceedings involving child support orders where the dependent child resides in another state.

This bill was read first time and **passed on file**.

House File 663, a bill for an act requiring motorized bicycles to be equipped with bicycle safety flags and making a penalty applicable.

This bill was read first time and **passed on file**.

House File 666, a bill for an act to repeal the provision repealing the postsecondary options Act.

This bill was read first time and **passed on file**.

House File 669, a bill for an act prohibiting the sale or distribution of purple loosestrife (*lythrum salicaria*) and subjecting violators to a penalty.

This bill was read first time and **passed on file**.

House File 672, a bill for an act relating to harassment and providing penalties.

This bill was read first time and **passed on file**.

House File 674, a bill for an act relating to victim counseling and services.

This bill was read first time and **passed on file**.

House File 675, a bill for an act relating to the establishment and financing of geographic data base systems by cities and counties.

This bill was read first time and **passed on file**.

House File 678, a bill for an act relating to certain filings with the secretary of state by nonprofit corporations.

This bill was read first time and **passed on file.**

House File 679, a bill for an act to permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license.

This bill was read first time and **passed on file.**

**FURTHER OBSERVANCE OF
WOMEN'S HISTORY MONTH**

Senator Coleman read to the Senate the 1989 eighth and ninth grade second place essay winner of the "Write Women Back Into History" contest written by Courtney Peterson from Badger, 8th grader attending Fair Oaks Middle School in Fort Dodge.

President pro tempore Mann took the chair at 9:18 a.m.

**UNFINISHED BUSINESS
(Deferred March 23, 1989)**

Senate File 390

The Senate resumed consideration of Senate File 390, a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability, and amendment S—3391 by Senator Riordan to pages 2 through 6 of the bill, deferred March 23, 1989.

President Zimmerman took the chair at 9:25 a.m.

Senator Riordan moved the adoption of amendment S—3391.

A record roll call was requested.

On the question "Shall amendment S—3391 be adopted?" (S.F. 390) the vote was:

Ayes, 20:

- | | | | |
|----------|----------|-------------|----------|
| Bruner | Carr | Coleman | Deluhery |
| Fraise | Gronstal | Hannon | Horn |
| Hutchins | Kinley | Lloyd-Jones | Mann |

Murphy Scott	Peterson Sturgeon	Riordan Varn	Running Welsh
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Nays, 29:

Boswell	Corning	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Kibbie
Lind	Miller	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 1:

Soorholtz

Amendment S—3391 lost.

Senator Vande Hoef withdrew amendment S—3394 filed by him on March 23, 1989, to pages 3 and 6 of the bill.

Senator Vande Hoef offered amendment S—3403 filed by him on March 23, 1989, to pages 4 and 5 of the bill.

Senator Mann raised the point of order that the subject matter of Senate File 390 was not germane to the jurisdiction of the Agriculture Committee and, therefore, should be referred to the committee on Judiciary under Senate Rule 38.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

Senator Mann asked and received unanimous consent that action on amendment S—3403 and **Senate File 390** be **deferred**.

UNFINISHED BUSINESS

(Deferred March 6, 1989)

Senate File 157

The Senate resumed consideration of Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old

drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, deferred March 6, 1989.

Senator Corning offered amendment S—3438 filed by Senators Corning and Tinsman from the floor to page 1 and to the title page of the bill, moved its adoption, and requested a non record roll call.

The ayes were 13, nays 31.

Amendment S—3438 lost.

Senator Lind offered amendment S—3175 filed by him on March 6, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3175 was adopted by a voice vote.

Senator Priebe offered amendment S—3176 filed by him on March 7, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3176 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that action on **Senate File 157** be **deferred**.

UNFINISHED BUSINESS (Deferred March 27, 1989)

Senate File 481

The Senate resumed consideration of Senate File 481, a bill for an act relating to the confidentiality of applications for public employment, deferred March 27, 1989.

Senator Hultman offered amendment S—3433 filed by Senators Hultman and Horn from the floor to page 1 of the bill and moved its adoption.

Amendment S—3433 was adopted by a voice vote.

With the adoption of amendment S—3433, the Chair ruled amendment S—3432 filed by Senators Hultman and Horn on March 27, 1989, to page 1 of the bill, out of order.

Senator Welsh asked and received unanimous consent that action on **Senate File 481** be deferred.

UNFINISHED BUSINESS
(Deferred March 23, 1989)

Senate File 470

The Senate resumed consideration of Senate File 470, a bill for an act relating to waste minimization and disposal, deferred March 23, 1989.

Senator Drake offered amendment S—3425 filed by Senators Drake and Miller on March 27, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3425 was adopted by a voice vote.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 470) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Nystrom	Soorholtz	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 551, a bill for an act to modify the requirements for establishing an aviation authority.

This bill was read first time and **passed on file**.

House File 668, a bill for an act relating to bonds for state, county, and city officers, including waiver of the exemption of a homestead from execution and liability of the officers.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 27, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 49, a bill for an act relating to benefits provided to permanent, part-time employees.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:48 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:32 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

BUSINESS PENDING

Senate File 481

The Senate resumed consideration of Senate File 481, a bill for an act relating to the confidentiality of applications for public employment, previously deferred.

Senator Peterson filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3433 by Senators Hultman and Horn to page 1 of the Senate File 481 was adopted by the Senate on March 28, 1989.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (S.F. 481) the vote was:

Ayes, 21:

Boswell	Bruner	Carr	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Husak	Hutchins	Kibbie
Mann	Miller	Murphy	Peterson
Riordan	Running	Sturgeon	Varn
Welsh			

Nays, 27:

Coleman	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Jensen	Kinley	Lind	Lloyd-Jones
Palmer	Pate	Rensink	Rife
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Nystrom	Priebe
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The motion lost.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 481) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hester
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 7:

Fuhrman	Goodwin	Hedge	Hultman
Jensen	Rife	Taylor	

Absent or not voting, 1:

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 390

The Senate resumed consideration of Senate File 390, a bill for an act relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability, and amendment S—3403 by Senator Vande Hoef to pages 4 and 5 of the bill, previously deferred.

Senator Vande Hoef moved the adoption of amendment S—3403, which motion prevailed by a voice vote.

Pertaining to the point of order raised by Senator Mann during the morning session that the subject matter of Senate File 390 was not germane to the jurisdiction of the Agriculture Committee

and should be referred to the committee on Judiciary under Senate Rule 38, the Chair ruled the point not well taken.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 390) the vote was:

Ayes, 35:

Boswell	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Miller	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Welsh	

Nays, 13:

Bruner	Carr	Gronstal	Hannon
Horn	Lloyd-Jones	Mann	Murphy
Riordan	Running	Scott	Sturgeon
Varn			

Absent or not voting, 2:

Coleman	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 385 and 472.

Senate File 385

On motion of Senator Gettings, Senate File 385, a bill for an act relating to the scope of negotiations for purposes of public employment collective bargaining, with report of committee recommending passage, was taken up for consideration.

Senator Fuhrman offered amendment S—3343 filed by him on March 20, 1989, to page 1 and the title page of the bill.

Senator Gettings raised the point of order that amendment S—3343 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3343 out of order.

Senator Running offered amendment S—3419 filed by him on March 27, 1989, to page 1 and the title page of the bill.

Senator Hultman raised the point of order that amendment S—3419 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3419 out of order.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 385) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 33:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 16:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Rensink
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 472

On motion of Senator Dieleman, Senate File 472, a bill for an act relating to private and home education and providing a penalty, was taken up for consideration.

Senator Murphy offered amendment S—3455 filed by him from the floor to pages 1 through 7 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3455 be adopted?" (S.F. 472) the vote was:

Ayes, 26:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gentleman	Gettings	Gronstal	Hannon
Horn	Hutchins	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Riordan	Running	Sturgeon	Szymoniak
Tinsman	Varn		

Nays, 23:

Boswell	Dieleman	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Kinley	Lind
Pate	Peterson	Priebe	Rensink
Rife	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Absent or not voting, 1:

Nystrom

Amendment S—3455 was adopted.

Senator Varn offered amendment S—3441 filed by him from the floor to pages 1 through 6 of the bill and called for a division of the amendment: page 1, lines 31 through 33 and 48 through

50 as division S—3441A; page 1, lines 2 through 30 and 34 through 47 and page 2 as division S—3441B.

With the adoption of amendment S—3455, the Chair ruled division S—3441A out of order.

Senator Taylor raised the point of order that division S—3441B was not germane to the bill.

The Chair ruled the point well taken and division S—3441B out of order.

Senator Horn asked and received unanimous consent that action on amendment S—3309 filed by him on March 20, 1989, to pages 1, 3 and 6 of the bill be deferred.

Senator Horn asked and received unanimous consent that action on **Senate File 472** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 390, 470 and 481** be **immediately messaged** to the House.

APPENDIX

STUDY BILLS RECEIVED

SSB 369 Ways and Means

Establishing a state school foundation formula, including a uniform foundation levy, a foundation base, and additional property tax levy, providing for the calculation of a state cost per pupil and district costs per pupil, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 107

WAYS AND MEANS: Kibbie, Chair; Murphy and Drake

Senate File 510

STATE GOVERNMENT: Horn, Chair; Rife and Carr

House Joint Resolution 5

STATE GOVERNMENT: Fraise, Chair; Coleman and Vande Hoef

House Joint Resolution 12

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Carr

House File 18

JUDICIARY: Taylor, Chair; Carr and Gentleman

House File 127

STATE GOVERNMENT: Horn, Chair; Rife and Carr

House File 309

NATURAL RESOURCES: Kibbie, Chair; Priebe and Tieden

House File 501

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Mann and Hultman

House File 506

STATE GOVERNMENT: Hannon, Chair; Fraise and Rife

House File 529

JUDICIARY: Gronstal, Chair; Coleman and Hester

House File 535

EDUCATION: Murphy, Chair; Horn, Dieleman, Taylor and Corning

House File 550

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Scott, Chair; Kibbie and Vande Hoef

House File 598

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Miller and Hedge

House File 643

STATE GOVERNMENT: Running, Chair; Coleman and Drake

House File 644

EDUCATION: Varn, Chair; Horn and Rensink

House File 647

STATE GOVERNMENT: Carr, Chair; Nystrom and Gronstal

House File 655

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Running and Taylor

House File 659

EDUCATION: Varn, Chair; Horn and Rensink

SSB 367

WAYS AND MEANS: Dieleman, Chair; Bruner and Gentleman

SSB 368

WAYS AND MEANS: Husak, Chair; Hultman and Bruner

SSB 369

WAYS AND MEANS: Drake, Chair; Husak and Bruner

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointments, completed its investigations on March 28, 1989, and recommended the appointees be confirmed:

Donna M. Hammitt and Robert W. Schlutz for reappointment as members of the Environmental Protection Commission.

(Place nominee on Individual Confirmation Calendar)

Richard C. Hartsuck for appointment as a member of the Environmental Protection Commission.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Donna Hammitt be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

MICHAEL E. GRONSTAL

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Robert Schlutz be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

MICHAEL E. GRONSTAL

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 385 passed the Senate on March 28, 1989.

PAUL PATE

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 28th day of March, 1989:

Senate File 96.

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	49	Business and Labor Relations
H.F.	466	Natural Resources
H.F.	542	State Government
H.F.	549	Small Business & Economic Development
H.F.	551	Transportation
H.F.	662	Judiciary
H.F.	663	Transportation
H.F.	666	Education
H.F.	668	Local Government
H.F.	669	Natural Resources
H.F.	672	Judiciary
H.F.	674	Human Resources
H.F.	675	Local Government
H.F.	678	State Government
H.F.	679	Transportation

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 388, a bill for an act relating to certification requirements for private applicators of pesticides.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 441, a bill for an act relating to the plugging of abandoned wells, by providing assistance to well owners, providing for well inspection and certification, providing for fees, making a civil penalty applicable, providing an effective date, and providing for repeal of a portion of the Act.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 485, a bill for an act to prohibit the sale, purchase, or use of a pesticide containing daminozide, providing an effective date, and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 324, a bill for an act relating to the confidentiality of county general relief records and subjecting violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3442.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none. Absent or not voting, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 384, a bill for an act relating to sheriffs' sales by permitting written sealed bids be received, and providing procedures for written sealed bids.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Goodwin, Jensen, Murphy and Priebe. Nays, none. Absent or not voting, 3: Fraise, Kinley and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 293, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 431, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Edgar H. Holden, former member of the Senate from Scott County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3433	S. F.	481	Calvin O. Hultman Wally E. Horn
S—3434	S. F.	375	John Peterson

S—3435	S. F.	323	Linn Fuhrman
S—3436	S. F.	396	Jim Lind
S—3437	S. F.	303	John A. Peterson
S—3438	S. F.	157	Joy Corning Maggie Tinsman
S—3439	S. F.	426	Richard Varn
S—3440	S. F.	419	Richard Varn
S—3441	S. F.	472	Richard Varn
S—3442	H. F.	324	Local Government
S—3443	S. F.	31	Al Sturgeon
S—3444	S. F.	476	Richard Running
S—3445	S. F.	220	John W. Jensen
S—3446	S. F.	157	Donald Gettings Joe Welsh Jim Lind
S—3447	S. F.	375	Jim Riordan Linn Fuhrman Maggie Tinsman Julia Gentleman Paul Pate Berl E. Priebe
S—3448	S. F.	315	Mark Hagerla
S—3449	S. F.	375	Kenneth Scott Jim Riordan
S—3450	S. F.	318	Jim Riordan
S—3451	S. F.	220	John W. Jensen
S—3452	S. F.	375	Jim Riordan Linn Fuhrman Maggie Tinsman Julia Gentleman Berl E. Priebe
S—3453	S. F.	280	Michael E. Gronstal
S—3454	S. F.	372	Alvin Miller Donald Doyle
S—3455	S. F.	472	Larry Murphy
S—3456	S. F.	157	Berl E. Priebe Larry Murphy
S—3457	S. F.	505	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:30 p.m., until 9:00 a.m., Wednesday, March 29, 1989.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 29, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend L. Dean Surface, pastor of the United Methodist Church, Fontanelle, Iowa.

The Journal of Tuesday, March 28, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 581, a bill for an act authorizing a reserve account for fire protection, emergency warning, and ambulance services provided by townships.

This bill was read first time and **passed on file**.

House File 631, a bill for an act to legalize proceedings of the City Council of the City of Bellevue relating to the letting of a construction contract.

This bill was read first time and **passed on file**.

House File 650, a bill for an act relating to products derived from sorghum, including labeling requirements, and making a penalty applicable.

This bill was read first time and **passed on file**.

House File 670, a bill for an act relating to the number of days and hours of instruction in school per school day.

This bill was read first time and **passed on file**.

House File 689, a bill for an act increasing the penalty for certain vehicular homicide offenses.

This bill was read first time and **passed on file**.

WITHDRAWN

Senator Peterson asked and received unanimous consent that **Senate File 188** be **withdrawn** from further consideration of the Senate.

Senator Doyle asked and received unanimous consent that **Senate File 415** be **withdrawn** from further consideration of the Senate.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S.F.	293	Agriculture
S.F.	431	Agriculture
S.F.	441	Ways and Means

UNFINISHED BUSINESS (Deferred March 28, 1989)

Senate File 157

The Senate resumed consideration of Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, deferred March 28, 1989.

Senator Corning filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3176 to Senate File 157 was adopted by the Senate on March 28, 1989.

The motion prevailed by a voice vote and amendment S—3176 by Senator Priebe to page 1 of the bill was taken up for reconsideration.

Senator Priebe asked and received unanimous consent that action on amendment S—3176 be deferred.

Senator Priebe offered amendment S—3456 filed by Senators Priebe and Murphy on March 28, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3456 was adopted by a voice vote.

With the adoption of amendment S—3456, the Chair ruled amendment S—3176 by Senator Priebe to page 1 of the bill, previously deferred, out of order.

Senator Gettings offered amendment S—3446 filed by Senators Gettings, Welsh and Lind on March 28, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3446 was adopted by a voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 157) the vote was:

Ayes, 31:

Boswell	Coleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Lind	Miller	Murphy
Peterson	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	

Nays, 16:

Bruner	Carr	Corning	Deluhery
Dieleman	Gentleman	Gronstal	Kinley
Lloyd-Jones	Mann	Nystrom	Palmer
Pate	Running	Tinsman	Welsh

Absent or not voting, 3:

Hultman	Rife	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 13, 1989)

Senate File 256

The Senate resumed consideration of Senate File 256, a bill for an act relating to the allowable axle weights for vehicles transporting raw materials which are removed from a road under construction, deferred March 13, 1989.

Senator Drake offered amendment S—3256 filed by Senators Drake and Coleman on March 13, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3256 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 256) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Scott

Soorholtz
Vande Hoef

Szymoniak
Varn

Taylor
Welsh

Tieden

Nays, 6:

Gentleman
Sturgeon

Murphy
Tinsman

Riordan

Running

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 280, 81, 295, 323, 477 and 490.

Senate File 280

On motion of Senator Kibbie, Senate File 280, a bill for an act relating to the provision of economic development assistance to communities by authorizing certain property tax exemptions, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3400 filed by the committee on Ways and Means on March 23, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3400 was adopted by a voice vote.

With the adoption of amendment S—3400, the Chair ruled amendment S—3318 filed by Senator Kibbie on March 20, 1989, to page 1 of the bill, out of order.

Senator Szymoniak withdrew amendment S—3266 filed by her on March 14, 1989, to page 1 of the bill.

Senator Gronstal offered amendment S—3453 filed by him on March 28, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3453 was adopted by a voice vote.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 280) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 2:

Murphy Sturgeon

Absent or not voting, 1:

Hutchins

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 81

On motion of Senator Palmer, Senate File 81, a bill for an act relating to consumer transactions involving the performance of repairs or service upon a motor vehicle, and imposing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—3194 filed by the committee on Commerce on March 9, 1989, to pages 1 through 7 and moved its adoption.

Amendment S—3194 was adopted by a voice vote.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 81) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Husak	Lind	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 295

On motion of Senator Jensen, Senate File 295, a bill for an act relating to school bus driver education requirements, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 295) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings

Goodwin	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 4:

Fuhrman	Hedge	Husak	Vande Hoef
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Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 323

On motion of Senator Kibbie, Senate File 323, a bill for an act permitting the use of telecommunications in grades nine through twelve to provide courses that are required by the state's minimum educational standards and also are postsecondary prerequisites, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3264 filed by the committee on Education on March 14, 1989, to page 1 of the bill and called for a division of the amendment: lines 2, 3 and 6 as division S—3264A and lines 4 and 5 as division S—3264B.

Senator Varn called for a further division of amendment S—3264: lines 2 and 3 as division S—3264A; lines 4 and 5 as division S—3264B and line 6 as division S—3264C.

Senator Kibbie moved the adoption of division S—3264A.

A record roll call was requested.

On the question "Shall division S—3264A be adopted?" (S.F. 323) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Soorholtz	Sturgeon	Szymoniak	Tieden
Tinsman	Varn	Welsh	

Nays, 13:

Drake	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Nystrom
Pate	Rensink	Scott	Taylor
Vande Hoef			

Absent or not voting, 2:

Rife	Running
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Division S—3264A was adopted.

Senator Kibbie asked and received unanimous consent that action on divisions S—3264B and S—3264C be deferred.

Senator Varn offered amendment S—3431 filed by Senators Varn, Kibbie and Murphy on March 27, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3431 was adopted by a voice vote.

With the adoption of amendment S—3431, the Chair ruled the following amendments out of order:

Divisions S—3264B and 3264C, previously deferred.

Amendment S—3312 filed by Senator Fuhrman on March 20, 1989, to page 1 of the bill.

Senator Fuhrman asked and received unanimous consent that action on amendment S—3435 filed by him on March 28, 1989, to page 1 of the bill be deferred.

Senator Fuhrman asked and received unanimous consent that action on **Senate File 323** be deferred.

Senate File 477

On motion of Senator Horn, Senate File 477, a bill for an act relating to the markup of the wholesale price for alcoholic liquor, was taken up for consideration.

Senator Lind offered amendment S—3462 filed by him from the floor to page 1 and the title page of the bill.

President pro tempore Mann took the chair at 11:10 a.m.

Senator Lind moved the adoption of amendment S—3462, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 477** be **deferred**.

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Running, a resolution requesting the governor to proclaim September 15, 1989, as Iowa POW/MIA Recognition Day.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:17 a.m., until 2:30 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 3, your committee on Rules and Administration submits the following changes:

		<u>Class</u>	<u>Grade</u>	<u>Step</u>
Caucus Staff Director	Sandra Shank	P-FT Effective 2-6-89	34	1
Executive Secretary to Minority Leader	Marcella Jolly	P-FT Effective 2-17-89	23	2

BILL HUTCHINS, Chair

REPORTS OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 28, 1989, 1:50 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills and Governor's appointees to subcommittees; recommended passage of Senate Files 485, 441 and 388; recommended confirmation of Governor's appointees.

Adjourned: 2:05 p.m.

LOCAL GOVERNMENT

Convened: March 28, 1989, 8:05 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise (arrived 8:15), Goodwin, Jensen, Kinley (arrived 8:08), Murphy, Priebe and Tinsman (arrived 8:10).

Members Absent: none.

Committee Business: Recommended passage of House File 384; recommended passage of House File 324 as amended; approved motion requesting the Legislative Council to appoint an interim study on property tax exemptions; House File 146 failed committee recommendation for passage.

Adjourned: 8:27 a.m.

WAYS AND MEANS

Convened: March 27, 1989, 5:00 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan, Soorholtz and Szymoniak.

Members Present: Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 431 and 293.

Adjourned: 5:15 p.m.

WAYS AND MEANS

Convened: March 28, 1989, 4:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan and Szymoniak.

Members Present: Soorholtz.

Committee Business: Assigned bill to subcommittee; informational meeting regarding property tax proposals.

Adjourned: 5:45 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five high school students from West Burlington High School, West Burlington, Iowa, accompanied by Ron Teater. Senator Hagerla.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 59, a bill for an act relating to the purchase and sale of grain by providing for the offering of a special quality grains electronic bulletin board service through the department of agriculture and land stewardship and providing for an advisory committee study of grain marketing to draft proposed legislation to develop the market for special quality grains.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Riordan and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 533, a bill for an act relating to the regulation of grain management, by providing for licensing and regulation of grain dealers and warehouse operators and the administration of licensing and regulation within the department of agriculture and land stewardship and by the Iowa grain indemnity board.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Riordan and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 655, a bill for an act relating to the second injury fund, by increasing payments to the fund in event of a job-related death, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Peterson, Sturgeon, Fuhrman, Gettings, Hultman, Mann, Taylor and Vande Hoef. Nays, none. Absent or not voting, 2: Palmer and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3462 to Senate File 477 was adopted by the Senate on March 29, 1989.

MARK R. HAGERLA

AMENDMENTS FILED

S—3458	S.F.	419	Richard Varn
S—3459	S.F.	499	Michael E. Gronstal
S—3460	S.F.	489	Eugene Fraise
S—3461	S.F.	231	Charles Bruner
S—3462	S.F.	477	Jim Lind
S—3463	S.F.	476	Bob Carr Richard Running
S—3464	S.F.	500	Alvin V. Miller
S—3465	S.F.	303	Charles Bruner
S—3466	S.F.	303	Charles Bruner
S—3467	S.F.	419	Richard Varn
S—3468	S.F.	303	Jim Lind
S—3469	S.F.	459	Donald V. Doyle
S—3470	S.F.	477	Charles Bruner
S—3471	S.F.	477	Charles Bruner
S—3472	S.F.	315	Tom Mann, Jr.
S—3473	S.F.	497	Tom Mann, Jr.
S—3474	S.F.	476	Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 552, a bill for an act relating to the consumer credit code, by providing for certain charges, amending the definition of debt collectors, requiring notification and the imposition of certain fees, appropriating funds collected, and providing an applicability date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 27, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 477, a bill for an act relating to certain motor vehicles, by providing for the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, the operation of certain motor vehicles, subjecting violators to penalties, and providing effective dates.

This bill was read first time and **passed on file**.

House File 660, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 48 present, 2 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 477** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

UNFINISHED BUSINESS
(Deferred March 27, 1989)**Senate File 375**

The Senate resumed consideration of Senate File 375, a bill for an act relating to the creation of an artificial lake or impoundment by the department of natural resources, deferred March 27, 1989.

Senator Riordan called up the motion to reconsider the vote by which division S—3413A to Senate File 375 was adopted by the Senate on March 27, 1989, filed by him on March 27, 1989, found on page 1029 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 18.

The motion prevailed and division S—3413A by Senators Priebe and Riordan to page 1 and the title page of the bill, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on division S—3413A be deferred.

Senator Tieden offered amendment S—3430 filed by him on March 27, 1989, to page 1 of the bill and called for a division of the amendment: line 2 as division S—3430A and line 3 as division S—3430B.

Senator Tieden asked and received unanimous consent that action on divisions S—3430A and 3430B be deferred.

Senator Riordan asked and received unanimous consent to withdraw amendment S—3447 filed by Senators Riordan, et al., on March 28, 1989, to page 1 of the bill.

Senator Riordan offered amendment S—3452 filed by Senators Riordan, et al., on March 28, 1989, to page 1 of the bill and called for a division: lines 2 through 32 as division S—3452A; lines 33 through 41 as division S—3452B; lines 42 through 49 as division S—3452C.

Senator Riordan asked and received unanimous consent that action on division S—3452A be deferred.

Senator Peterson withdrew amendment S—3485 filed by him from the floor to division S—3452B.

Senator Peterson raised the point of order that division S—3452B was not germane to the bill.

The Chair ruled the point not well taken and division S—3452B in order.

Senator Riordan moved the adoption of division S—3452B.

A record roll call was requested.

On the question “Shall division S—3452B be adopted?” (S.F. 375) the vote was:

Ayes, 35:

Boswell	Bruner	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Hannon	Hedge
Hutchins	Jensen	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 15:

Carr	Coleman	Doyle	Goodwin
Gronstal	Hagerla	Hester	Horn
Hultman	Husak	Kinley	Lind
Peterson	Szymoniak	Tieden	

Division S—3452B was adopted.

Senator Riordan moved the adoption of division S—3452C.

A record roll call was requested.

On the question "Shall division S—3452C be adopted?" (S.F. 375) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn			

Nays, 2:

Gronstal	Welsh
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Absent or not voting, 3:

Coleman	Murphy	Tieden
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Division S—3452C was adopted.

The Senate resumed consideration of division S—3452A by Senators Riordan, et al., previously deferred.

Senator Riordan offered amendment S—3486 filed by him from the floor to division S—3452A and moved its adoption.

Amendment S—3486 was adopted by a voice vote.

Senator Riordan asked and received unanimous consent to withdraw division S—3452A as amended.

The Senate resumed consideration of divisions S—3430A and S—3430B by Senator Tieden, previously deferred.

With the adoption of division S—3452C, the Chair ruled division S—3430B, out of order.

Senator Tieden moved the adoption of division S—3430A, which motion prevailed by a voice vote.

With the adoption of division S—3452C, the Chair ruled the following amendments out of order:

S—3428 filed by Senator Coleman on March 27, 1989, to page 1 of the bill.

S—3429 filed by Senators Priebe, et al., on March 27, 1989, to page 1 of the bill.

S—3434 filed by Senator Peterson on March 28, 1989, to amendment S—3429.

With the withdrawal of amendment S—3447, the Chair ruled amendment S—3449 filed by Senators Scott and Riordan on March 28, 1989, to amendment S—3447, out of order.

With the adoption of division S—3452B, the Chair ruled division S—3413A by Senators Priebe and Riordan, previously deferred, out of order.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 375) the vote was:

Ayes, 36:

Boswell	Bruner	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gettings	Gronstal	Hannon
Hedge	Husak	Hutchins	Jensen
Kibbie	Lloyd-Jones	Mann	Murphy
Nystrom	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 14:

Carr	Coleman	Fraise	Goodwin
Hagerla	Hester	Horn	Hultman
Kinley	Lind	Miller	Peterson
Szymoniak	Tieden		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 490.

Senate File 490

On motion of Senator Sturgeon, Senate File 490, a bill for an act relating to the sale, lease, rental, or advertising of water treatment systems, was taken up for consideration.

Senator Priebe offered amendment S—3353 filed by Senators Priebe, et al., on March 21, 1989, to page 1 of the bill.

Senator Gronstal raised the point of order that amendment S—3353 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3353 out of order.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 490) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Rife

Absent or not voting, 3:

Coleman

Hultman

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 512, by Hutchins and Hultman, a bill for an act relating to chemical emergencies, providing for the establishment of the Iowa emergency response commission and specifying its powers and duties, providing for intergovernmental agreements, providing for the designation of local emergency planning districts and the appointment of local emergency planning committees, providing for immunity from liability, providing disclosure requirements, authorizing civil actions by the commission, and providing properly related matters.

Read first time and **passed on file**.

APPENDIX

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 234, a bill for an act relating to entities and subject matter regulated by the department of commerce, division of banking, including banks, regulated loans, and industrial loan companies.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3488.

Final Vote: Ayes, 9: Palmer, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Running and Tieden. Nays, none. Absent or not voting, 6: Deluhery, Jensen, Pate, Priebe, Rife and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 380, a bill for an act relating to real estate practices, permitting certain activities to be conducted through a corporation owned by a real estate broker associate or sales person, and providing properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Palmer, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Running and Tieden. Nays, none. Absent or not voting, 6: Deluhery, Jensen, Pate, Priebe, Rife and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the following Governor's appointments, completed its investigations on March 29, 1989, and recommended the appointees be confirmed:

Mary W. Greenleaf and Sally Jo Riekema for appointment and Frederick Weber for reappointment as members of the Job Service Advisory Council.

David D. Knock for appointment as a member of the Public Employment Relations Board.

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following Governor's appointments, completed its investigations on March 29, 1989, and recommended the appointees be confirmed:

Barbara A. Nixon for reappointment as a member of the Credit Union Review Board.

Maria M. Waterman for appointment as a member of the Title Guaranty Division Board.

STUDY BILLS RECEIVED**SSB 368.1 Ways & Means**

Establishing a state school foundation formula, including a uniform foundation levy, a foundation base, and additional property tax levy, providing for the calculation of a state cost per pupil and district costs per pupil, and providing effective dates.

SSB 369.1 Ways & Means

Establishing a state school foundation formula, including a uniform foundation levy, a foundation base, and additional property tax levy, providing for the calculation of a state cost per pupil and district costs per pupil, and providing an effective date.

SSB 370 Appropriations

Relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 425**

LOCAL GOVERNMENT: Miller, Chair; Fraise and Tinsman

Senate File 441

WAYS AND MEANS: Riordan, Chair; Fraise and Hester

Senate File 448

COMMERCE: Kinley, Chair; Hannon and Nystrom

Senate File 477

WAYS AND MEANS: Dieleman, Chair; Bruner and Hester

Senate File 509

COMMERCE: Mann, Chair; Welsh and Tieden

House File 49

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Peterson and Fuhrman

House File 59

AGRICULTURE: Boswell, Chair; Miller and Soorholtz

House File 379

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

House File 466

NATURAL RESOURCES: Tieden, Chair; Mann and Rensink

House File 473

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

House File 533

AGRICULTURE: Husak, Chair; Soorholtz and Scott

House File 534

AGRICULTURE: Fraise, Chair; Palmer and Hester

House File 549

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Hagerla, Chair; Miller and Szymoniak

House File 551

TRANSPORTATION: Nystrom, Chair; Scott and Dieleman

House File 575

COMMERCE: Gronstal, Chair; Deluhery and Nystrom

House File 662

JUDICIARY: Horn, Chair; Gronstal and Hester

House File 663

TRANSPORTATION: Jensen, Chair; Lloyd-Jones and Goodwin

House File 666

EDUCATION: Szymoniak, Chair; Horn and Lind

House File 668

LOCAL GOVERNMENT: Fraise, Chair; Miller and Vande Hoef

House File 669

NATURAL RESOURCES: Hester, Chair; Hedge and Peterson

House File 672

JUDICIARY: Varn, Chair; Mann and Gentleman

House File 675

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Tinsman

House File 679

TRANSPORTATION: Gettings, Chair; Jensen and Dieleman

SSB 368.1

WAYS AND MEANS: Husak, Chair; Hultman and Bruner

SSB 369.1

WAYS AND MEANS: Drake, Chair; Husak and Bruner

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3455 to Senate File 472 was adopted by the Senate on March 28, 1989.

RICHARD F. DRAKE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 375 passed the Senate on March 29, 1989.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 375 passed the Senate on March 29, 1989.

JIM RIORDAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 375 passed the Senate on March 29, 1989.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 375 passed the Senate on March 29, 1989.

BERL E. PRIEBE

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. R.	8	State Government
S. F.	512	State Government
H. F.	477	Natural Resources
H. F.	552	Commerce
H. F.	581	Local Government
H. F.	631	Judiciary
H. F.	650	Agriculture
H. F.	660	Environment & Energy Utilities
H. F.	670	Education
H. F.	689	Judiciary

AMENDMENTS FILED

S-3475	S. F.	419	Richard Varn
S-3476	S. F.	323	Linn Fuhrman
S-3477	S. F.	393	Donald V. Doyle Eugene Fraise Michael E. Gronstal
S-3478	S. F.	478	Donald V. Doyle Tom Mann, Jr. Emil Husak
S-3479	S. F.	303	Jim Riordan
S-3480	S. F.	500	Alvin V. Miller
S-3481	S. F.	294	Michael E. Gronstal Al Sturgeon
S-3482	S. F.	315	Tom Mann, Jr.
S-3483	S. F.	472	Wally Horn
S-3484	S. F.	323	Linn Fuhrman
S-3485	S. F.	375	John Peterson
S-3486	S. F.	375	Jim Riordan
S-3487	S. F.	315	Mark Hagerla
S-3488	H. F.	234	Commerce
S-3489	S. F.	426	Richard Varn Jim Riordan

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:37 p.m., until 9:00 a.m., Thursday, March 30, 1989.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 30, 1989

The Senate met in regular session at 9:05 a.m., Senator Fuhrman presiding.

Prayer was offered by the Reverend Lynn Crenshaw, pastor of the Bondurant Christian Church, Bondurant, Iowa.

The Journal of Wednesday, March 29, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 351, a bill for an act prohibiting discriminatory practices based upon a person's sexual orientation.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 28, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 459, a bill for an act relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, by providing for classes of forfeiture property, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, and providing an applicability date and an effective date.

This bill was read first time and **passed on file**.

House File 496, a bill for an act relating to credit services organizations, by requiring their registration, imposing regulation, and providing penalties.

This bill was read first time and **passed on file**.

House File 687, a bill for an act to eliminate the nonresident commercial mussel license.

This bill was read first time and **passed on file**.

House File 692, a bill for an act requiring the department of inspections and appeals to develop a special classification of residential care facilities.

This bill was read first time and **passed on file**.

House File 693, a bill for an act relating to notaries public and other notarial officers and notarial acts, and providing an applicability date and an effective date.

This bill was read first time and **passed on file**.

House File 709, a bill for an act relating to credit card receipt processing for state departments.

This bill was read first time and **passed on file**.

House File 714, a bill for an act relating to the prohibition of certain sewage ash at a sanitary landfill or other off-premises facilities.

This bill was read first time and **passed on file**.

House File 717, a bill for an act relating to requirements for a license to practice podiatry by requiring successful completion of a residency or preceptorship for applicants graduating from podiatric college in 1995 or thereafter.

This bill was read first time and **passed on file**.

FURTHER OBSERVANCE OF WOMEN'S HISTORY MONTH

Senator Tinsman presented the following seven members of the Iowa Women's Hall of Fame and their respective induction year:

1988 — Sister Patricia Clare Sullivan, escorted by Senator Riordan.

1982 — Jeanne Montgomery Smith, escorted by Senator Lloyd-Jones.

1987 — Gwendolyn Wilson Fowler, escorted by Senator Horn.

1982 — Ruth Bluford Anderson, escorted by Senator Lind.

1980 — Mary A. Grefe, escorted by Senator Szymoniak.

1988 — Twila Parker Lummer, escorted by Senator Deluhery.

1982 — Peg Stair Anderson, escorted by Senator Corning.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Doyle and Mann for the day and March 31, 1989, on request of Senator Hutchins.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S. F.	446	Appropriations
H. F.	234	Ways and Means

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 318, 370 and 303.

Senate File 318

On motion of Senator Riordan, Senate File 318, a bill for an act relating to the state soil conservation committee, by providing for the composition of the committee and its powers and duties, was taken up for consideration.

Senator Riordan offered amendment S—3450 filed by him on March 28, 1989, to pages 1 through 4, 6 through 8 and 10 of the bill and moved its adoption.

Amendment S—3450 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 318) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Gentleman	Tieden
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Absent or not voting, 7:

Doyle	Drake	Kinley	Mann
Palmer	Rife	Soorholtz	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 370

On motion of Senator Fraise, Senate File 370, a bill for an act relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner, was taken up for consideration.

Senator Fraise withdrew amendment S—3202 filed by him on March 9, 1989, to pages 1 through 3 of the bill.

Senator Fraise offered amendment S—3407 filed by him on March 23, 1989, to pages 1 through 3 and to the title page of the bill.

Senator Pate asked and received unanimous consent that action on amendment S—3407 and **Senate File 370** be deferred.

Senate File 303

On motion of Senator Boswell, Senate File 303, a bill for an act providing an individual and corporate income tax credit for certain breeding cattle, providing a date of applicability, and providing for a repeal, with report of committees on Agriculture and Ways and Means recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—3465 filed by him on March 29, 1989, to strike everything after the enacting clause of the bill.

Senator Lind offered amendment S—3468 filed by him on March 29, 1989, to amendment S—3465.

Senator Boswell raised the point of order that amendment S—3468 to amendment S—3465 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3468 out of order.

Senator Boswell raised the point of order that amendment S—3465 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3465 out of order.

Senator Peterson offered amendment S—3437 filed by him on March 28, 1989, to page 1 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—3437 and **Senate File 303** be deferred.

Senator Coleman took the chair at 10:09 a.m.

UNFINISHED BUSINESS
(Deferred March 29, 1989)

Senate File 323

The Senate resumed consideration of Senate File 323, a bill for an act permitting the use of telecommunications in grades nine through twelve to provide courses that are required by the state's minimum educational standards and also are postsecondary prerequisites, deferred March 29, 1989.

Senator Fuhrman withdrew amendment S—3435 to page 1 of the bill, deferred on March 29, 1989, and amendment S—3476 filed by him on March 29, 1989, to page 1 of the bill.

Senator Fuhrman offered amendment S—3484 filed by him on March 29, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3484 was adopted by a voice vote.

Senator Corning withdrew amendment S—3491 filed by her from the floor to page 1 of the bill.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 323) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 3:

Gentleman	Lloyd-Jones	Tinsman
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Absent or not voting, 7:

Doyle
Palmer

Drake
Rife

Kinley
Soorholtz

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 31.

Senate File 31

On motion of Senator Sturgeon, Senate File 31, a bill for an act relating to the violation of a law or rule by a health care facility, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3269 filed by the committee on Human Resources on March 15, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Sturgeon offered amendment S—3443 filed by him on March 28, 1989, to amendment S—3269 and moved its adoption.

Amendment S—3443 was adopted by a voice vote.

Senator Taylor offered amendment S—3328 filed by him on March 20, 1989, to amendment S—3269.

Senator Hutchins asked and received unanimous consent that action on amendment S—3328 to amendment S—3269, amendment S—3269 as amended and **Senate File 31** be **deferred**.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Deluhery presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 11:43 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 29, 1989, 8:07 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell, Coleman (arrived 8:25), Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair (excused).

Committee Business: Recommended passage of House Files 59 and 533 and recommended confirmation of Governor's appointees.

Adjourned: 8:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 29, 1989, 11:27 a.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Running, Taylor and Vande Hoef.

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 655; recommended confirmation of Governor's appointees.

Adjourned: 11:32 a.m.

COMMERCE

Convened: March 29, 1989, 1:30 p.m.

Members Present: Palmer, Chair; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Running and Tieden.

Members Absent: Deluhery, Vice Chair (excused); Jensen, Ranking Member; Pate (excused), Priebe, Rife (excused) and Welsh (excused).

Committee Business: Recommended confirmation of Governor's appointees; recommended passage of House File 234 as amended; recommended passage of House File 380.

Adjourned: 1:40 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 30th day of March, 1989:

Senate File 105.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following Governor's appointment, completed its investigation on March 30, 1989, and recommended the appointee be confirmed:

Marian L. Kieffer for appointment as a member of the Natural Resource Commission.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointments and reappointments, completed its investigations on March 30, 1989, and recommended the appointees be confirmed:

Harris D. Honsey and Robert A. Van Vooren for appointment as members of the Iowa Economic Development Board.

Mary L. Heistand-Bro for reappointment and Jeanine S. Hettinga for appointment as members of the Iowa Product Development Corporation.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five twelfth grade students from Walnut Ridge Baptist Academy, Waterloo, Iowa, accompanied by Paulette Sewell and Sarah Shepard. Senators Corning and Lind.

Forty-five twelfth grade students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Jeff Henderson and Todd Bohlen. Senator Husak.

Twenty twelfth grade students from Titonka High School, Titonka, Iowa, accompanied by Mary Kae Hanson. Senator Priebe.

Forty sixth grade students from Southeast Warren Elementary School, Lacona, Iowa, accompanied by Pat Butler and Sue Phillips. Senator Peterson.

COMMITTEE REPORTS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 140, a bill for an act relating to the linked deposit program and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—3495 and 3496.

Final Vote: Ayes, 10: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Scott, Szymoniak and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 272, a bill for an act relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa products and services, authorizing the establishment of guidelines, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3492.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 273, a bill for an act relating to economic development corporations in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 549, a bill for an act relating to the agricultural product advisory council.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3493.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 550, a bill for an act relating to providing assistance to retrain workers in existing businesses and providing for an evaluation of retraining programs.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 8

STATE GOVERNMENT: Running, Chair; Dieleman and Nystrom

Senate File 446

APPROPRIATIONS: Bruner, Chair; Lloyd-Jones and Corning

Senate File 512

STATE GOVERNMENT: Drake, Chair; Carr and Lloyd-Jones

House File 234

WAYS AND MEANS: Palmer, Chair; Szymoniak and Drake

House File 400

APPROPRIATIONS: Lloyd-Jones, Chair; Gronstal and Rensink

House File 477

NATURAL RESOURCES: Doyle, Chair; Peterson and Tieden

House File 542

STATE GOVERNMENT: Hannon, Chair; Coleman and Nystrom

House File 660

ENVIRONMENT AND ENERGY UTILITIES: Carr, Chair; Deluhery and Soorholtz

House File 670

EDUCATION: Horn, Chair; Varn and Corning

House File 674

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Corning

House File 678

STATE GOVERNMENT: Dieleman, Chair; Lloyd-Jones and Drake

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 30, 1989, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 96 — Extending the existence of the Iowa health data commission, prohibiting contracting in cases of conflicts of interest, and requiring the provision of hospital data regarding nonsponsored care.

AMENDMENTS FILED

S—3490	S.F.	435	Paul D. Pate
S—3491	S.F.	323	Joy Corning
S—3492	H.F.	272	Small Business & Economic Development
S—3493	H.F.	549	Small Business & Economic Development
S—3494	S.F.	31	Berl E. Priebe Joe Welsh
S—3495	H.F.	140	Small Business & Economic Development
S—3496	H.F.	140	Small Business & Economic Development

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 4:32 p.m.

The vote revealed 34 present, 16 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman and Senator Nystrom for the remainder of the day and March 31, 1989, on request of Senator Corning.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 531, a bill for an act relating to agricultural landholdings by persons, including corporations, trusts, and limited partnerships, making penalties applicable, and providing dates for compliance.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 27, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 684, a bill for an act relating to persons or copartnerships required to file statements regarding the use of trade names, by requiring each county recorder to submit a monthly list of such persons to the secretary of state.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 28, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 623, a bill for an act relating to developing comprehensive management plans with owners of highly erodible land.

This bill was read first time and **passed on file**.

House File 638, a bill for an act relating to administration and authority of the department of agriculture and land stewardship.

This bill was read first time and **passed on file**.

House File 703, a bill for an act relating to the financing for the rural community 2000 program and authorizing the issuance of bonds and notes by the Iowa finance authority for the program.

This bill was read first time and **passed on file**.

House File 713, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 29, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 420, a bill for an act authorizing the board of supervisors to review and remand a decision of the board of adjustment.

This bill was read first time and **passed on file**.

House File 430, a bill for an act authorizing the appointment or designation of a city health officer.

This bill was read first time and **passed on file**.

House File 637, a bill for an act relating to the access of confidential information collected by the department of employment services.

This bill was read first time and **passed on file**.

House File 664, a bill for an act relating to the fine for certain violations regarding motor vehicles of excessive size or weight.

This bill was read first time and **passed on file**.

House File 699, a bill for an act relating to the state public defender and the appointment of a state appellate defender.

This bill was read first time and **passed on file**.

House File 707, a bill for an act relating to canteen funds at state institutions.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 30, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 719, a bill for an act relating to the elimination of the environmental protection commission.

This bill was read first time and **passed on file**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hutchins for the remainder of the day and March 31, 1989, and Senators Fraise and Kibbie for the remainder of the day on request of Senator Horn.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate Files 231 and 500.

Senate File 231

On motion of Senator Bruner, Senate File 231, a bill for an act relating to the regulation of alternate operator services and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3280 filed by the committee on Commerce on March 16, 1989, to strike everything after the enacting clause of the bill.

Senator Bruner offered amendment S—3461 filed by him on March 29, 1989, to amendment S—3280 and moved its adoption.

Amendment S—3461 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3280 as amended, which motion prevailed by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 231) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Jensen
Lind	Lloyd-Jones	Miller	Murphy
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 11:

Doyle	Fraise	Hultman	Hutchins
Kibbie	Kinley	Mann	Nystrom
Palmer	Rife	Soorholtz	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 500

On motion of Senator Miller, Senate File 500, a bill for an act relating to the powers and duties of certain local governmental bodies, by providing for the use of ordinances in certain instances, by changing procedures for certain city elections, by requiring

written veto messages, by changing filing procedures for a special assessment, and by specifying the duties of city finance offices, was taken up for consideration.

Senator Miller asked and received unanimous consent that action on amendment S—3464 filed by him on March 29, 1989, to page 2 of the bill be deferred.

Senator Miller offered amendment S—3480 filed by him on March 29, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3480 was adopted by a voice vote.

With the adoption of amendment S—3480, the Chair ruled amendment S—3464 by Senator Miller to page 2 of the bill, previously deferred, out of order.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 500) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Jensen
Lind	Lloyd-Jones	Miller	Murphy
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 12:

Doyle	Fraise	Hultman	Hutchins
Kibbie	Kinley	Mann	Nystrom
Palmer	Rife	Soorholtz	Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	420	Local Government
H.F.	430	Local Government
H.F.	459	Judiciary
H.F.	496	Commerce
H.F.	531	Agriculture
H.F.	623	Agriculture
H.F.	637	Business & Labor Relations
H.F.	638	Agriculture
H.F.	664	Transportation
H.F.	684	Local Government
H.F.	687	Natural Resources
H.F.	692	Human Resources
H.F.	693	State Government
H.F.	699	Judiciary
H.F.	703	Small Business & Economic Development
H.F.	707	State Government
H.F.	709	State Government
H.F.	713	Environment & Energy Utilities
H.F.	714	Environment & Energy Utilities
H.F.	717	State Government
H.F.	719	Environment & Energy Utilities

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE JOINT RESOLUTION 10, a joint resolution to nullify administrative rules of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 18: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon and Tinsman. Nays, none. Absent or not voting, 3: Bruner, Peterson and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 196, a bill for an act relating to the collection of certain adoption information according to federal regulations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3499.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, 1: Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 344, a bill for an act relating to the substance abuse law.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 371, a bill for an act relating to emergency medical care providers, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3501.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 402, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 403, a bill for an act relating to child support awards by requiring the application of uniform support guidelines by the courts and the department of human services and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Riordan and Tinsman. Nays, 4: Horn, Murphy, Sturgeon and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 255, a bill for an act relating to forms for the registration of voters.

Recommendation: DO PASS.

Final Bill Action: Ayes, 9: Carr, Lloyd-Jones, Coleman, Dieleman, Fraise, Gronstal, Hannon, Horn and Running. Nays, 3: Drake, Gentleman and Soorholtz. Absent or not voting, 3: Nystrom, Rife and Vande Hoef.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 506, a bill for an act relating to the solicitation of public donations and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Nystrom, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 647, a bill for an act relating to governmental bodies under the open meetings law, including the definition of governmental body and the provision of information relating to open meetings and public records to governmental bodies.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Nystrom, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE JOINT RESOLUTION 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa removing the disqualification from office for parties to a duel.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Nystrom, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE JOINT RESOLUTION 12, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Lloyd-Jones, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Nystrom, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 332, a bill for an act allowing a physician, as defined in section 135.1, to issue a statement attesting to a person's handicap for the purpose of issuing a handicapped plate, identification device, or sticker, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Dieleman, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Drake, Doyle and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 475, a bill for an act providing for the refund of unexpired registration fees for certain vehicles registered as special mobile equipment and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Dieleman, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Drake, Doyle and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 537, a bill for an act relating to motor vehicle registrations and certificates of title and providing penalties and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Dieleman, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Drake, Doyle and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 663, a bill for an act requiring motorized bicycles to be equipped with bicycle safety flags and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Dieleman, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Drake, Doyle and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 679, a bill for an act to permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Dieleman, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Drake, Doyle and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 10, by committee on Appropriations, a joint resolution to nullify administrative rules of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—3497	H.F.	273	Alvin V. Miller Elaine Szymoniak Beverly A. Hannon Richard Vande Hoef Leonard Boswell Kenneth Scott John Kibbie Jim Lind John Peterson
S—3498	S.F.	396	Bob Carr
S—3499	H.F.	196	Human Resources
S—3500	S.F.	484	Linn Fuhrman Berl E. Priebe Jack W. Hester Emil J. Husak
S—3501	H.F.	371	Human Resources

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Friday, March 31, 1989.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 31, 1989

The Senate met in regular session at 9:18 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Patricia Ryan, Chaplain of the Ramsey Home, Des Moines, Iowa.

The Journal of Thursday, March 30, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kibbie, Bruner, Fraise and Peterson for the day on request of Senator Horn and Senator Drake for the day on request of Senator Jensen.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 465, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities, or, by agreement, within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to issue special assessment bonds for the improvements, to establish and collect rates and charges to maintain and operate the improvements, and to enter into joint agreements with cities and other counties for these purposes, and by providing an effective date.

This bill was read first time and **passed on file**.

House File 645, a bill for an act relating to mortgage brokers and mortgage bankers.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate Files 482, 501, 485 and 419.

Senate File 482

On motion of Senator Dieleman, Senate File 482, a bill for an act relating to the appeal process for bidders aggrieved by awards of the purchasing division of the department of general services, and providing properly related matters, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 482) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Doyle	Drake	Fraise
Hultman	Hutchins	Kibbie	Nystrom
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 501

On motion of Senator Lloyd-Jones, Senate File 501, a bill for an act revising certain provisions relating to dispute resolution, transferring authority over specified dispute resolution activities to the Iowa peace institute, and generally relating to dispute resolution, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 501) the vote was:

Ayes, 29:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Gentleman	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Welsh			

Nays, 12:

Fuhrman	Goodwin	Hagerla	Hedge
Jensen	Pate	Priebe	Rensink
Rife	Scott	Tieden	Vande Hoef

Absent or not voting, 9:

Bruner	Doyle	Drake	Fraise
Hultman	Hutchins	Kibbie	Nystrom
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 485

On motion of Senator Hester, Senate File 485, a bill for an act to prohibit the sale, purchase, or use of a pesticide containing daminozide, providing an effective date, and making a penalty applicable, with report of committee on Environment and Energy Utilities recommending passage, was taken up for consideration.

Senator Hester offered amendment S—3303 filed by him on March 20, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3303 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 485) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Doyle	Drake	Fraise
Hultman	Hutchins	Kibbie	Nystrom
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 419

On motion of Senator Varn, Senate File 419, a bill for an act relating to energy efficiency and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3310 filed by the committee on Environment and Energy Utilities on March 20, 1989, to pages 2 through 4 of the bill.

Senator Varn offered amendment S—3440 filed by him on March 28, 1989, to amendment S—3310 and moved its adoption.

Amendment S—3440 was adopted by a voice vote.

Senator Varn offered amendment S—3506 filed by him from the floor to amendment S—3310 and moved its adoption.

Amendment S—3506 was adopted by a voice vote.

With the adoption of amendment S—3506 to amendment S—3310, the Chair ruled amendment S—3475 filed by Senator Varn on March 29, 1989, to amendment S—3310, out of order.

Senator Lind asked and received unanimous consent that action on amendment S—3310 as amended and **Senate File 419** be **deferred**.

Senator Horn asked and received unanimous consent to take up out of order Senate Files 497 and 462.

Senate File 497

On motion of Senator Palmer, Senate File 497, a bill for an act relating to transportation certificates for livestock by requiring

inclusion of the driver's license number of the owner of the livestock on the transportation certificate, was taken up for consideration.

Senator Mann offered amendment S—3473 filed by him on March 29, 1989, to page 1 of the bill.

Senator Jensen raised the point of order that amendment S—3473 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3473 in order.

Senator Mann moved the adoption of amendment S—3473.

A non record roll call was requested.

The ayes were 15, nays 23.

Amendment S—3473 lost.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 497) the vote was:

Ayes, 39:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Mann

Absent or not voting, 10:

Bruner	Doyle	Drake	Fraise
Horn	Hultman	Kibbie	Nystrom
Peterson	Priebe		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 462

On motion of Senator Welsh, Senate File 462, a bill for an act relating to credit transactions by changing the maximum service fee on loans by industrial loan companies, by changing the maximum finance charge for certain consumer loans pursuant to open-end credit, and by changing the maximum finance charge on consolidations of consumer credit transactions, was taken up for consideration.

Senator Welsh offered amendment S—3414 filed by him on March 27, 1989, to strike everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment S—3414 was adopted by a voice vote.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 462) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Doyle	Drake	Fraise
Hultman	Hutchins	Kibbie	Nystrom
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 482, 501, 485 and 497** be **immediately messaged** to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 30, 1989, 11:45 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon and Tinsman.

Members Absent: Bruner (excused), Peterson and Varn.

Committee Business: Approved LSB 2644 as a committee joint resolution.

Recessed: 11:55 a.m.

Reconvened: March 30, 1989, 5:00 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Fraise (excused).

Committee Business: Recommended passage of Senate File 116; discussed and deferred action on Senate File 53.

Adjourned: 5:20 p.m.

HUMAN RESOURCES

Convened: March 30, 1989, 2:37 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Murphy, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Governor's appointees; recommended passage of House Files 344, 402 and 403; recommended passage of House Files 196 and 371 as amended.

Adjourned: 3:48 p.m.

NATURAL RESOURCES

Convened: March 30, 1989, 1:30 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Hedge, Hester, Peterson, Priebe, Rensink and Tieden.

Members Absent: Doyle, Mann (both excused) and Husak.

Committee Business: Recommended passage of House File 669 as amended; recommended confirmation of Governor's appointee.

Adjourned: 2:10 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 30, 1989, 8:05 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Miller, Pate, Peterson, Scott, Szymoniak and Vande Hoef.

Members Absent: Rife (excused).

Committee Business: Recommended passage of House Files 273, 550, 140, 549 and 272; recommended confirmation of Governor's appointees.

Adjourned: 8:55 a.m.

STATE GOVERNMENT

Convened: March 30, 1989, 1:34 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Running and Vande Hoef.

Members Absent: Nystrom, Ranking Member; Rife and Soorholtz (all excused).

Committee Business: Recommended passage of House Files 647, 255, 506 and House Joint Resolutions 5 and 12.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: March 30, 1989, 2:40 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Dieleman, Gettings, Goodwin, Jensen and Lloyd-Jones.

Members Absent: Drake, Ranking Member; Doyle (excused) and Nystrom.

Committee Business: Recommended confirmation of Governor's appointees; recommended passage of House Files 332, 537, 663 and 679.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: March 30, 1989, 3:45 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Drake, Fraise, Fuhrman, Kibbie, Riordan and Szymoniak.

Members Absent: Bruner, Gentleman, Hultman (excused), Murphy, Palmer and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 423, 434, 441, 386 and 210; recommended passage of Senate File 389 as amended; recommended passage of House File 331.

Adjourned: 4:20 p.m.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	351	Judiciary
H.F.	465	Local Government
H.F.	645	Commerce

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 462 passed the Senate on March 31, 1989.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3414 to Senate File 462 was adopted by the Senate on March 31, 1989.

JULIA GENTLEMAN

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 116, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the appropriation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Welsh, Boswell, Bruner, Gettings, Gronstal, Husak, Lind, Peterson, Riordan, Sturgeon and Varn. Nays, 7: Tieden, Corning, Goodwin, Jensen, Rensink, Running and Tinsman. Absent or not voting, 3: Fraise, Lloyd-Jones and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3508.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Boswell, Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 2: Bruner and Kibbie.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 666, a bill for an act to repeal the provision repealing the postsecondary options Act.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Murphy, Taylor, Boswell, Corning, Dieleman, Hedge, Lloyd-Jones, Syzmoniak and Tieden. Nays, none. Absent or not voting, 8: Horn, Bruner, Deluhery, Kibbie, Lind, Rensink, Tinsman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 669, a bill for an act relating to prohibiting the sale or distribution of purple loosestrife (*lythrum salicaria*) and subjecting violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3503.

Final Vote: Ayes, 9: Scott, Kibbie, Goodwin, Hedge, Hester, Peterson, Priebe, Rensink and Tieden. Nays, none. Absent or not voting, 3: Doyle, Husak and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 210, a bill for an act relating to reports and records of motor vehicle registrations and certificates of title kept by county treasurers, imposing penalty fees for delinquencies, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Hester, Drake, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 7: Bruner, Fraise, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 386, a bill for an act eliminating refunds from excise taxes on egg sales.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Hester, Drake, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 7: Bruner, Fraise, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 389, a bill for an act relating to farm crisis relief, by extending the date of repeal of certain 1986 provisions, expanding participation in farm mediation, requiring borrowers to file a list of creditors, providing for review of farm mediation service decisions, expanding the confidentiality of mediation information, providing for mediation fees, and providing limitations on liability and immunity from certain judicial actions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3507.

Final Vote: Ayes, 9: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 6: Bruner, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 423, a bill for an act exempting from state taxes certain bonds and notes issued by the agricultural development authority.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 6: Bruner, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 434, a bill for an act relating to elimination of the filing and docketing fee for a petition for modification of a dissolution decree and reduction of the fee for a certificate and seal.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Dieleman, Husak, Hester, Drake, Fraise, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 6: Bruner, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 441, a bill for an act relating to the plugging of abandoned wells, by providing assistance to well owners, providing for well inspection and certification, providing for fees, making a civil penalty applicable, providing an effective date, and providing for repeal of a portion of the Act.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Hester, Drake, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 7: Bruner, Fraise, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 331, a bill for an act relating to standards for apples established by the secretary of agriculture, providing for the establishment of fees, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Hester, Drake, Fuhrman, Kibbie, Riordan and Szymoniak. Nays, none. Absent or not voting, 7: Bruner, Fraise, Gentleman, Hultman, Murphy, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on March 30, 1989, and recommended the appointees be confirmed:

Diane R. Quinn for appointment as Administrator of the Division of Children, Youth and Families.

Dr. Robert Carleton and Elizabeth A. Coyte for reappointment as members of the Board of Physician Assistant Examiners.

John C. Wellman for reappointment as a member of the Commission for the Blind.

Alyce M. Elmitt and Edwin Gantz for appointment, and Clemmie Hightower for reappointment as members of the Commission of Elder Affairs.

Shirley A. Hampton for reappointment as a member of the Commission on the Deaf.

Myrna L. Langerud for reappointment and Ferrell C. Reed for appointment as members of the Council on Human Services.

Dr. Thomas W. Hansen, Jean E. Oxley and James A. Thomas for appointment, and Glenda D. Gorsh and Karen A. Vossberg for reappointment as members of the Mental Health and Mental Retardation Commission.

Harriet Vande Hoef and Carol A. Young for reappointment as members of the State Foster Care Review Board.

Ann L. Dorr for appointment and Joel H. Weinstein for reappointment as members of the State Health Facilities Council.

John Cain for appointment as a member of the Accountancy Examining Board.

William M. Dikis for reappointment as a member of the Architectural Examining Board.

STATE GOVERNMENT

Al C. Maiers for reappointment as a member of the Barber Examining Board.

Joseph C. Huibsch and Dorothea M. Luddington for reappointment as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Marjorie M. Matzen for reappointment as a member of the Board of Nursing Examiners.

Carl H. Lundahl for reappointment as a member of the Chiropractic Examining Board.

Jerry C. Prahel for appointment as a member of the Dental Examining Board.

Robb B. Kelley for reappointment as a member of the Investment Board (IPERS).

Rex W. Wilhelm for reappointment as a member of the Iowa Board of Veterinary Medicine.

Diana E. Hoogestraat for appointment as a member of the Landscape Architectural Examining Board.

Dr. George G. Spellman, Sr. for appointment as a member of the Medical Examining Board.

Ann M. Lohman for reappointment as a member of the Optometry Examining Board.

Rollin C. Bridge for reappointment as a member of the Pharmacy Examining Board.

Karen K. Randall for appointment as a member of the Physical and Occupational Therapy Examining Board.

Jerry F. Duggan for reappointment as a member of the Real Estate Examining Board.

Earl L. Howard for reappointment as a member of the Respiratory Care Advisory Committee.

Bruce D. Buchanan for appointment as a member of the Social Work Examining Board.

Sue Ann N. Hillman for reappointment as a member of the Speech Pathology and Audiology Examining Board.

Richard P. Canella for reappointment and Lorraine J. May for appointment as members of the State Racing Commission.

TRANSPORTATION

Jacqueline Day and John P. Stark for reappointment as members of the Iowa Law Enforcement Academy Council.

Douglas K. Shull for reappointment as a member of the State Transportation Commission.

SUBCOMMITTEE ASSIGNMENTS

House File 496

COMMERCE: Mann, Chair; Welsh and Tieden

House File 552

COMMERCE: Gronstal, Chair; Rife and Running

House File 581

LOCAL GOVERNMENT: Fraise, Chair; Miller and Jensen

House File 693

STATE GOVERNMENT: Nystrom, Chair; Fraise and Hannon

House File 709

STATE GOVERNMENT: Fraise, Chair; Running and Rife

House File 717

STATE GOVERNMENT: Carr, Chair; Soorholtz and Dieleman

AMENDMENTS FILED

S—3502	S. F.	478	Tom Mann, Jr.
S—3503	H. F.	669	Natural Resources
S—3504	S. F.	396	Jim Lind
S—3505	S. F.	419	Jack Rife
S—3506	S. F.	419	Richard Varn
S—3507	S. F.	389	Ways and Means
S—3508	H. F.	535	Education

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:18 a.m., until 10:00 a.m., Monday, April 3, 1989.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 3, 1989

The Senate met in regular session at 10:03 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Robert Trueblood, pastor of the Lutheran Church, Ocheyedan, Iowa

The Journal of Friday, March 31, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murphy for the day and Senator Deluhery for a portion of the morning on request of Senator Hutchins and Senator Taylor for a portion of the day on request of Senator Tieden.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 685, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, subject to certain procedures and conditions, subjecting a bank acquired by a regional bank holding company to community reinvestment standards and disclosures as a condition of the deposit of public funds or the approval of actions of the bank by the superintendent, and other properly related matters, and making penalties applicable and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 30, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 26, a bill for an act limiting the criminal and civil liability of certain persons who are responsible for the treatment and care of the mentally ill.

This bill was read first time and **passed on file**.

House File 677, a bill for an act relating to written credit agreements between a creditor and debtor and rights of action on that agreement.

This bill was read first time and **passed on file**.

House File 721, a bill for an act enacting the quad cities interstate metropolitan authority compact.

This bill was read first time and **passed on file**.

House File 728, a bill for an act relating to official publications by amending rates for county publication of board proceedings, by reducing the specific information required in county care facility inventory publications, by permitting division of the delinquent tax list for publication, by establishing a minimum type size, by reducing publication fees when publication is not timely made, and by eliminating the requirement for publication of notice of textbook purchase.

This bill was read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 462

Senator Gentleman withdrew the motion to reconsider Senate File 462, a bill for an act relating to credit transactions by changing the maximum service fee on loans by industrial loan companies, by changing the maximum finance charge for certain consumer loans pursuant to open-end credit, and by changing the maximum finance charge on consolidations of consumer credit transactions, filed by her on March 31, 1989, and found on page 1114 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 462** be **immediately messaged** to the House.

President Zimmerman took the chair at 10:18 a.m.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 269** be referred from the Regular Calendar to the committee on **Human Resources**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 387, 426, 535, 469, 503 and 508.

Senate File 387

On motion of Senator Riordan, Senate File 387, a bill for an act relating to the establishment of prices for nursery stock by the department of natural resources, was taken up for consideration.

Senator Riordan offered amendment S—3277 filed by Senator Lind on March 15, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3277 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 387) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lloyd-Jones	Miller

Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Scott
Soorholtz	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Running

Absent or not voting, 10:

Deluhery	Doyle	Hagerla	Kinley
Lind	Mann	Murphy	Rife
Sturgeon	Taylor		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 426

On motion of Senator Riordan, Senate File 426, a bill for an act relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, and providing penalties, with report of committee on Judiciary recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3408 filed by the committee on Judiciary on March 23, 1989, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3408 was adopted by a voice vote.

Senator Varn offered amendment S—3439 filed by him on March 28, 1989, to page 2 of the bill.

Amendment S—3439 was adopted by a voice vote.

Senator Varn offered amendment S—3489 filed by Senators Varn and Riordan on March 29, 1989, to page 2 of the bill.

Senator Gentleman raised the point of order that amendment S—3489 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3489 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the remainder of the day on request of Senator Horn.

BUSINESS PENDING

Senate File 426

The Senate resumed consideration of Senate File 426.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 426) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Dieleman	Tieden
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Absent or not voting, 6:

Doyle	Hutchins	Lind	Murphy
Sturgeon	Taylor		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 435

On motion of Senator Running, Senate File 435, a bill for an act relating to state licensing of asbestos professionals who perform work in schools, was taken up for consideration.

Senator Pate withdrew amendment S—3490 filed by him on March 30, 1989, to page 4 and the title page of the bill.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 435) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none:

Absent or not voting, 8:

Doyle	Hutchins	Lind	Mann
Murphy	Soorholtz	Sturgeon	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 469

On motion of Senator Husak, Senate File 469, a bill for an act relating to information required to be delivered to a warehouse operator upon the termination of a receivership over an agricultural products warehouse, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 469) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Szymoniak
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none:

Absent or not voting, 5:

Doyle	Hutchins	Murphy	Sturgeon
Taylor			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 503

On motion of Senator Welsh, Senate File 503, a bill for an act relating to alimony, was taken up for consideration.

Senator Hannon offered amendment S—3512 filed by her from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3512 lost.

Senator Running offered amendment S—3509 filed by him from the floor to page 1 of the bill.

Senator Hannon raised the point of order that amendment S—3509 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3509 out of order.

Senator Gentleman asked and received unanimous consent that action on **Senate File 503** be deferred.

Senate File 508

On motion of Senator Welsh, Senate File 508, a bill for an act relating to common liens on real or personal property and providing a remedy, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 508) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle	Hutchins	Murphy	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order Senate File 505.

Senate File 505

On motion of Senator Fraise, Senate File 505, a bill for an act limiting tax increment financing of city urban renewal projects, was taken up for consideration.

Senator Running offered amendment S—3510 filed by him from the floor to page 1 of the bill.

Senator Running asked and received unanimous consent that action on amendment S—3510 be deferred for consideration of amendment S—3457.

Senator Szymoniak offered amendment S—3457 filed by her on March 28, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3457 was adopted by a voice vote.

Senator Running withdrew amendment S—3510, previously deferred.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 505) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Doyle

Hutchins

Mann

Murphy

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 20, 1989)

Senate File 396

The Senate resumed consideration of Senate File 396, a bill for an act relating to victim notification, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, and notification to victims by various departments, deferred March 20, 1989.

Senator Carr offered amendment S—3347 filed by him on March 20, 1989, to pages 1, 2 and the title page of the bill.

Senator Carr offered amendment S—3498 filed by him on March 30, 1989, to pages 1, 3 and 4 of amendment S—3347 and moved its adoption.

Amendment S—3498 was adopted by a voice vote.

Senator Lind withdrew amendment S—3436 filed by him on March 28, 1989, to pages 2 and 4 of amendment S—3347.

Senator Hultman raised the point of order that amendment S—3347 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3347 out of order.

Senator Welsh asked and received unanimous consent that action on **Senate File 396** be deferred.

UNFINISHED BUSINESS
(Deferred March 31, 1989)

Senate File 419

The Senate resumed consideration of Senate File 419, a bill for an act relating to energy efficiency and providing effective dates, and amendment S—3310, as amended, by the committee on Environment and Energy Utilities to pages 2 through 4 of the bill, deferred on March 31, 1989.

Senator Varn moved adoption of amendment S—3310 as amended, which motion prevailed by a voice vote.

Senator Varn withdrew amendment S—3418 filed by him on March 27, 1989, to page 1 of the bill.

Senator Varn offered amendment S—3458 filed by him on March 29, 1989, to page 1 of the bill.

Senator Lind offered amendment S—3516 filed by him from the floor to amendment S—3458 and moved its adoption.

Amendment S—3516 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—3458 as amended, which motion prevailed by a voice vote.

Senator Varn offered amendment S—3467 filed by him on March 29, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3467 was adopted by a voice vote.

Senator Rife offered amendment S—3505 filed by him on March 31, 1989, to page 4 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3505 and **Senate File 419** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 387, 435, 469 and 508** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 12:05 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 468, a bill for an act relating to the advertisement of wood building materials, and making penalties applicable.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 29, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 585, a bill for an act relating to guardians and conservators, by providing for notice to proposed wards, formation of state and local emergency medical boards, immunity from liability, waiver of filing fees and costs, training of guardians and conservators, and implementation of a representative payee project.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 30, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 355, a bill for an act relating to travel agents and agencies by providing for registration and regulation, and providing for fees and penalties.

This bill was read first time and **passed on file**.

House File 584, a bill for an act relating to the establishment of an international network on trade, and providing an effective date.

This bill was read first time and **passed on file**.

House File 665, a bill for an act authorizing free fishing permits for residents of health care facilities and juvenile shelter care homes.

This bill was read first time and **passed on file**.

House File 723, a bill for an act relating to the implementation of a program for integrated roadside vegetation management and weed control, including the crediting of moneys to the living roadway trust fund, and providing an effective date.

This bill was read first time and **passed on file**.

House File 729, a bill for an act relating to insurance coverage for health care services, requiring that coverage be made available for care provided by certain registered nurses, providing for direct payment, modifying provisions relating to preferred providers, and providing for data collection and utilization review.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate Files 382 and 441.

Senate File 382

On motion of Senator Priebe, Senate File 382, a bill for an act relating to the renewal of permits for regulated uses of water,

with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 382) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 3:

Carr	Peterson	Running
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Absent or not voting, 4:

Doyle	Hutchins	Mann	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 441

On motion of Senator Husak, Senate File 441, a bill for an act relating to the plugging of abandoned wells, by providing assistance to well owners, providing for well inspection and certification, providing for fees, making a civil penalty applicable, providing an effective date, and providing for repeal of a portion of the Act, with reports of committees on Environment and Energy Utilities and Ways and Means recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 441) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle	Hutchins	Murphy	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Files 132 and 210.

Senate File 132

On motion of Senator Jensen, Senate File 132, a bill for an act relating to the fee retained by county treasurers for use tax collection on vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 132) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Doyle	Hutchins	Murphy	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 210

On motion of Senator Dieleman, Senate File 210, a bill for an act relating to reports and records of motor vehicle registrations

and certificates of title kept by county treasurers, imposing penalty fees for delinquencies, and providing an effective date, with report of committee on Transportation recommending amendment and passage, and report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—3263 filed by the committee on Transportation on March 14, 1989, to strike everything after the enacting clause of the bill.

Senator Dieleman offered amendment S—3411 filed by him on March 23, 1989, to amendment S—3263 and moved its adoption.

Amendment S—3411 was adopted by a voice vote.

Senator Dieleman moved the adoption of amendment S—3263 as amended, which motion prevailed by a voice vote.

Senator Welsh asked and received unanimous consent that action on **Senate File 210** be **deferred**.

BUSINESS PENDING

Senate File 503

The Senate resumed consideration of Senate File 503, a bill for an act relating to alimony, previously deferred.

Senator Gentleman offered amendment S—3520 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3520 was adopted by a voice vote.

Senator Gentleman withdrew amendment S—3519 filed by her from the floor to page 1 of the bill.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 503) the vote was:

Ayes, 33:

Boswell
Drake

Carr
Fraise

Coleman
Gettings

Dieleman
Goodwin

Hagerla	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Miller	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 13:

Bruner	Corning	Deluhery	Gentleman
Gronstal	Hannon	Hedge	Lloyd-Jones
Mann	Peterson	Riordan	Szymoniak
Tinsman			

Absent or not voting, 4:

Doyle	Fuhrman	Hutchins	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 476.

Senate File 476

On motion of Senator Running, Senate File 476, a bill for an act relating to barter exchanges, by requiring the registration and regulation of barter exchanges, and providing penalties, was taken up for consideration.

President Zimmerman took the chair at 3:39 p.m.

Senator Running asked and received unanimous consent that action on **Senate File 476** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS (Deferred March 20, 1989)

Senate File 315

The Senate resumed consideration of Senate File 315, a bill for an act relating to the delivery of controlled substances, and providing a penalty, deferred March 20, 1989.

Senator Hagerla withdrew amendment S—3416 filed by him on March 27, 1989, to page 1 of the bill and amendment S—3448 filed by him on March 28, 1989, to page 1 of the bill.

Senator Hagerla offered amendment S—3487 filed by him on March 29, 1989, to page 1 of the bill and called for a division of the amendment:

Division S—3487A: Page 1, lines 4 through 50; pages 2 through 5; page 6, lines 1 and 2 and 15 through 50; page 7, lines 1 through 45.

Division S—3487B: Page 6, lines 3 through 14.

Senator Mann raised the point of order that division S—3487A was not germane to the bill.

The Chair ruled the point well taken and division S—3487A out of order.

Senator Hagerla withdrew division S—3487B.

Senator Mann withdrew amendment S—3472 filed by him on March 29, 1989, to page 1 of the bill.

Senator Mann offered amendment S—3482 filed by him on March 29, 1989, to page 1 of the bill.

Senator Riordan raised the point of order that amendment S—3482 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3482 out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 315) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Doyle	Hutchins	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 132, 382, 441, 503, 426 and 315** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 30, 1989)

Senate File 31

The Senate resumed consideration of Senate File 31, a bill for an act relating to the violation of a law or rule by a health care facility, amendment S—3328 to amendment S—3269 by Senator Taylor and amendment S—3269 by the committee on Human Resources to strike everything after the enacting clause and to the title page of the bill, deferred March 30, 1989.

Senator Taylor asked and received unanimous consent that action on amendment S—3328 to amendment S—3269 continue to be deferred.

Senator Priebe offered amendment S—3494 filed by Senators Priebe and Welsh on March 30, 1989, to amendment S—3269 and moved its adoption.

Amendment S—3494 was adopted by a voice vote.

Senator Taylor offered amendment S—3426 filed by him on March 27, 1989, to amendment S—3269 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3426 to amendment S—3269 be adopted? (S.F. 31) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Coleman	Corning	Dieleman
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Nystrom
Pate	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 20:

Bruner	Carr	Deluhery	Gettings
Gronstal	Hannon	Horn	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Palmer	Peterson	Riordan	Running
Surgeon	Szymoniak	Varn	Welsh

Absent or not voting, 4:

Doyle	Hutchins	Miller	Murphy
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Amendment S—3426 was adopted.

Senator Taylor withdrew amendment S—3328 to amendment S—3269, previously deferred.

Senator Taylor offered amendment S—3526 filed by him from the floor to amendment S—3269 and moved its adoption.

Amendment S—3526 was adopted by a voice vote.

Senator Sturgeon moved the adoption of amendment S—3269 as amended, which motion prevailed by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 31) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Bruner	Carr	Coleman	Corning
Deluhery	Gronstal	Hannon	Horn
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Palmer	Pate	Peterson
Running	Soorholtz	Szymoniak	Varn
Welsh			

Nays, 27:

Boswell	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Miller
Nystrom	Priebe	Rensink	Rife
Riordan	Scott	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Hutchins	Murphy
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 656, a bill for an act relating to reducing pollution by products purchased by the state, and by setting requirements for procurement by the department of general services, the state board of regents, the state department of transportation, and the commission for the blind.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 731, a bill for an act relating to constructive notice of rights conferred upon drainage districts by the filing of files and records with the county auditor.

This bill was read first time and **passed on file**.

APPENDIX

PETITIONS

The following petitions opposing legislation increasing any tax on beer, wine or soft drinks were presented and placed on file by:

Senator Drake from thirty residents of Washington County.

Senator Hannon from fifty-six residents of Jones County.

Senator Hedge from eighteen residents of Marion County.

Senator Hester from two hundred six residents of Cass and Pottawattamie Counties.

Senator Hutchins from one thousand fourteen residents of west-central Iowa.

Senator Kibbie from one hundred sixty-five residents of Emmet and Dickinson Counties.

Senator Lind from one hundred fifty-five residents of Black Hawk County.

Senator Miller from three hundred one residents of Senate District 10.

Senator Riordan from fifty-seven residents of Madison County.

Senator Scott from forty residents of Floyd County.

Senator Tieden from fifty-five residents of Winneshiek County.

The following petitions were presented and placed on file by:

Senator Gronstal from ninety-six residents of Iowa favoring legislation providing for the protection of police service dogs.

Senator Hannon from one thousand two hundred fifty-seven residents of Iowa favoring legislation making child abuse prevention a top priority in the 1989 budget and also to review and strengthen present laws concerning child abuse and prevention to more adequately protect Iowa's children.

Senator Goodwin from seventy-eight residents of Clinton County opposing legislation decreasing the appropriation for medical services to retirement homes.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: March 31, 1989, 7:41 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Boswell, Corning, Deluhery, Dieleman, Hedge, Lind, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Bruner and Kibbie (excused).

Committee Business: Recommended passage of House File 666, and recommended passage of House File 535 as amended.

Adjourned: 9:14 a.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Helen Henderson Janson, Gravity, Iowa — Iowa Mother of the Year. Senator Boswell (April 3, 1989).

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)**AGRICULTURE**

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following Governor's appointment, completed its investigations on March 29, 1989, and recommended the appointee be confirmed:

Sally Puttman for reappointment and Bertha M. Versteegh for appointment as members of the State Soil Conservation Committee.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following Governor's appointments, completed its investigations on March 29, 1989, and recommended the appointee be confirmed:

James Balmer for reappointment as a member of the Iowa Finance Authority.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 505 passed the Senate on April 3, 1989.

RICHARD V. RUNNING

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3457 to Senate File 505 was adopted by the Senate on April 3, 1989.

RICHARD V. RUNNING

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 31 failed to pass the Senate on April 4, 1989.

WILLIAM W. DIELEMAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty high school students from Central Clinton High School, DeWitt, Iowa, accompanied by Eugene Kastler and Robert Mundt. Senator Goodwin.

Ten eighth grade students from St. Athanasius School, Jesup, Iowa. Senator Murphy.

Seventh, eighth and ninth grade students from Andrew High School, Andrew, Iowa, accompanied by Joyce Till and Hazel Cornelius. Senator Welsh.

SUBCOMMITTEE ASSIGNMENTS

House File 420

LOCAL GOVERNMENT: Tinsman, Chair; Fraise and Szymoniak

House File 430

LOCAL GOVERNMENT: Goodwin, Chair; Murphy and Fraise

House File 465

LOCAL GOVERNMENT: Szymoniak, Chair; Goodwin and Murphy

House File 637

BUSINESS AND LABOR RELATIONS: Mann, Chair; Sturgeon and Hultman

House File 645

COMMERCE: Mann, Chair; Priebe and Jensen

House File 684

LOCAL GOVERNMENT: Tinsman, Chair; Jensen and Szymoniak

House File 687

NATURAL RESOURCES: Priebe, Chair; Husak and Hedge

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 3, 1989, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 105 — Relating to the reporting of abuse of children and dependent adults.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	26	Judiciary
H.F.	355	State Government
H.F.	468	Commerce
H.F.	584	Small Business & Economic Development
H.F.	656	Environment & Energy Utilities
H.F.	665	Natural Resources
H.F.	677	Judiciary
H.F.	721	Local Government
H.F.	723	Transportation
H.F.	728	Local Government

AMENDMENTS FILED

S—3509 S.F. 503 Richard Running

S—3510	S. F.	505	Richard Running
S—3511	S. F.	439	Richard Running
S—3512	S. F.	503	Beverly Hannon
S—3513	S. F.	427	Mark Hagerla
S—3514	S. F.	427	Mark Hagerla
S—3515	S. F.	499	Eugene Fraise
S—3516	S. F.	419	Jim Lind
S—3517	S. F.	484	Linn Fuhrman
S—3518	S. F.	419	Michael E. Gronstal
S—3519	S. F.	503	Julia Gentleman
S—3520	S. F.	503	Julia Gentleman
S—3521	S. F.	396	Bob Carr
S—3522	S. F.	386	Wilmer Rensink
S—3523	S. F.	419	Michael Gronstal
S—3524	S. F.	453	Jim Lind
S—3525	S. F.	453	Jim Lind
S—3526	S. F.	31	Ray Taylor

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:56 p.m., until 9:00 a.m., Tuesday, April 4, 1989.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 4, 1989

The Senate met in regular session at 9:03 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Jack Van Marian, pastor of the Christian Reformed Church, Des Moines, Iowa.

The Journal of Monday, April 3, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller for the morning session on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 572, a bill for an act relating to the payment of uniform citation and complaint forms.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 20, 1989)

Senate File 393

The Senate resumed consideration of Senate File 393, a bill for an act providing for the commitment of certain persons convicted of operating a motor vehicle while intoxicated, deferred March 20, 1989.

Senator Doyle offered amendment S—3477 filed by Senators Doyle, Fraise and Gronstal on March 29, 1989, strike everything after the enacting clause and to the title page of the bill.

Senator Fuhrman raised the point of order that amendment S—3477 was not germane to the bill.

The Chair advised she would defer a ruling pending further action on the bill.

Senator Doyle asked and received unanimous consent that action on amendment S—3477 and **Senate File 393 be deferred.**

UNFINISHED BUSINESS
(Deferred April 3, 1989)

Senate File 396

The Senate resumed consideration of Senate File 396, a bill for an act relating to victim notification, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, and notification to victims by various departments, deferred April 3, 1989.

Senator Carr offered amendment S—3521 filed by him on April 3, 1989, to pages 1, 3 and the title page of the bill and moved its adoption.

Amendment S—3521 was adopted by a voice vote.

With the adoption of amendment S—3521, the Chair ruled amendment S—3504 filed by Senator Lind on March 31, 1989, to page 3 of the bill, out of order.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 396) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Lloyd-Jones Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 375

Senators Gronstal, Riordan, Welsh and Priebe withdrew the motions to reconsider Senate File 375, a bill for an act relating to the creation of an artificial lake or impoundment by the department of natural resources, filed by them on March 29, 1989, and found on page 1078 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 375 and 396 be immediately messaged to the House.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 459 and 471.

Senate File 459

On motion of Senator Doyle, Senate File 459, a bill for an act relating to payment of a senior judge's medical insurance premium and annuity, was taken up for consideration.

Senator Doyle withdrew amendment S—3410 filed by him on March 23, 1989, to page 1 of the bill.

Senator Doyle offered amendment S—3469 filed by him on March 29, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3469 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 459) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, 1:

Welsh

Absent or not voting, 1:

Dieleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 471

On motion of Senator Doyle, Senate File 471, a bill for an act relating to certain felons and misdemeanants, by providing for the placement of such parole or probation violators in the county jail, providing for placement following county jail confinement, requiring reimbursement to counties holding such violators, and authorizing the sentencing court to sentence such offenders to imprisonment in the county jail, was taken up for consideration.

Senator Doyle offered amendment S—3532 filed by Senators Doyle, Fraise and Gronstal from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—3532 and **Senate File 471** be deferred.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

Senator Hutchins asked and received unanimous consent to take up out of order House File 535.

House File 535

On motion of Senator Murphy, House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3508 filed by the committee on Education on March 31, 1989, to strike everything after the enacting clause of the bill.

Senator Drake offered amendment S—3535 filed by him from the floor to pages 7 and 74 of amendment S—3508, moved its adoption, and requested a record roll call.

On the question “Shall amendment S—3535 to amendment S—3508 be adopted?” (H.F. 535) the vote was:

Ayes, 24:

Bruner	Corning	Doyle	Drake
Fuhrman	Goodwin	Gronstal	Hagerla
Hedge	Hester	Hultman	Jensen
Lind	Nystrom	Pate	Priebe
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 25:

Boswell	Carr	Coleman	Deluhery
Dieleman	Fraise	Gentleman	Gettings
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Riordan	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 1:

Running

Amendment S—3535 lost.

President pro tempore Mann took the chair at 11:22 a.m.

Senator Drake offered amendment S—3536 filed by him from the floor to pages 21, 22 and 76 of amendment S—3508 and moved its adoption.

Amendment S—3536 lost by a voice vote.

Senator Murphy offered amendment S—3527 filed by him from the floor to page 22 of amendment S—3508 and moved its adoption.

Amendment S—3527 was adopted by a voice vote.

Senator Murphy offered amendment S—3528 filed by Senators Murphy and Taylor from the floor to pages 23, 79 and 80 of amendment S—3508 and moved its adoption.

Amendment S—3528 was adopted by a voice vote.

Senator Fuhrman offered amendment S—3538 filed by him from the floor to pages 25 and 26 of amendment S—3508, moved its adoption, and requested a non record roll call.

The ayes were 21, nays 28.

Amendment S—3538 lost.

Senator Boswell offered amendment S—3540 filed by Senators Boswell and Taylor from the floor to pages 32, 80 and 81 of amendment S—3508 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3540 to amendment S—3508 be adopted?” (H.F. 535) the vote was:

Ayes, 25:

Boswell	Coleman	Fraise	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Kibbie	Miller	Nystrom
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Vande Hoef			

Nays, 25:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gronstal	Horn	Kinley
Lind	Lloyd-Jones	Mann	Murphy
Palmer	Pate	Riordan	Running
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Amendment S—3540 lost.

(House File 535 and amendment S—3508 as amended pending on recess.)

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 600, a bill for an act relating to the protection of water quality, including the establishment of protected areas, and providing a penalty.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 688, a bill for an act relating to the protection of children, by providing for the grounds and procedures for child in need of assistance and termination of parental rights proceedings.

This bill was read first time and **passed on file**.

House File 722, a bill for an act relating to infectious waste management.

This bill was read first time and **passed on file**.

House File 735, a bill for an act relating to enhanced 911 emergency telephone communications systems, and providing for the Act's applicability.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 641, a bill for an act relating to human immunodeficiency virus-related testing and counseling, and eliminating a penalty.

This bill was read first time and **passed on file**.

House File 736, a bill for an act relating to the use of integrity tests as a condition of employment and providing a penalty.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:10 p.m., until 1:30 p.m.

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 293, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 4: Riordan, Boswell, Fuhrman and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 254, a bill for an act relating to the regulation of oxygenate enhancers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 4: Riordan, Boswell, Fuhrman and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 650, a bill for an act relating to products derived from sorghum, including labeling requirements, and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, Soorholtz, Coleman, Fraise, Hedge, Hester, Husak, Palmer, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 4: Riordan, Boswell, Fuhrman and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 459 passed the Senate on April 4, 1989.

WALLY E. HORN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 31 failed to pass the Senate on April 3, 1989.

AL STURGEON

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3185 to Senate File 294 failed to be adopted by the Senate on March 13, 1989.

JIM RIORDAN

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Richard P. Canella be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

RICHARD V. RUNNING

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Lorraine J. May be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

RICHARD V. RUNNING

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)**TRANSPORTATION**

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointment, completed its investigations on March 30, 1989, and recommended the appointee be confirmed:

Catherine Dunn for appointment as a member of the State Transportation Commission.

SUBCOMMITTEE ASSIGNMENTS

House File 656

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Carr and Soorholtz

House File 664

TRANSPORTATION: Doyle, Chair; Coleman and Nystrom

House File 665

NATURAL RESOURCES: Mann, Chair; Kibbie and Hedge

House File 703

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Miller, Chair; Kibbie and Vande Hoef

House File 713

ENVIRONMENT AND ENERGY UTILITIES: Carr, Chair; Sturgeon and Rife

House File 714

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Miller and Hedge

House File 719

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Sturgeon and Pate

House File 721

LOCAL GOVERNMENT: Kinley, Chair; Fraise and Tinsman

House File 723

TRANSPORTATION: Lloyd-Jones, Chair; Scott and Jensen

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty-eight fifth grade students from Gladbrook Middle School, Gladbrook, Iowa, accompanied by Barb Schwarc. Senator Husak.

Seventy-five fourth grade students from Roosevelt Elementary School, Perry, Iowa, accompanied by Joyce Roberts, Loretta Beuter and Sue Leslie. Senator Riordan.

AMENDMENTS FILED

S—3527	H.F.	535	Larry Murphy
S—3528	H.F.	535	Larry Murphy Ray Taylor
S—3529	S.F.	116	Leonard L. Boswell Dale L. Tieden Calvin O. Hultman William W. Dieleman Jean Lloyd-Jones
S—3530	S.F.	434	Calvin O. Hultman
S—3531	H.F.	535	Ray Taylor
S—3532	S.F.	471	Donald V. Doyle Eugene Fraise Michael E. Gronstal
S—3533	H.F.	535	Richard F. Drake
S—3534	H.F.	535	Richard F. Drake
S—3535	H.F.	535	Richard F. Drake
S—3536	H.F.	535	Richard F. Drake
S—3537	S.F.	393	Donald V. Doyle Eugene Fraise Michael E. Gronstal
S—3538	H.F.	535	Linn Fuhrman
S—3539	H.F.	535	Richard Varn Larry Murphy
S—3540	H.F.	535	Leonard Boswell Ray Taylor
S—3541	H.F.	535	Richard Varn Jean Lloyd-Jones Larry Murphy
S—3542	H.F.	535	Larry Murphy
S—3543	H.F.	59	Leonard Boswell
S—3544	H.F.	535	Dale L. Tieden Larry Murphy
S—3545	H.F.	535	Larry Murphy
S—3546	S.F.	434	Donald Doyle

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Gronstal presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 1:40 p.m.

The vote revealed 43 present, 7 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 282, a bill for an act relating to the effective date for the provision of tax incentives for the sale and use of degradable bags used as point-of-sale packaging.

This bill was read first time and **passed on file**.

House File 556, a bill for an act relating to increasing the penalty and providing for attorney fees for failure to acknowledge satisfaction of a mortgage within thirty days.

This bill was read first time and **passed on file**.

House File 740, a bill for an act relating to obscenity law, providing penalties, and making penalties applicable.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 46, a bill for an act relating to the nomination of candidates for public office, including the prohibition of a candidate defeated in a primary election from having that candidate's name placed on the following general election ballot.

This bill was read first time and **passed on file**.

House File 366, a bill for an act authorizing a county to exercise certain governmental powers to protect the public health and welfare, and to levy special assessments against affected property.

This bill was read first time and **passed on file**.

House File 730, a bill for an act relating to the adoption of rules by the real estate commission imposing certain requirements on real estate brokers and salespersons, and providing an effective date.

This bill was read first time and **passed on file**.

BUSINESS PENDING

House File 535

The Senate resumed consideration of House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, and amendment S—3508 as amended, pending on recess.

Senator Drake offered amendment S—3534 filed by him from the floor to pages 42 and 43 of amendment S—3508 and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 24.

Amendment S—3534 lost.

Senator Drake offered amendment S—3533 filed by him from the floor to page 51 of amendment S—3508 and moved its adoption.

Amendment S—3533 lost by a voice vote.

Senator Tieden asked and received unanimous consent to withdraw amendment S—3544 filed by Senators Tieden and Murphy from the floor to page 74 of amendment S—3508.

Senator Taylor withdrew amendment S—3531 filed by him from the floor to page 76 of amendment S—3508.

Senator Varn offered amendment S—3539 filed by Senators Varn and Murphy from the floor to pages 79 and 81 of amendment S—3508 and moved its adoption.

Amendment S—3539 was adopted by a voice vote.

Senator Varn offered amendment S—3541 filed by Senators Varn, Lloyd-Jones and Murphy from the floor to pages 80 and 81 of amendment S—3508 and moved its adoption.

Amendment S—3541 was adopted by a voice vote.

Senator Horn withdrew amendment S—3547 filed by him from the floor to pages 3, 19, 20, 42 and 81 of amendment S—3508.

Senator Murphy offered amendment S—3545 filed by him from the floor to page 4 of amendment S—3508 and moved its adoption.

Amendment S—3545 was adopted by a voice vote.

Senator Murphy offered amendment S—3542 filed by him from the floor to page 21 of amendment S—3508 and moved its adoption.

Amendment S—3542 was adopted by a voice vote.

Senator Rife offered amendment S—3548 filed by him from the floor to pages 3, 19, 20, 42 and 81 of amendment S—3508.

Senator Bruner raised the point of order that amendment S—3548 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3548 out of order.

Senator Gentleman filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3535 to House File 535 failed to be adopted by the Senate on April 4, 1989.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 27, nays 22.

The motion prevailed and amendment S—3535 by Senator Drake to pages 7 and 74 of amendment S—3508, was taken up for reconsideration.

Senator Drake moved the adoption of amendment S—3535 to amendment S—3508.

A non record roll call was requested.

The ayes were 26, nays 24.

Amendment S—3535 was adopted.

Senator Hutchins asked and received unanimous consent that action on amendment S—3508 as amended and **House File 535** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 389.

Senate File 389

On motion of Senator Riordan, Senate File 389, a bill for an act relating to farm crisis relief, by extending the date of repeal of certain 1986 provisions, expanding participation in farm mediation, requiring borrowers to file a list of creditors, providing for review of farm mediation service decisions, expanding the confidentiality of mediation information, providing for mediation fees, and providing limitations on liability and immunity from certain judicial actions, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3507 filed by the committee on Ways and Means on March 31, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3507 lost by a voice vote.

Senator Dieleman filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3507 to Senate File 389 failed to be adopted by the Senate on April 4, 1989.

The motion prevailed by voice vote and amendment S—3507 by the committee on Ways and Means to page 1 of the bill, was taken up for reconsideration.

Senator Dieleman moved the adoption of amendment S—3507, which motion prevailed by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 389) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 447** be referred from the Regular Calendar to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 389** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

Senator Sturgeon called up the motion to reconsider Senate File 31 filed by him on April 4, 1989, found on page 1160 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 31) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Bruner	Carr	Coleman	Corning
Deluhery	Gettings	Gronstal	Hannon
Horn	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 24:

Boswell	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Pate	Priebe
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

The motion prevailed.

Senator Sturgeon moved to reconsider the vote by which Senate File 31 went to its last reading, which motion prevailed by a voice vote.

Senate File 31

On motion of Senator Sturgeon, Senate File 31, a bill for an act relating to the violation of a law or rule by a health care facility, was taken up for reconsideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 31) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Bruner	Carr	Corning	Deluhery
Gettings	Gronstal	Hannon	Horn
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Peterson	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 24:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Nystrom
Priebe	Rensink	Rife	Scott
Taylor	Tieden	Tinsman	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The motion to reconsider Senate File 31 filed by Senator Dieleman on April 3, 1989, and found on page 1147 of the Senate Journal, was out of order.

MOTION TO RECONSIDER LOST

Senate File 294

Senator Sturgeon called up the motion to reconsider Senate File 294, a bill for an act relating to interception of communications by electronic, mechanical, or other devices, providing a penalty and providing for the Act's repeal, filed by him on March 13, 1989, found on page 762 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 294) the vote was:

Ayes, 20:

Bruner	Carr	Corning	Deluhery
Fraise	Gentleman	Gronstal	Hannon
Horn	Kibbie	Kinley	Mann
Murphy	Palmer	Peterson	Riordan
Sturgeon	Szymoniak	Tinsman	Varn

Nays, 29:

Boswell	Coleman	Dieleman	Doyle
Drake	Fuhrman	Gettings	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Hutchins	Jensen	Lind
Miller	Nystrom	Pate	Priebe
Rensink	Rife	Running	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Welsh			

Absent or not voting, 1:

Lloyd-Jones

The motion lost.

Amendment S—3481 filed by Senators Gronstal and Sturgeon on March 29, 1989, to page 14 of the bill, was out of order.

The motion to reconsider the vote by which amendment S—3185 to Senate File 294 failed to be adopted by the Senate on March 13, 1989, filed by Senator Riordan on April 4, 1989, and found on page 1160 of the Senate Journal, was out of order.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 31 and 294** be **immediately messaged** to the House.

MOTION TO RECONSIDER WITHDRAWN**Senate File 385**

Senator Pate withdrew the motion to reconsider Senate File 385, a bill for an act relating to the scope of negotiations for purposes of public employment collective bargaining, filed by him on March 28, 1989, and found on page 1047 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 385** be **immediately messaged** to the House.

BUSINESS PENDING**House File 535**

The Senate resumed consideration of House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, and amendment S—3508 as amended, previously deferred.

Senator Murphy offered amendment S—3549 filed by Senators Murphy, Jensen and Taylor from the floor to pages 17, 77 and 78 of amendment S—3508 and moved its adoption.

Amendment S—3549 was adopted by a voice vote.

Senator Taylor offered amendment S—3551 filed by Senators Taylor and Priebe from the floor to pages 23 and 24 of amendment S—3508, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3551 to amendment S—3508 be adopted?" (H.F. 535) the vote was:

Ayes, 16:

Boswell	Fuhrman	Hannon	Hedge
Hester	Hultman	Jensen	Nystrom
Priebe	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 33:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Pate	Peterson	Riordan	Running
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Absent or not voting, 1:

Palmer

Amendment S—3551 lost.

Senator Murphy moved the adoption of amendment S—3508 as amended, which motion prevailed by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 535) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 4:

Fuhrman

Gentleman

Rife

Sturgeon

Absent or not voting, 1:

Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Mann took the chair at 4:43 p.m.

Senator Hutchins asked and received unanimous consent that **House File 535** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 28, 1989)

Senate File 472

The Senate resumed consideration of Senate File 472, a bill for an act relating to private and home education and providing a penalty, and amendment S—3309 by Senator Horn to pages 1, 3 and 6 of the bill, deferred March 28, 1989.

Senator Horn asked and received unanimous consent that action on amendment S—3309 continue to be deferred.

Senator Horn asked and received unanimous consent that action on amendment S—3396 filed by him on March 23, 1989, to pages 2, 3 and 6 of the bill be deferred.

Senator Horn offered amendment S—3483 filed by him on March 29, 1989, to pages 2 and 3 of the bill.

Senator Taylor offered amendment S—3553 filed by him from the floor to amendment S—3483 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3553 to amendment S—3483 be adopted?" (S.F. 472) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Husak	Jensen
Nystrom	Pate	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 26:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Running	Sturgeon	Szymoniak
Varn	Welsh		

Amendment S—3553 lost.

Senator Taylor called for a division of amendment S—3483: Page 1, lines 2 through 38 as division S—3483A; page 1, lines 39 through 50 and page 2, line 1 as division S—3483B.

Senator Horn raised the point of order that a division of S—3483 was not in order because of the defeat of amendment S—3553 to amendment S—3483.

The Chair ruled the point not well taken and the divisions in order.

Senator Horn moved the adoption of division S—3483A, which motion prevailed by a voice vote.

Senator Horn moved the adoption of division S—3483B.

A non record roll call was requested.

The ayes were 25, nays 20.

Division S—3483B was adopted.

Senator Hagerla offered amendment S—3427 filed by him on March 27, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3427 was adopted by a voice vote.

Senator Rensink asked and received unanimous consent that action on amendment S—3346 filed by him on March 20, 1989, to page 6 of the bill be deferred.

Senator Drake called up the motion to reconsider the vote by which amendment S—3455 to Senate File 472 was adopted by the Senate on March 28, 1989, filed by him on March 29, 1989, found on page 1078 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 472) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Boswell	Coleman	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Jensen	Lind	Pate	Priebe
Sorink	Rife	Riordan	Scott
Soorholtz	Szymoniak	Taylor	Vande Hoef
Welsh			

Nays, 24:

Bruner	Carr	Corning	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Running
Sturgeon	Tieden	Tinsman	Varn

Absent or not voting, 1:

Nystrom

The motion prevailed and amendment S—3455 by Senator Murphy to pages 1 through 7 of the bill, was taken up for reconsideration.

Senator Taylor offered amendment S—3550 filed by Senators Taylor and Dieleman from the floor to pages 1 through 5 of amendment S—3455.

President Zimmerman took the chair at 5:52 p.m.

Senator Taylor moved adoption of amendment S—3550 to amendment S—3455.

A record roll call was requested.

On the question “Shall amendment S—3550 to amendment S—3455 be adopted?” (S.F. 472) the vote was:

Ayes, 28:

Boswell	Coleman	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hester	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Pate	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Vande Hoef	Welsh

Nays, 21:

Bruner	Carr	Corning	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Kibbie	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Running	Sturgeon	Tinsman
Varn			

Absent or not voting, 1:

Nystrom

Amendment S—3550 was adopted.

Senator Murphy moved the adoption of amendment S—3455 as amended, which motion prevailed by a voice vote.

Senator Horn withdrew amendment S—3309 to pages 1, 3 and 6 of the bill, previously deferred.

Senator Horn withdrew amendment S—3396 to pages 2, 3 and 6 of the bill, previously deferred.

Amendment S—3423 filed by Senator Horn on March 27, 1989, to amendment S—3396 was out of order.

Senator Rensink moved the adoption of amendment S—3346 to page 6 of the bill, previously deferred.

Amendment S—3346 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 472) the vote was:

Ayes, 34:

Boswell	Coleman	Deluhery	Dieleman
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Miller	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Vande Hoef	Welsh		

Nays, 15:

Bruner	Carr	Corning	Doyle
Gronstal	Hannon	Horn	Lloyd-Jones
Mann	Murphy	Peterson	Running
Sturgeon	Tinsman	Varn	

Absent or not voting, 1:

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 472** be **immediately messaged** to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 459

Senator Horn withdrew the motion to reconsider Senate File 459, a bill for an act relating to payment of a senior judge's medical

insurance premium and annuity, filed by him on April 4, 1989, and found on page 1160 of the Senate Journal.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 345, a bill for an act to provide for county participation in medical assistance payments for home and community-based services for mentally retarded persons who would otherwise be eligible for care in an intermediate care facility.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 686, a bill for an act establishing a science and technology foundation and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 490, a bill for an act relating to the department of inspections and appeals, revising provisions governing the structure and allocation of duties within the department, changing the structure for racing and gaming regulation, providing changes in certain statutory requirements relating to bingo and other games and raffles, revising the responsibilities of the department, and providing other properly related matters.

This bill was read first time and **passed on file**.

House File 658, a bill for an act relating to savings and loan associations and their regulation by the superintendent of savings and loans.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 4, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 732, a bill for an act requiring county treasurers to refuse renewals of vehicle registrations when notified that a person has not paid certain fines, unsecured appearance bonds, costs, or surcharges.

This bill was read first time and **passed on file**.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate File 293**

AGRICULTURE: Boswell, Chair; Vande Hoef and Fraise

Senate File 431

AGRICULTURE: Miller, Chair; Husak and Soorholtz

House File 26

JUDICIARY: Gentleman, Chair; Varn and Mann

House File 351

JUDICIARY: Coleman, Chair; Deluhery and Taylor

House File 459

JUDICIARY: Mann, Chair; Varn and Drake

House File 531

AGRICULTURE: Riordan, Chair; Palmer, Coleman, Fuhrman and Hedge

House File 623

AGRICULTURE: Boswell, Chair; Palmer, Coleman, Vande Hoef and Rensink

House File 631

JUDICIARY: Welsh, Chair; Carr and Drake

House File 650

AGRICULTURE: Hedge, Chair; Hester and Palmer

House File 677

JUDICIARY: Varn, Chair; Gronstal and Gentleman

House File 689

JUDICIARY: Mann, Chair; Varn and Hester

House File 692

HUMAN RESOURCES: Carr, Chair; Murphy and Gentleman

House File 699

JUDICIARY: Varn, Chair; Doyle and Gentleman

LSB 2646

AGRICULTURE: Priebe, Chair; Palmer, Boswell, Fuhrman and Soorholtz

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-four twelfth grade students from Midland High School, Wyoming, Iowa, accompanied by Gary Heiar. Senator Hannon.

Twenty-one sixth grade students from Cedar Valley Christian School, Mount Vernon, Iowa, accompanied by Bonnie Laux. Senator Hannon.

COMMUNICATIONS RECEIVED

The following communications were received and placed on file in the office of the Secretary of the Senate:

CITIZENS' AIDE/OMBUDSMAN

Annual Report for the year 1988, pursuant to Chapter 601G.18, Code of Iowa.

DEPARTMENT OF CULTURAL AFFAIRS

Annual Report of the Iowa Department of Cultural Affairs for fiscal year 1988.

DEPARTMENT OF EDUCATION

1988 Report of the Child Development Coordinating Council, pursuant to Chapter 256.3(8), Code of Iowa.

DEPARTMENT OF INSPECTIONS & APPEALS

Annual Report for 1988 of the Department of Inspections and Appeals, pursuant to Chapter 7E.3(4), Code of Iowa.

HIGH TECHNOLOGY COUNCIL

Report of the Iowa High Technology Council for projects funded from 1984-86, pursuant to Chapter 28.52, Code of Iowa.

LEGISLATIVE FISCAL BUREAU

Analysis of the job creation and retention effects of the Community Economic Betterment Account (CEBA) program and Community Development Block Grant (CDBG) program.

IOWA PERSONNEL COMMISSION

Summary of the work of the Iowa Personnel Commission for the fiscal year 1988.

PLANNING COUNCIL FOR DEVELOPMENTAL DISABILITIES

The Iowa State Plan for the Prevention of Developmental Disabilities.

DEPARTMENT OF THE TREASURER

Semi-Annual Credit Card Disclosure Report for comparison of credit cards offered in the state.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber when the final vote was taken on House File 535.

Had I been present, I would have voted "aye".

C. JOSEPH COLEMAN

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	46	State Government
H.F.	282	Environment & Energy Utilities
H.F.	345	Human Resources
H.F.	366	Local Government
H.F.	490	State Government
H.F.	556	Judiciary
H.F.	572	Local Government

H.F.	600	Environment & Energy Utilities
H.F.	641	Human Resources
H.F.	658	Commerce
H.F.	688	Judiciary
H.F.	722	Environment & Energy Utilities
H.F.	730	State Government
H.F.	731	Agriculture
H.F.	732	Local Government
H.F.	735	State Government
H.F.	736	Business & Labor Relations
H.F.	740	Judiciary

AMENDMENTS FILED

S—3547	H.F.	535	Wally Horn
S—3548	H.F.	535	Jack Rife
S—3549	H.F.	535	Larry Murphy
			John W. Jensen
			Ray Taylor
S—3550	S. F.	472	Ray Taylor
			William W. Dieleman
S—3551	H.F.	535	Ray Taylor
			Berl E. Priebe
S—3552	S. F.	372	Alvin Miller
			Donald Doyle
S—3553	S. F.	472	Ray Taylor
S—3554	H.F.	403	Charles Bruner

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:17 p.m., until 9:00 a.m., Wednesday, April 5, 1989.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 5, 1989

The Senate met in regular session at 9:05 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend James Barge, pastor of the Westminister Presbyterian Church, Des Moines, Iowa.

The Journal of Tuesday, April 4, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 156, a bill for an act relating to the separation of workers' compensation insurance premiums into two parts.

This bill was read first time and **passed on file**.

House File 248, a bill for an act relating to corporations, by authorizing certain stock rights and options and corporate defenses against hostile takeovers and by permitting consideration by the board of directors of the impact of corporate decisions upon interested groups other than the corporation's shareholders.

This bill was read first time and **passed on file**.

House File 319, a bill for an act relating to the establishment of benefited recreational lake districts and providing an effective date.

This bill was read first time and **passed on file**.

House File 401, a bill for an act relating to the elimination of the limit on restitution which can be ordered of a person convicted of, or receiving a deferred judgment for, the offense of operating a motor vehicle while intoxicated.

This bill was read first time and **passed on file**.

House File 522, a bill for an act relating to the filling of a vacancy on the county board of supervisors.

This bill was read first time and **passed on file**.

House File 573, a bill for an act relating to civil service medical examinations and providing an effective date.

This bill was read first time and **passed on file**.

House File 737, a bill for an act requiring certain public corporations to pay the interest earned on investments of retained funds to public improvement construction contractors.

This bill was read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy for the day on request of Senator Gronstal.

QUORUM CALL

Senator Gronstal requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred April 4, 1989)

Senate File 393

The Senate resumed consideration of Senate File 393, a bill for an act providing for the commitment of certain persons convicted of operating a motor vehicle while intoxicated, and amendment S—3477 by Senators Doyle, Fraise and Gronstal, to strike everything after the enacting clause and to the title page of the bill, deferred April 4, 1989.

Senator Doyle asked and received unanimous consent that action on amendment S—3477 continue to be deferred.

Senator Doyle offered amendment S—3537 filed by Senators Doyle, Fraise and Gronstal on April 4, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Hultman raised the point of order that amendment S—3537 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3537 in order.

Senator Doyle moved the adoption of amendment S—3537.

A non record roll call was requested.

The ayes were 26, nays 17.

Amendment S—3537 was adopted.

With the adoption of amendment S—3537, the Chair ruled amendment S—3477 by Senators Doyle, Fraise and Gronstal, previously deferred, out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 393) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Palmer
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Varn	Welsh	

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Pate
Rensink	Rife	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 2:

Murphy	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 393** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 434.

Senate File 434

On motion of Senator Doyle, Senate File 434, a bill for an act relating to elimination of the filing and docketing fee for a petition for modification of a dissolution decree and reduction of the fee for a certificate and seal, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3546 filed by him on April 4, 1989, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3546 was adopted by a voice vote.

With the adoption of amendment S—3546, the Chair ruled the following amendments out of order:

S—3274 filed by Senator Doyle on March 15, 1989, to page 1 of the bill.

S—3300 filed by Senator Doyle on March 17, 1989, to page 1 of the bill.

S—3337 filed by Senator Doyle on March 20, 1989, to page 1 of the bill.

S—3530 filed by Senator Hultman on April 4, 1989, to page 1 and to the title page of the bill.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 434) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn			

Nays, 3:

Gentleman	Hultman	Welsh
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Absent or not voting, 2:

Murphy	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 4, 1989)

Senate File 471

The Senate resumed consideration of Senate File 471, a bill for an act relating to certain felons and misdemeanants, by providing for the placement of such parole or probation violators in the county jail, providing for placement following county jail confinement, requiring reimbursement to counties holding such violators, and authorizing the sentencing court to sentence such offenders to imprisonment in the county jail, and amendment S—3532 by Senators Doyle, Fraise and Gronstal to strike everything after the enacting clause and to the title page of the bill, deferred on April 4, 1989.

Senator Doyle moved the adoption of amendment S—3532, which motion prevailed by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 471) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 9:

Dieleman	Goodwin	Hagerla	Hedge
Lind	Pate	Rensink	Soorholtz
Vande Hoef			

Absent or not voting, 4:

Hultman

Kinley

Murphy

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 434 and 471** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 705, a bill for an act establishing primary and satellite research and marketing centers for economic development programs and services.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 5, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 571, a bill for an act relating to the deliberations of a county civil service commission after a disciplinary hearing.

This bill was read first time and **passed on file**.

House File 706, a bill for an act relating to the use of federal and state funding sources to finance job training through vocational education.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 513, by Hutchins and Hultman, a bill for an act relating to industrial loan companies, repealing the Iowa industrial loan corporation thrift guaranty law, and amending restrictions on selling senior debt by industrial loan companies.

Read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

S. F.	513	Commerce
H. F.	156	Business & Labor Relations
H. F.	248	Commerce
H. F.	319	Local Government
H. F.	401	Judiciary
H. F.	522	Local Government
H. F.	573	Local Government
H. F.	705	Small Business & Economic Development
H. F.	706	Small Business & Economic Development
H. F.	737	Transportation

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:55 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President pro tempore Mann presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 748, a bill for an act relating to the liability of an association of corporation resulting from services provided by the association or corporation.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Lind, a resolution requesting the legislative council to establish an interim study committee relating to the state corporate income tax and the use of the single factor sales formula.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

APPENDIX

REPORT OF COMMITTEE MEETING

AGRICULTURE

Convened: April 4, 1989, 8:07 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell (arrived 8:10), Coleman, Fraise, Hedge, Hester, Husak, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: Riordan, Vice Chair (excused), Fuhrman and Miller (excused).

Committee Business: Recommended passage of House Files 650 and 254 and Senate File 293.

Adjourned: 8:34 a.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty twelfth grade students from Audubon Community High School, Audubon, Iowa, accompanied by Coach Don Kristenson. Senator Hutchins.

Forty-seven high school students from Waco High School, Olds, Iowa, accompanied by Greg Thomas. Senator Hagerla.

Eighty high school students from Grinnell High School, Grinnell, Iowa, accompanied by Lamoyne Gaard. Senator Varn.

Forty-seven eighth grade students from Peet Junior High School, Cedar Falls, Iowa, accompanied by Carolyn Haurum. Senator Corning.

The Chair welcomed Tata Beliaeva from Leningrad, Soviet Union, exchange student attending the University of Northern Iowa, who was present in the Senate chamber as the guest of Senator Corning.

SUBCOMMITTEE ASSIGNMENTS

House File 46

STATE GOVERNMENT: Gronstal, Chair; Carr and Drake

House File 282

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Carr and Soorholtz

House File 345

HUMAN RESOURCES: Carr, Chair; Murphy and Tinsman

House File 355

STATE GOVERNMENT: Running, Chair; Nystrom and Fraise

House File 366

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Szymoniak

House File 401

JUDICIARY: Varn, Chair; Doyle and Gentleman

House File 490

STATE GOVERNMENT: Carr, Chair; Drake and Lloyd-Jones

House File 556

JUDICIARY: Varn, Chair; Mann and Drake

House File 573

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Priebe

House File 584

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Peterson, Chair; Szymoniak and Rife

House File 600

ENVIRONMENT & ENERGY UTILITIES: Varn, Chair; Miller and Hedge

House File 688

JUDICIARY: Gentleman, Chair; Varn and Mann

House File 707

STATE GOVERNMENT: Horn, Chair; Fraise and Vande Hoef

House File 722

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Carr and Pate

House File 728

LOCAL GOVERNMENT: Murphy, Chair; Fraise and Tinsman

House File 730

STATE GOVERNMENT: Rife, Chair; Horn and Coleman

House File 735

STATE GOVERNMENT: Gronstal, Chair; Carr and Nystrom

House File 736

BUSINESS AND LABOR RELATIONS: Running, Chair; Gettings and Taylor

House File 740

JUDICIARY: Doyle, Chair; Coleman and Hester

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following Governor's appointment, completed its investigations on April 5, 1989, and recommended the appointee be confirmed:

Robert R. Rigler for appointment as Superintendent of Banking.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 392, a bill for an act relating to workers'

compensation by revising provisions governing the release of employee medical information.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 3: Fuhrman, Taylor and Vande Hoef. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 49, a bill for an act relating to benefits provided to permanent, part-time public employees.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Running. Nays, 3: Fuhrman, Taylor and Vande Hoef. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 448, a bill for an act relating to the coverage of real estate agents under the workers' compensation laws.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3565.

Final Vote: Ayes, 8: Peterson, Sturgeon, Fuhrman, Gettings, Mann, Palmer, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Hultman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 637, a bill for an act relating to the access of confidential information collected by the department of employment services.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Peterson, Sturgeon, Fuhrman, Gettings, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 736, a bill for an act relating to the use of integrity tests as a condition of employment and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Peterson, Sturgeon, Gettings, Mann, Palmer, Running, Taylor and Vande Hoef. Nays, 1: Fuhrman. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 496, a bill for an act relating to credit services organization, by requiring their registration, imposing regulation, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 2: Gronstal and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 552, a bill for an act relating to the consumer credit code, by providing for certain charges, amending the definition of debt collectors, requiring notification and the imposition of certain fees, appropriating funds collected, and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 575, a bill for an act relating to the investment authority of state banks.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 645, a bill for an act relating to mortgage brokers and mortgage bankers.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 2: Gronstal and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 146, a bill for an act relating to the county commission of veteran affairs.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Miller, Vande Hoef, Fraise, Goodwin, Jensen and Priebe. Nays, 2: Szymoniak and Tinsman. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 465, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities, or, by agreement, within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to issue special assessment bonds for the improvements, to establish and collect rates and charges to maintain and operate the improvements, and to enter into joint agreements with cities and other counties for these purposes, and by providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 675, a bill for an act relating to the establishment and financing of geographic data base systems by cities and counties.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Priebe and Tinsman. Nays, none. Absent or not voting, 3: Jensen, Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 668, a bill for an act relating to bonds for state, county, and city officers, including waiver of the exemption of a homestead from execution and liability of the officers.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Priebe and Tinsman. Nays, none. Absent or not voting, 3: Jensen, Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 684, a bill for an act relating to persons or copartnerships required to file statements regarding the use of trade names, by requiring each county recorder to submit a monthly list of such persons to the secretary of state.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Priebe and Tinsman. Nays, none. Absent or not voting, 2: Kinley and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 166, a bill for an act relating to the authority of county conservation boards, by authorizing the charging of certain county park fees and by prohibiting the exclusive use of county parks by one or more organizations.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Peterson, Priebe and Rensink. Nays, none. Absent or not voting, 2: Mann and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 198, a bill for an act relating to the issuance and possession of commercial fishing operators' licenses.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3560.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe and Rensink. Nays, none. Absent or not voting, 1: Tieden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 375, a bill for an act relating to the Iowa Conservation corps program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe and Rensink. Nays, none. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 477, a bill for an act relating to certain motor vehicles, by providing for the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, the operation of certain motor vehicles, subjecting violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3561.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe and Rensink. Nays, none. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 665, a bill for an act relating to authorizing free fishing permits for residents of health care facilities and juvenile shelter care homes.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe and Rensink. Nays, none. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 687, a bill for an act relating to eliminating the nonresident commercial mussel license.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Scott, Kibbie, Goodwin, Doyle, Hedge, Hester, Husak, Peterson, Priebe and Rensink. Nays, none. Absent or not voting, 2: Mann and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE RESOLUTION 8, a resolution requesting the governor to proclaim September 15, 1989, as Iowa POW/MIA Recognition Day.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Nystrom, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 512, a bill for an act relating to chemical emergencies, providing for the establishment of the Iowa emergency response commission and specifying its powers and duties, providing for intergovernmental agreements, providing for the designation of local emergency planning districts and the appointment of local emergency planning committees, providing for immunity from liability, providing disclosure requirements, authorizing civil actions by the commission, and providing properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 127, a bill for an act to allow class "C" liquor control license holders and class "B" beer permit holders to brew beer to be served on the premises and making the barrel tax on beer applicable, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes. 13: Carr, Lloyd-Jones, Nystrom, Coleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, 1: Dieleman. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 178, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3562.

Final Vote: Ayes. 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 355, a bill for an act relating to travel agents and agencies by providing for registration and regulation, and providing for fees and penalties.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 451, a bill for an act relating to audits, amending provisions governing audits of governmental subdivisions and revising the powers and duties of the auditor of state with respect to such audits, providing for payment to the auditor of state for certain advisory and consultative services, providing for filing fees, providing properly related matters, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3564.

Final Vote: Ayes. 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 542, a bill for an act relating to reprisals and orders with respect to certain disclosures of information and other actions by employees of the state and its political subdivisions, providing penalties, providing civil remedies, and providing properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Nystrom, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 643, a bill for an act relating to the filing of a bond by out-of-state contractors.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3563.

Final Vote: Ayes. 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 678, a bill for an act relating to certain filings with the secretary of state by nonprofit corporations.

Recommendation: DO PASS.

Final Vote: Ayes. 14: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 693, a bill for an act relating to notaries public and other notarial officers and notarial acts, and providing an applicability date and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes. 12: Carr, Lloyd-Jones, Nystrom, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Coleman, Dieleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 735, a bill for an act relating to enhanced 911 emergency telephone communications systems, and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes. 12: Carr, Lloyd-Jones, Nystrom, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef. Nays, none. Absent or not voting, 3: Coleman, Dieleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate Chamber on April 3, 1989, when the final vote was taken on Senate File 387.

Had I been present, I would have voted "aye".

MARK R. HAGERLA

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. R.	9	Rules and Administration
H. F.	571	Local Government
H. F.	748	Judiciary

AMENDMENTS FILED

S—3555	H.F.	59	Leonard L. Boswell
S—3556	S.F.	333	Michael Gronstal
S—3557	H.F.	371	Mark Hagerla
S—3558	H.F.	537	Joe Welsh
S—3559	S.F.	452	Al Sturgeon
S—3560	H.F.	198	Natural Resources
S—3561	H.F.	477	Natural Resources
S—3562	H.F.	178	State Government
S—3563	H.F.	643	State Government
S—3564	H.F.	451	State Government
S—3565	H.F.	448	Business & Labor Relations
S—3566	S.F.	495	Leonard L. Boswell
			John Kibbie
			Richard V. Running

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Thursday, April 6, 1989.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 6, 1989

The Senate met in regular session at 9:03 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Kristy Smith, assistant to the Rector, St. Paul's Episcopal Church, Des Moines, Iowa.

The Journal of Wednesday, April 5, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 690, a bill for an act relating to the protection of children, by modifying provisions relating to a child in need of assistance, child abuse, termination of parental rights, religious exemptions regarding children, and providing for a procedure relating to courtroom testimony of children.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 4, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 506, a bill for an act relating to the administration of small estates.

ALSO: That the House has on April 4, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 724, a bill for an act relating to the survey of land including the practice of land surveying and the preparation, recording, and vacation of plats, and subjecting violators to civil penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 5, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 373, a bill for an act relating to the registration, regulation, and inspection of swimming pools and spas, and providing penalties.

This bill was read first time and **passed on file**.

House File 700, a bill for an act relating to victims of certain criminal acts, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, notification to victims by various departments, reorganizing crime victim assistance programs and services within the department of justice, and modifying the state crime victim reparation program.

This bill was read first time and **passed on file**.

House File 734, a bill for an act relating to the powers and duties of the Iowa corn promotion board.

This bill was read first time and **passed on file**.

House File 739, a bill for an act regarding the application process for federal airport funds and mandating that governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval.

This bill was read first time and **passed on file**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for a portion of the day on request of Senator Jensen and Senator Murphy for the morning on request of Senator Hutchins.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 386.

Senate File 386

On motion of Senator Scott, Senate File 386, a bill for an act eliminating refunds from excise taxes on egg sales, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Rensink offered amendment S—3522 filed by him on April 3, 1989, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3522 was adopted by a voice vote.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 386) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Welsh		

Nays, 4:

Gentleman

Mann

Sturgeon

Varn

Absent or not voting, 4:

Drake

Hultman

Murphy

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 3, 1989)

Senate File 419

The Senate resumed consideration of Senate File 419, a bill for an act relating to energy efficiency and providing effective dates, and amendment S—3505 by Senator Rife to page 4 of the bill, deferred April 3, 1989.

Senator Gronstal offered amendment S—3523 filed by him on April 3, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3523 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3505 by Senator Rife to page 4 of the bill, deferred on April 3, 1989.

Senator Gronstal offered amendment S—3518 filed by him on April 3, 1989, to amendment S—3505 and moved its adoption.

Amendment S—3518 lost by a voice vote.

Senator Gronstal raised the point of order that amendment S—3505 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3505 in order.

Senator Rife moved the adoption of amendment S—3505.

A non record roll call was requested.

The ayes were 30, nays 11.

Amendment S—3505 was adopted.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 419) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Hultman	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Priebe asked and received unanimous consent that **Senate File 217** be referred from the Regular Calendar to the committee on **Agriculture**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 293**.

Senate File 293

On motion of Senator Boswell, Senate File 293, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides, with reports of committees on Environment and Energy Utilities, Ways and Means and Agriculture recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 293) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Coleman	Drake	Hultman	Murphy
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Peterson called up the motion to reconsider Senate File 424 filed by him on March 21, 1989, found on page 935 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 424) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Hagerla	Hannon	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Varn	Welsh	

Nays, 12:

Gentleman	Goodwin	Gronstal	Hedge
Jensen	Lloyd-Jones	Mann	Rensink
Riordan	Tieden	Tinsman	Vande Hoef

Absent or not voting, 3:

Hultman	Murphy	Rife
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The motion prevailed.

Senator Peterson moved to reconsider the vote by which Senate File 424 went to its last reading, which motion prevailed by a voice vote.

Senate File 424

On motion of Senator Horn, Senate File 424, a bill for an act relating to the enforcement of child custody and visitation orders, was taken up for reconsideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 424) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings

Hagerla	Hannon	Hester	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Running	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 9:

Gentleman	Goodwin	Gronstal	Hedge
Jensen	Mann	Rensink	Riordan
Vande Hoef			

Absent or not voting, 3:

Hultman	Murphy	Scott
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 484.

Senate File 484

On motion of Senator Fuhrman, Senate File 484, a bill for an act relating to the establishment of an agricultural research coordinating council and an Iowa agricultural research fund, and providing an effective date, was taken up for consideration.

Senator Fuhrman offered amendment S—3500 filed by Senators Fuhrman, et al., on March 30, 1989, to pages 1, 2 and 4 through 7 of the bill and moved its adoption.

Amendment S—3500 was adopted by a voice vote.

Senator Fuhrman offered amendment S—3517 filed by him on April 3, 1989, to page 4 of the bill and moved its adoption.

Amendment S—3517 was adopted by a voice vote.

Senator Fuhrman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 484) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

H.F.	690	Judiciary
H.F.	700	Judiciary
H.F.	724	Judiciary

MOTION TO RECONSIDER ADOPTED

Senator Husak called up the motion to reconsider Senate File 368 filed by him on March 17, 1989, found on page 859 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 368) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Pate	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn		

Nays, 3:

Peterson	Tieden	Welsh
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Absent or not voting, 5:

Gentleman	Hultman	Murphy	Palmer
Rife			

The motion prevailed.

Senator Husak moved to reconsider the vote by which Senate File 368 went to its last reading, which motion prevailed by a voice vote.

Senate File 368

On motion of Senator Nystrom, Senate File 368, a bill for an act relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state, was taken up for reconsideration.

Senator Doyle offered amendment S—3340 filed by Senators Doyle, Husak and Nystrom on March 20, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3340 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 368) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Hultman	Murphy	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 419, 424, 386, 293, 484 and 368** be **immediately messaged** to the House.

WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate File 217** be **withdrawn** from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:38 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: April 5, 1989, 2:05 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Hultman, Mann, Palmer, Running, Taylor and Vande Hoef.

Members Absent: none.

Committee Business: Recommended confirmation of Governor's appointee; assigned bills to subcommittees; recommended passage of House Files 49, 637, 736 and Senate File 392; recommended passage of House File 448 as amended.

Adjourned: 2:45 p.m.

COMMERCE

Convened: April 5, 1989, 2:50 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running, Tieden and Welsh.

Members Absent: none.

Committee Business: Recommended confirmation of Governor's appointee; recommended passage of House Files 575, 552, 645 and 496; recommended passage of House File 98 as amended; House File 346 failed recommendation for passage.

Adjourned: 3:30 p.m.

LOCAL GOVERNMENT

Convened: April 5, 1989, 8:13 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen (arrived 8:18), Kinley (arrived 8:28), Priebe and Tinsman.

Members Absent: Murphy (excused).

Committee Business: Recommended passage of House Files 675, 465, 684, 146 and 668; deferred action on House Files 581 and 430.

Adjourned: 8:45 a.m.

NATURAL RESOURCES

Convened: April 5, 1989, 11:50 a.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Mann, Peterson, Priebe and Rensink.

Members Absent: Tieden (excused)

Committee Business: Recommended passage of House Files 166, 375, 665 and 687; recommended passage of House Files 198 and 477 as amended.

Adjourned: 12:05 p.m.

STATE GOVERNMENT

Convened: April 5, 1989, 1:05 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running and Vande Hoef.

Members Absent: Soorholtz (excused).

Committee Business: Recommended passage of House Files 735, 693, 542, 643, 127, 451, 678, 178 and 355; recommended passage of Senate Resolution 8 and Senate File 512.

Adjourned: 2:03 p.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the following Governor's appointment, completed its investigation on April 5, 1989, and recommended the appointee be confirmed:

Perry J. Chapin for reappointment as a member of the Job Service Advisory Council.

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following Governor's appointment, completed its investigation on April 6, 1989, and recommended the appointee be confirmed:

Barbara Nelson for appointment as a member of the Natural Resource Commission.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following appointments, completed its investigations on April 5, 1989, and recommended the appointees be confirmed:

Michael R. Lura for appointment as Administrator of the Racing and Gaming Division of the Department of Inspections and Appeals.

Lorraine Tate for reappointment as a member of the Alcoholic Beverages Commission.

Ruth M. Roberts for reappointment as a member of the Architectural Examining Board.

Beverly Jo Jackson for reappointment as a member of the Campaign Finance Disclosure Commission.

Jo Ann Nina Pals for reappointment as a member of the Cosmetology Examining Board.

Pamela G. Kapple for reappointment and James A. Raecker for appointment as members of the Dental Examining Board.

Mary Jane Oakland for reappointment as a member of the Dietetic Examining Board.

James W. Vander Woude for reappointment as a member of the Engineering and Land Surveying Examining Board.

Beverly A. Anderson for reappointment as a member of the Investment Board (IPERS).

Jane A. Bishop for appointment as a member of the Iowa Board of Veterinary Medicine.

Alfred C. Bohling, Jr. for appointment as a member of the Landscape Architectural Examining Board.

Dr. Robert B. Stickler for reappointment as a member of the Medical Examining Board.

Burnita T. Ankerstjerne for appointment and Calvin J. Van Arkel for reappointment as members of the Mortuary Science Examining Board.

Larry D. Brewer for reappointment as a member of the Optometry Examining Board.

Merlin D. Hulse for appointment as a member of the Personnel Commission.

Melba L. Scaglione for reappointment as a member of the Pharmacy Examining Board.

Ken C. Leo for appointment as a member of the Physical and Occupational Therapy Examining Board.

Terry K. Lichty for reappointment as a member of the Podiatry Examining Board.

Darlene E.K. Blake for reappointment and Dan Loren Rogers for appointment and reappointment as members of the Psychology Examining Board.

Alyce Ann Clasen and Judith Kaye Rinehart for reappointment as members of the Social Work Examining Board.

Sherry J. Carter for reappointment as a member of the Speech Pathology and Audiology Examining Board.

Donna R. Robinson for reappointment as a member of the State Board of Examiners for Nursing Home Administrators.

Dennis Nagel for reappointment as a member and Chairperson of the Utilities Board.

(Place nominees on Individual Confirmation Calendar)

James M. Earley and Margaret M. Prah for appointment as members of the Environmental Protection Commission.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 431, a bill for an act relating to amending the pesticide Act of Iowa by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3575.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 623, a bill for an act relating to developing comprehensive management plans with owner of highly erodible land.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 98, a bill for an act relating to the establishment of bank offices within a municipal corporation or urban complex in which the principal place of business of the bank is located.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3569.

Final Vote: Ayes, 14: Palmer, Deluhery, Jensen, Gronstal, Hannon, Kinley, Lind, Mann, Nystrom, Pate, Priebe, Rife, Running and Tieden. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 598, a bill for an act relating to the testing of public water systems, and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3577.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 656, a bill for an act relating to reducing pollution by products purchased by the state, and by setting requirements for procurement by the department of general services, the state board of regents, the state department of transportation, and the commission for the blind.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3578.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 660, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn. Nays, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 713, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3576.

Final Vote: Ayes, 7: Deluhery, Gronstal, Pate, Carr, Miller, Sturgeon and Varn. Nays, 3: Hedge, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 250, a bill for an act relating to violations of an individual's civil rights, by prohibiting interference with the contractual or business relations of another citizen, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor civil rights violations, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Horn and Welsh. Nays, 4: Gentleman, Hagerla, Hester and Taylor. Absent or not voting, 2: Drake and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 672, a bill for an act relating to harassment and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 740, a bill for an act relating to obscenity law, providing penalties, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, 2: Mann and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 703, a bill for an act relating to the financing for the rural community 2000 program and authorizing the issuance of bonds and notes by the Iowa finance authority for the program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3573.

Final Vote: Ayes, 12: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 706, a bill for an act relating to the use of federal and state funding sources to finance job training through vocational education.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boswell, Hannon, Hagerla, Kibbie, Lind, Miller, Pate, Rife, Scott, Szymoniak and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 163, a bill for an act relating to the duties of the department of inspections and appeals in the appeal and hearing processes of the state department of transportation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 551, a bill for an act to modify the requirements for establishing an aviation authority.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Scott, Drake, Dieleman, Doyle, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, 1: Gettings. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate Amendment to Senate File 419, the following corrections were made:

1. Page 5, line 32, the words "Section 7" were changed to the words "Section 13".

JOHN F. DWYER
Secretary of the Senate

STUDY BILL RECEIVED

SSB 371 Judiciary

Relating to the transfer and exchange of prisoners and juvenile delinquents among certain states and nations pursuant to treaty authority.

SUBCOMMITTEE ASSIGNMENTS

House File 319

LOCAL GOVERNMENT: Miller, Chair; Szymoniak and Tinsman

House File 522

LOCAL GOVERNMENT: Priebe, Chair; Kinley and Tinsman

House File 571

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Tinsman

House File 690

JUDICIARY: Gentleman, Chair; Deluhery and Hester

House File 700

JUDICIARY: Varn, Chair; Carr and Gentleman

House File 705

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Boswell, Chair; Kibbie and Hagerla

House File 706

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Kibbie, Chair; Scott and Rife

House File 724

JUDICIARY: Coleman, Chair; Doyle and Taylor

House File 732

LOCAL GOVERNMENT: Kinley, Chair; Fraise and Goodwin

House File 737

TRANSPORTATION: Scott, Chair; Nystrom and Gettings

House File 748

JUDICIARY: Coleman, Chair; Mann and Hester

SSB 371

JUDICIARY: Varn, Chair; Mann and Gentleman

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five high school students from Wilton High School, Wilton, Iowa, accompanied by Brenda Grunder. Senator Rife.

Forty eighth grade students from West Central School, Maynard, Iowa, accompanied by Ron Reusche. Senator Murphy.

Twenty twelfth grade students from South Clay High School, Gillett Grove, Iowa, accompanied by Larry Stegge. Senator Kibbie.

AMENDMENTS FILED

S—3567	S.F.	443	Jean Lloyd-Jones
S—3568	H.F.	198	Kenneth Scott
			Berl Priebe
			H. Kay Hedge
S—3569	H.F.	98	Commerce
S—3570	S.F.	480	Wally Horn
S—3571	S.F.	221	Dale L. Tieden
S—3572	H.F.	729	Wally Horn
S—3573	H.F.	703	Small Business & Economic Development
S—3574	S. C. R.	12	Jean Lloyd-Jones
S—3575	S.F.	431	Agriculture
S—3576	H.F.	713	Environment & Energy Utilities
S—3577	H.F.	598	Environment & Energy Utilities
S—3578	H.F.	656	Environment & Energy Utilities

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., Senator Coleman presiding.

REQUESTS TO REFER AND WITHDRAW RESCINDED (Senate File 217)

Senator Hutchins asked and received unanimous consent to rescind the request by Senator Priebe on April 6, 1989, to refer Senate File 217 to the committee on Agriculture (Senate Journal page 1210).

Senator Hutchins asked and received unanimous consent to rescind the request by Senator Priebe on April 6, 1989, to withdraw Senate File 217 from further consideration of the Senate (Senate Journal page 1216).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 620, a bill for an act relating to the appeal of local governmental budgets.

This bill was read first time and **passed on file**.

House File 698, a bill for an act relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner.

This bill was read first time and **passed on file.**

INTRODUCTION OF BILLS

Senate File 514, by committee on Ways and Means, a bill for an act providing a state sales and use tax exemption for certain facilities.

Read first time and **placed on Ways and Means calendar.**

Senate File 515, by committee on Ways and Means, a bill for an act relating to the assessment and valuation of certain property.

Read first time and **placed on Ways and Means calendar.**

CONSIDERATION OF BILLS

(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Files 372, 373, 400, 438, 361, 465, 487 and 493.

Senate File 372

On motion of Senator Miller, Senate File 372, a bill for an act relating to the use of county and municipal infractions, was taken up for consideration.

Senator Miller asked and received unanimous consent that action on **Senate File 372** be **deferred** and that the bill be placed on the calendar under **unfinished business.**

Senate File 373

On motion of Senator Varn, Senate File 373, a bill for an act relating to public utilities and their affiliates, with civil penalties applicable, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **Senate File 373** be **deferred** and that the bill be placed on the calendar under **unfinished business.**

Senate File 400

On motion of Senator Drake, Senate File 400, a bill for an act relating to expenditures of moneys on state park roads, county conservation parkways, and the great river road, with report of committee recommending passage, was taken up for consideration.

Senator Drake asked and received unanimous consent that action on **Senate File 400** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 438

On motion of Senator Dieleman, Senate File 438, a bill for an act requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **Senate File 438** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 361

On motion of Senator Gronstal, Senate File 361, a bill for an act relating to reverse annuity and graduated payment mortgages, by providing for their regulation by the administrators of the divisions of banking, savings and loan associations, and credit unions, of the department of commerce, and imposing certain standards and restrictions, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 361** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 465

On motion of Senator Murphy, Senate File 465, a bill for an act relating to special health and accident insurance coverages, including individual and group accident and sickness insurance, nonprofit medical service corporation or hospital service corporation contracts, or health maintenance organization contracts, by prohibiting denial of insurance or other third-party

payor contract or policy based upon an applicant's receipt of psychological counseling, was taken up for consideration.

Senator Murphy asked and received unanimous consent that action on **Senate File 465** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 487

On motion of Senator Deluhery, Senate File 487, a bill for an act relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting the use of certain other products, requiring city or county solid waste management programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, and providing for other properly related matters, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate File 487** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 493

On motion of Senator Carr, Senate File 493, a bill for an act relating to political campaigns, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, providing incentives for limitations on campaign contributions and expenditures, appropriating funds, providing penalties, providing other properly related matters, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Carr asked and received unanimous consent that action on **Senate File 493** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS
(House Files Substituted)

Senate File 305

On motion of Senator Vande Hoef, Senate File 305, a bill for an act relating to canteen funds under the authority of the director of the department of corrections, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that **House File 432 be substituted for Senate File 305.**

Senator Vande Hoef asked and received unanimous consent that action on **House File 432 be deferred** and that the bill be placed on the calendar under **unfinished business.**

Senate File 414

On motion of Senator Varn, Senate File 414, a bill for an act relating to the purchase or sale of an individual and providing a penalty, was taken up for consideration.

Senator Varn asked and received unanimous consent that **House File 628 be substituted for Senate File 414.**

Senator Varn asked and received unanimous consent that action on **House File 628 be deferred** and that the bill be placed on the calendar under **unfinished business.**

Senate File 453

On motion of Senator Nystrom, Senate File 453, a bill for an act relating to the registration of aircraft, was taken up for consideration.

Senator Nystrom asked and received unanimous consent that **House File 570 be substituted for Senate File 453.**

Senator Nystrom asked and received unanimous consent that action on **House File 570 be deferred** and that the bill be placed on the calendar under **unfinished business.**

Senate Concurrent Resolution 12

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 12, a concurrent resolution relating to the implementation of a

state transit fund distribution formula recommended by the public transit assistance distribution study steering committee, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3574 filed by her from the floor to pages 1 and 2 of the resolution and moved its adoption.

Amendment S—3574 was adopted by a voice vote.

Senator Lloyd-Jones asked and received unanimous consent that **House Concurrent Resolution 7** be substituted for **Senate Concurrent Resolution 12** as amended.

Senator Lloyd-Jones asked and received unanimous consent that action on **House Concurrent Resolution 7** be deferred and that the resolution be placed on the calendar under **unfinished business**.

Senate File 443

On motion of Senator Lloyd-Jones, Senate File 443, a bill for an act regarding the application process for federal airport funds and mandating that certain governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3567 filed by her from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3567 was adopted by a voice vote.

Senator Lloyd-Jones asked and received unanimous consent that **House File 739** be substituted for **Senate File 443** as amended.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 739** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 221

On motion of Senator Priebe, Senate File 221, a bill for an act relating to the licensing of fur dealers and subjecting violators

to an existing penalty, with report of committee recommending amendment and passage, was taken up for consideration,

Senator Tieden offered amendment S—3571 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3571 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that **House File 480** be substituted for **Senate File 221** as amended.

Senator Priebe asked and received unanimous consent that action on **House File 480** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 452

On motion of Senator Sturgeon, Senate File 452, a bill for an act relating to involuntary hospitalization procedures applicable to the mentally ill and substance abusers, was taken up for consideration.

Senator Sturgeon offered amendment S—3559 filed by him on April 5, 1989, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3559 was adopted by a voice vote.

Senator Sturgeon asked and received unanimous consent that **House File 579** be substituted for **Senate File 452** as amended.

Senator Sturgeon asked and received unanimous consent that action on **House File 579** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 480

On motion of Senator Horn, Senate File 480, a bill for an act relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review, was taken up for consideration.

Senator Horn offered amendment S—3570 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3570 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that **House File 729** be **substituted** for **Senate File 480** as amended.

Senator Horn asked and received unanimous consent that action on **House File 729** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 468.

Senate File 468

On motion of Senator Scott, Senate File 468, a bill for an act relating to the powers and duties of the Iowa corn promotion board, was taken up for consideration.

Senator Scott asked and received unanimous consent that action on **Senate File 468** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILL (House File Substituted)

Senate File 495

On motion of Senator Boswell, Senate File 495, a bill for an act establishing a science and technology foundation, and authorizing the issuance of bonds, was taken up for consideration.

Senator Boswell offered amendment S—3566 filed by him on April 5, 1989, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3566 was adopted by a voice vote.

Senator Boswell asked and received unanimous consent that **House File 686** be substituted for **Senate File 495** as amended.

Senator Boswell asked and received unanimous consent that action on **House File 686** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS
(Deferred March 21, 1989)

Senate File 333

The Senate resumed consideration of Senate File 333, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable, deferred March 21, 1989.

Senator Gronstal offered amendment S—3556 filed by him on April 5, 1989, to strike everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment S—3556 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that **House File 685** be substituted for **Senate File 333**, as amended.

Senator Gronstal asked and received unanimous consent that action on **House File 685** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILL
(House File Substituted)

Senate File 309

On motion of Senator Varn, Senate File 309, a bill for an act relating to guardians and conservators, by providing for notice to proposed wards, formation of state and local emergency medical boards, immunity from liability, waiver of filing fees and costs, training of guardians and conservators, and implementation of a representative payee project, with report of committee

recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3583 filed by him from the floor to pages 1 through 5 of the bill and moved its adoption.

Amendment S—3583 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that **House File 585** be substituted for **Senate File 309** as amended.

Senator Varn asked and received unanimous consent that action on **House File 585** be deferred and that the bill be placed on the calendar under **unfinished business**.

APPENDIX

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Seven students from Guatemala attending Ellsworth Community College, Iowa Falls, Iowa, accompanied by Dan Brown. Senator Taylor.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 620 Local Government

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Robert R. Rigler be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

PAUL PATE

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on April 6, 1989, and recommended the appointees be confirmed:

Sharon K. Smith for reappointment as a member of the Mental Health and Mental Retardation Commission.

Linda Groves for reappointment as a member of the Commission on the Deaf.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on April 6, 1989, and recommended the appointees be confirmed:

Diane J. McNulty for reappointment as a member of the Accountancy Examining Board.

Robert R. Rush for appointment as a member of the Campaign Finance Disclosure Commission.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointments, completed its investigations on April 6, 1989, and recommended the appointees be confirmed:

Virginia A. Nichols for appointment as a member of the State Board of Tax Review.

Darwin Thomas (Tom) Lynner, Jr. for appointment as a member of the Iowa Finance Authority.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 345, a bill for an act to provide for county participation in medical assistance payments for home and community-based services for mentally retarded persons who would otherwise be eligible for care in an intermediate care facility.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 343, a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3580.

Final Vote: Ayes, 10: Hannon, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 2: Bruner and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 379, a bill for an act relating to the hospice licensure renewal fee.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 399, a bill for an act relating to restrictions on the power of the division of deaf services of the department of human rights to obtain office space for utilization in carrying out service projects for deaf persons, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Bruner, Corning, Carr, Hagerla, Horn, Riordan, Sturgeon and Taylor. Nays, 1: Gentleman. Absent or not voting, 2: Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 641, a bill for an act relating to human immunodeficiency virus-related testing and counseling, and eliminating a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 674, a bill for an act relating to victim counseling and services.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 692, a bill for an act requiring the department of inspections and appeals to develop a special classification of residential care facilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3579.

Final Vote: Ayes, 10: Hannon, Bruner, Corning, Carr, Gentleman, Hagerla, Horn, Riordan, Taylor and Tinsman. Nays, none. Absent or not voting, 2: Murphy and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 313, a bill for an act relating to the common boundary for a voluntary annexation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 319, a bill for an act relating to the establishment of benefited recreational lake districts and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 366, a bill for an act authorizing a county to exercise certain governmental powers to protect the public health and welfare, and to levy special assessments against affected property.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Kinley, Murphy and Tinsman. Nays, 2: Jensen and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 420, a bill for an act authorizing the board of supervisors to review and remand a decision of the board of adjustment.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 430, a bill for an act authorizing the appointment or designation of a city health officer.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 522, a bill for an act relating to the filling of a vacancy on the county board of supervisors.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 572, a bill for an act relating to the payment for uniform citation and complaint forms.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 573, a bill for an act relating to civil service medical examinations and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 581, a bill for an act authorizing a reserve account for fire protection, emergency warning, and ambulance services provided by townships.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen and Kinley. Nays, 3: Murphy, Priebe and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 721, a bill for an act enacting the quad cities interstate metropolitan authority compact.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 728, a bill for an act relating to official publications by amending rates for county publication of board proceedings, by reducing the specific information required in county care facility inventory publications, by permitting division of the delinquent tax list for publication, by establishing a minimum type size, by reducing publication fees when publication is not timely made, and by eliminating the requirement for publication of notice of textbook purchase.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, Kinley, Murphy and Priebe. Nays, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 490, a bill for an act relating to the department of inspections and appeals, revising provisions governing the structure and allocation of duties within the department, changing the structure for racing and gaming regulation, providing changes in certain statutory requirements relating to bingo and other games and raffles, revising the responsibilities of the department, and providing other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Nystrom and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 709, a bill for an act relating to credit care receipt processing for state departments.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Lloyd-Jones, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Nystrom, Rife, Running, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 717, a bill for an act relating to requirements for a license to practice podiatry by requiring successful completion of a residency or preceptorship for applicants graduating from podiatric college in 1995 or thereafter.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Lloyd-Jones, Dieleman, Drake, Fraise, Gronstal, Hannon, Horn, Nystrom, Rife, Running, Soorholtz and Vande Hoef. Nays, 1: Gentleman. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 234, a bill for an act relating to entities and subject matter regulated by the department of commerce, division of banking, including banks, regulated loans, and industrial loan companies.

Recommendation: DO PASS.

Final Bill Action: Ayes, 10: Dieleman, Husak, Hester, Bruner, Fraise, Fuhrman, Kibbie, Palmer, Riordan and Soorholtz. Nays, none. Absent or not voting, 5: Drake, Gentleman, Hultman, Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 514 (SSB 322), a bill for an act providing a state sales and use tax exemption for certain facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 9: Dieleman, Husak, Hester, Bruner, Fraise, Fuhrman, Kibbie, Palmer and Riordan. Nays, none. Absent or not voting, 6: Drake, Gentleman, Hultman, Murphy, Soorholtz and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 515 (SSB 340), a bill for an act relating to the assessment and valuation of certain property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dieleman, Husak, Hester, Fraise, Fuhrman, Kibbie, Palmer, Riordan and Soorholtz. Nays, none. Absent or not voting, 6: Bruner, Drake, Gentleman, Hultman, Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3579	H.F.	692	Human Resources
S—3580	H.F.	343	Human Resources
S—3581	S.F.	373	Michael Gronstal Richard Varn Paul Pate Mark R. Hagerla John Soorholtz Pat Deluhery Al Sturgeon Jim Lind
S—3582	S.F.	271	John Peterson
S—3583	S.F.	309	Richard Varn
S—3584	H.F.	355	William Palmer
S—3585	H.F.	740	Tom Mann, Jr. Julia Gentleman Wally Horn Linn Fuhrman

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Friday, April 7, 1989.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 7, 1989

The Senate met in regular session at 9:31 a.m., Senator Welsh presiding.

Prayer was offered by the Honorable James R. Riordan, member of the Senate from Dallas County, Waukee, Iowa.

The Journal of Thursday, April 6, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 1989, passed the following bill in which the concurrence of the Senate was asked:

House File 269, a bill for an act relating to the rate of increase in tuition and fees at higher education institutions under the control of the state board of regents.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 6, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 744, a bill for an act providing for the appointment of a study committee to examine medical malpractice insurance premium rates.

This bill was read first time and **passed on file**.

House File 745, a bill for an act relating to the stopping, standing, and parking of vehicles including parking for handicapped persons and providing penalties and effective dates.

This bill was read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

H.F.	269	Education
H.F.	744	Rules and Administration
H.F.	745	Transportation

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 392 and 431.

Senate File 392

On motion of Senator Mann, Senate File 392, a bill for an act relating to workers' compensation by revising provisions governing the release of employee medical information, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **Senate File 392** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 431

On motion of Senator Miller, Senate File 431, a bill for an act amending the pesticide Act of Iowa, by providing requirements for pesticide dealers and commercial applicators, providing registration requirements, and providing for fees and civil penalties, with report of committee on Ways and Means recommending passage, and report of committee on Agriculture recommending amendment and passage, was taken up for consideration.

Senator Miller asked and received unanimous consent that action on **Senate File 431** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Mann presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Welsh presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:25 p.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m, Senator Murphy presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1989, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

ALSO: That the House has on March 21, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 596, a bill for an act relating to the handling and use of county and municipal infractions, making a Code correction in regard to such infractions, and providing for penalties and remedies for such infractions.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate Concurrent Resolution 15, by committee on Agriculture, a concurrent resolution requiring the establishment of a task force to study opportunities to increase trade between Iowa and the European Economic Community.

Read first time and **placed on calendar**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 6, 1989, 10:45 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of Senate File 431 as amended; approved LSB 2646 as a committee resolution; recommended passage of House File 623.

Adjourned: 10:51 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 6, 1989, 10:50 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; recommended passage of House Files 598, 713, 656 and 722 as amended; recommended passage of House File 660; House File 600 failed recommendation for passage.

Adjourned: 11:55 p.m.

HUMAN RESOURCES

Convened: April 6, 1989, 1:35 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Carr, Gentleman, Hagerla, Horn, Riordan, Sturgeon, Taylor and Tinsman.

Members Absent: Murphy (excused).

Committee Business: Recommended passage of House Files 379, 641, 345, 674 and 399; recommended passage of House Files 692 and 343; recommended confirmation of governor's appointees; assigned bills to subcommittees.

Adjourned: 2:34 p.m.

JUDICIARY

Convened: April 5, 1989, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 672, 740 and 250.

Adjourned: 4:30 p.m.

JUDICIARY

Convened: April 6, 1989, 3:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 459, 71, 13, 513, 688, 690, 700, 699, 631, 556 and 18.

Adjourned: 4:30 p.m.

LOCAL GOVERNMENT

Convened: April 6, 1989, 3:37 p.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Kinley, Murphy, Priebe and Tinsman.

Members Absent: none.

Committee Business: Recommended passage of House Files 522, 430, 319, 581, 573, 366, 313, 721, 728, 420 and 572; recommended confirmation of Governor's appointee.

Adjourned: 4:16 p.m.

NATURAL RESOURCES

Convened: April 6, 1989, 2:40 p.m.

Members Present: Scott, Chair; Kibbie, Vice Chair; Goodwin, Ranking Member; Doyle, Hedge, Hester, Husak, Mann, Priebe and Tieden.

Members Absent: Peterson and Rensink (both excused).

Committee Business: Recommended confirmation of Governor's appointee; House File 309 failed recommendation for passage.

Adjourned: 3:15 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 6, 1989, 8:10 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Kibbie, Lind, Miller, Pate, Peterson, Rife, Scott, Szymoniak and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of House File 703 as amended; recommended passage of House File 706; deferred action on House File 705; recommended confirmation of Governor's appointee.

Adjourned: 8:55 a.m.

STATE GOVERNMENT

Convened: April 6, 1989, 2:42 p.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: Coleman (excused).

Committee Business: Recommended passage of House Files 717, 709 and 490.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: April 6, 1989, 1:30 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Recommended passage of House Files 551 and 163; House File 723 failed recommendation for passage; deferred action on House File 737.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: April 6, 1989, 11:30 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Fraise, Fuhrman, Gentleman, Kibbie, Palmer, Riordan and Soorholz.

Members Absent: Drake, Hultman, Murphy (excused) and Szymoniak.

Committee Business: Amended and approved SSB 340 as a committee bill; approved SSB 322 as a committee bill; recommended passage of House File 234; amended and approved Senate File 26 and ordered redrafted as a committee bill; approved Senate File 423 and ordered redrafted as a committee bill.

Adjourned: 12:00 noon.

STUDY BILLS RECEIVED

SSB 372 Appropriations

Relating to and making an appropriation to the state department of transportation.

SSB 373 Ways and Means

Relating to the calculation of the budget enrollment of reorganized school districts and providing an effective date.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Jeanine S. Hettinga be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

ELAINE SZYMONIAK

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Robert A. Van Vooren be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

JOE WELSH

PRESENTATION OF VISITORS

Senator Hultman presented Beatrice Leong, an exchange student from Malaysia, attending Clarinda High School, Clarinda, Iowa, who was present in the Senate chamber.

The following visitors were present in the Senate gallery on March 31, 1989:

Twenty eighth grade students from Mar-Mac Middle School, McGregor, Iowa. Senator Tieden.

The Chair welcomed the following visitors who were present in the Senate gallery on April 7, 1989:

Forty-three fifth grade students from Webster Elementary School, Oskaloosa, Iowa, accompanied by Richard Hamilton and Marilee DeCook. Senator Hedge.

The following visitors were present in the Senate gallery on April 7, 1989:

Fifty fifth grade students from Grant Elementary School, Oskaloosa, Iowa, accompanied by Margaret Mattix. Senator Hedge.

Twelve Boy Scouts from Janesville, Iowa, accompanied by Joyce Schwartz and John Hildbrant. Senator Jensen.

Twenty-four sixth grade students from Orient-Macksburg Committee School, Orient, Iowa, accompanied by John Dunlevy. Senators Boswell and Riordan.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 9**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 511

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

House File 620

LOCAL GOVERNMENT: Szymoniak, Chair; Fraise and Tinsman

House File 745

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)**LOCAL GOVERNMENT**

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following Governor's appointments, completed its investigations on April 6 and 7, 1989, and recommended the appointees be confirmed:

LOCAL GOVERNMENT
(April 6, 1989)

Beverly A. Anderson and Anne M. Pedersen for reappointment as members of the County Finance Committee.

SMALL BUSINESS & ECONOMIC DEVELOPMENT)
(April 7, 1989)

Julie J. Bulkeley and Harry G. Slife for reappointment as members of the Iowa Economic Development Board.

Harry Bookey for reappointment as a member of the Iowa Product Development Corporation.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE CONCURRENT RESOLUTION 15, a concurrent

resolution requiring establishment of a task force to study opportunities to increase trade between Iowa and the European Economic Community.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Priebe, Riordan, Soorholtz, Boswell, Coleman, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Palmer, Rensink, Scott and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 644, a bill for an act relating to institutions, programs, and funds for which the college aid commission acts as a guaranteeing agency.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3597.

Final Vote: Ayes, 12: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hedge, Lloyd-Jones, Rensink, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 5: Boswell, Deluhery, Kibbie, Lind and Varn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 659, a bill for an act relating to a guaranteed student loan payment program, providing for loans to nurses, math-science teachers, and occupational therapists.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3596.

Final Vote: Ayes, 13: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hedge, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn. Nays, none. Absent or not voting, 4: Boswell, Deluhery, Kibbie and Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 670, a bill for an act relating to the number of days and hours of instruction in school per school day.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hedge, Rensink, Szymoniak, Tieden and Tinsman. Nays, none. Absent or not voting, 6: Boswell, Deluhery, Kibbie, Lind, Lloyd-Jones and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 282, a bill for an act relating to the effective date for the provision of tax incentives for the sale and use of degradable bags used as point-of-sale packaging.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Deluhery, Gronstal, Pate, Carr, Hedge, Miller and Soorholtz. Nays, 2: Sturgeon and Varn. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 600, a bill for an act relating to the protection of water quality, including the establishment of protected areas, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3603.

Final Vote: Ayes, 6: Deluhery, Gronstal, Carr, Miller, Sturgeon and Varn. Nays, 3: Pate, Hedge and Soorholtz. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 722, a bill for an act relating to infectious waste management.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3591.

Final Vote: Ayes, 10: Deluhery, Gronstal, Pate, Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 13, a bill for an act relating to conduct which endangers the physical health or safety of a student and which is a condition of association with a student group or organization, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Drake, Varn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 18, a bill for an act relating to the possession and delivery of alcoholic liquor, wine, or beer by a person under legal age.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3589.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 20, a bill for an act relating to dissolution of marriage and related proceedings by providing for a pilot program of mandatory mediation of contested issues of child custody and visitation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3601.

Final Vote: Ayes, 8: Doyle, Mann, Carr, Deluhery, Gronstal, Horn, Varn and Welsh. Nays, 3: Gentleman, Hagerla and Hester. Absent or not voting, 4: Coleman, Drake, Fuhrman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 71, a bill for an act establishing pilot projects for a peer review court as a diversion program for offenders ten through seventeen years of age.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Drake, Varn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 329, a bill for an act relating to the name of and liabilities arising from activities of the small business assistance center at the University of Northern Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 459, a bill for an act relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, by providing for classes of forfeiture property, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, and providing an applicability date and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Drake, Varn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 513, a bill for an act prohibiting the theft of telephone service, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 529, a bill for an act relating to the exemption from civil and criminal liability arising from the donation of food.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Gentleman, Carr, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, 1: Mann. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 556, a bill for an act relating to increasing the penalty and providing for attorney fees for failure to acknowledge satisfaction of a mortgage within thirty days.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 631, a bill for an act to legalize proceedings of the City Council of the City of Bellevue relating to the letting of a construction contract.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 662, a bill for an act relating to court proceedings involving child support orders where the dependent child resides in another state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3602.

Final Vote: Ayes, 12: Doyle, Mann, Gentleman, Carr, Deluhery, Fuhrman, Gronstal, Hester, Horn, Taylor, Varn and Welsh. Nays, 1: Hagerla. Absent or not voting, 2: Coleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 688, a bill for an act relating to the protection of children, by providing for the grounds and procedures for child in need of assistance and termination of parental rights proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Drake and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 690, a bill for an act relating to the protection of children, by modifying provisions relating to a child in need of assistance, child abuse, termination of parental rights, religious exemptions regarding children, and providing for a procedure relating to courtroom testimony of children.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3588.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 699, a bill for an act relating to the state public defender and the appointment of a state appellate defender.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 700, a bill for an act relating to victims of certain criminal acts, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, notification to victims by various departments, reorganizing crime victim assistance programs and services within

the department of justice, and modifying the state crime victim reparation program.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 620, a bill for an act relating to the appeal of local governmental budgets.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Miller, Szymoniak, Vande Hoef, Fraise, Goodwin, Jensen, and Tinsman. Nays, none. Absent or not voting, 3: Kinley, Murphy and Priebe

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 723, a bill for an act relating to the implementation of a program for integrated roadside vegetation management and weed control, including the crediting of moneys to the living roadway trust fund, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Scott, Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 2: Drake and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 745, a bill for an act relating to the stopping, standing, and parking of vehicles including parking for handicapped persons and providing penalties and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Scott, Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 2: Drake and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3586	H.F.	570	Jim Lind
S—3587	H.J.R.	12	William W. Dieleman
S—3588	H.F.	690	Judiciary
S—3589	H.F.	18	Judiciary
S—3590	H.F.	740	Donald Doyle
S—3591	H.F.	722	Environment & Energy Utilities
S—3592	H.F.	533	Emil Husak John Soorholtz Kenneth Scott
S—3593	H.F.	740	Tom Mann, Jr.
S—3594	H.F.	465	Leonard L. Boswell
S—3595	S.F.	214	Wally Horn
S—3596	H.F.	659	Education
S—3597	H.F.	644	Education
S—3598	H.F.	736	Julia Gentleman
S—3599	H.F.	49	Eugene Fraise
S—3600	S.F.	468	Kenneth Scott
S—3601	H.F.	20	Judiciary
S—3602	H.F.	662	Judiciary
S—3603	H.F.	600	Environment & Energy Utilities

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:37 p.m., until 10:00 a.m., Monday, April 10, 1989.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 10, 1989

The Senate met in regular session at 10:08 a.m., Senator Lloyd-Jones presiding.

Prayer was offered by the Honorable Elaine Szymoniak, member of the Senate from Polk County, Des Moines, Iowa.

The Journal of Friday, April 7, 1989, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 366, a bill for an act authorizing a city to seek a judgment against a property owner for improvements made to the property (S—3604).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the week on request of Senator Hutchins.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Unfinished Business Calendar to committee:

S. F.	58	Transportation
S. F.	61	Judiciary
S. F.	190	Small Business & Economic Development
S. F.	227	Business & Labor Relations
S. F.	271	Business & Labor Relations
S. F.	303	Agriculture
S. F.	340	Judiciary
S. F.	374	State Government
S. F.	398	Judiciary
S. F.	476	State Government

Senator Horn asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S. F.	87	State Government
S. F.	116	Appropriations
S. F.	189	Environment & Energy Utilities
S. F.	217	Agriculture
S. F.	377	Agriculture
S. F.	384	Transportation
S. F.	388	Agriculture
S. F.	403	Small Business & Economic Development
S. F.	427	Local Government
S. F.	455	Agriculture
S. F.	456	Agriculture
S. F.	457	Agriculture
S. F.	478	Judiciary
S. F.	489	Local Government
S. F.	492	State Government
S. F.	496	Judiciary
S. F.	504	Judiciary
S. F.	507	Judiciary

UNFINISHED BUSINESS CALENDAR
(Deferred April 6, 1989)

House File 432

On motion of Senator Vande Hoef, House File 432, a bill for

an act relating to canteen funds under the authority of the director of the department of corrections, was taken up for further consideration (substituted for Senate File 305 and deferred on April 6, 1989).

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 432) the vote was:

Ayes, 39:

Bruner	Carr	Corning	Deluhery
Dieleman	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Rensink	Rife	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	

Nays, none.

Absent or not voting, 11:

Boswell	Coleman	Doyle	Drake
Fraise	Mann	Murphy	Priebe
Riordan	Tieden	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Vande Hoef asked and received unanimous consent that **Senate File 305** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 293, 331, 241 and 256.

House File 293

On motion of Senator Gentleman, House File 293, a bill for an act relating to gifts, contributions, bequests, endowments, and other moneys for purposes of the library division of the department of cultural affairs, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 293) the vote was:

Ayes, 47:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Coleman	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 331

On motion of Senator Hester, House File 331, a bill for an act relating to standards for apples established by the secretary of agriculture, providing for the establishment of fees, and providing penalties, with reports of committees on Agriculture and Ways and Means recommending passage, was taken up for consideration.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 331) the vote was:

Ayes, 47:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Coleman	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 241

On motion of Senator Miller, House File 241, a bill for an act relating to the authority of fire chiefs and their officers at fire scenes and emergencies, and providing a penalty for violations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller offered amendment S—3358 filed by the committee on Local Government on March 21, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3358 was adopted by a voice vote.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 241) the vote was:

Ayes, 47:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Coleman	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 256

On motion of Senator Dieleman, House File 256, a bill for an act relating to the elimination of the risk management division of the department of general services, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 256) the vote was:

Ayes, 41:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Miller	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Running

Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 5:

Deluhery	Lind	Murphy	Palmer
Riordan			

Absent or not voting, 4:

Boswell	Coleman	Mann	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Zimmerman took the chair at 11:00 a.m.

Senator Horn asked and received unanimous consent to take up out of order House File 270.

House File 270

On motion of Senator Riordan, House File 270, a bill for an act relating to the membership of the long-term care coordinating unit within the department of elder affairs, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 270) the vote was:

Ayes, 46:

Bruner	Carr	Corning	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Dieleman

Absent or not voting, 3:

Boswell

Coleman

Hagerla

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

Senator Horn asked and received unanimous consent to take up out of order House Concurrent Resolution 7.

House Concurrent Resolution 7

On motion of Senator Lloyd-Jones, House Concurrent Resolution 7, a concurrent resolution relating to the implementation of a state public transit assistance fund distribution formula recommended by the Iowa public transit assistance distribution study steering committee, was taken up for further consideration (substituted for Senate Concurrent Resolution 12 as amended and deferred on April 6, 1989.)

Senator Lloyd-Jones moved the adoption of House Concurrent Resolution 7, which motion prevailed by a voice vote.

WITHDRAWN

Senator Lloyd-Jones asked and received unanimous consent that **Senate Concurrent Resolution 12** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 301, 418 and 384.

House File 301

On motion of Senator Running, House File 301, a bill for an act relating to the rulemaking authority of the labor commissioner, with report of committee recommending passage, was taken up for consideration.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 301) the vote was:

Ayes, 46:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Coleman	Drake	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 418

On motion of Senator Szymoniak, House File 418, a bill for an act relating to the number of elector signatures required to authorize inclusion of a proposition relating to school districts on a regular election ballot, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 418) the vote was:

Ayes, 47:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Coleman	Hedge
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 384

On motion of Senator Priebe, House File 384, a bill for an act relating to sheriffs' sales by permitting written sealed bids to be received, and providing procedures for written sealed bids, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 384) the vote was:

Ayes, 46:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise

Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Coleman	Running	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 535

Senator Murphy called up for consideration House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, amended by the Senate, and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 535** on the part of the Senate: Senators Murphy, Chair; Dieleman, Horn, Corning and Hultman.

CONFIRMATION OF APPOINTMENTS
(En Bloc Confirmation Calendar)

Senator Welsh requested that Darlene E.K. Blake be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Darrel Rensink as Director of Transportation.

Dr. Dale L. Christensen, Dr. Robert Carleton and Elizabeth A. Coyte as members of the Board of Physician Assistant Examiners.

Jonathan R. Narcisse as a member of the Commission on the Status of Blacks.

Beverly Jo Jackson for appointment and reappointment as a member of the Campaign Finance Disclosure Commission.

Joel H. Weinstein for appointment and reappointment and Ann L. Dorr as members of the State Health Facilities Counsel.

Deborah S. Krauth and James Balmer as members of the Iowa Finance Authority.

Marcia J. Benit and Barbara A. Nixon as members of the Credit Union Review Board.

M. Jane Bell and Maria M. Waterman as members of the Title Guaranty Division Board.

William Lepley as a member of the First in the Nation in Education Foundation Governing Board.

Marvin S. Berenstein, Betty Jean Furgerson, Elizabeth D. Hatch and Victoria A. Westenfield as members of the State Board of Regents.

M. Noreen Coyan as a member of the State Library Commission.

Mildred Elliott and Joni L. Keith as members of the Board of Corrections.

Robert A. Jackson, Sr. as a full-time member and Joanne C. Lorence as a part-time member of the Board of Parole.

Lee E. Poppen and William Westendorf as members of the Criminal and Juvenile Justice Advisory Council.

James H. Collins, Orlando Ray Dial, Frank J. Marcovis and Carolyn J. Rants as members of the Iowa State Civil Rights Commission.

Bernard J. Byers, and Carolyn J. Seeley as members of the State Judicial Nominating Commission.

Mary W. Greenleaf, Sally Jo Riekema, Frederick Weber and Perry J. Chapin as member of the Job Service Advisory Council.

David D. Knock as a member of the Public Employment Relations Board.

Marian L. Kieffer and Barbara Nelson as members of the Natural Resource Commission.

Harris D. Honsey as a member of the Iowa Economic Development Board.

Mary L. Heistand-Bro as a member of the Iowa Product Development Corporation.

Diane R. Quinn as Administrator of the Division of Children, Youth, and Families.

John C. Wellman as a member of the Commission for the Blind.

Alyce M. Elmitt, Edwin Gantz and Clemmie Hightower as members of the Commission of Elder Affairs.

Ferrell C. Reed as a member of the Council on Human Services.

Dr. Thomas W. Hansen, Jean E. Oxley, James A. Thomas and Karen A. Vossberg as members of the Mental Health and Mental Retardation Commission.

Harriett Vande Hoef and Carol A. Young as members of the State Foster Care Review Board.

John Cain as a member of the Accountancy Examining Board.

William M. Dikis as a member of the Architectural Examining Board.

Al C. Maiers as a member of the Barber Examining Board.

Joseph C. Huibsch and Dorothea M. Luddington as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Marjorie M. Matzen as a member of the Board of Nursing Examiners.

Carl H. Lundahl as a member of the Chiropractic Examining Board.

Jerry C. Prah, Pamela G. Kapple and James A. Raecker as members of the Dental Examining Board.

Robb B. Kelley and Beverly A. Anderson as members of the Investment Board (IPERS).

Rex W. Wilhelm and Jane A. Bishop as members of the Iowa Board of Veterinary Medicine.

Diana E. Hoogestraat as a member of the Landscape Architectural Examining Board.

Dr. George G. Spellman, Sr. and Dr. Robert B. Sticker as members of the Medical Examining Board.

Larry D. Brewer as a member of the Optometry Examining Board.

Rollin C. Bridge and Melba L. Scaglione as members of the Pharmacy Examining Board.

Karen K. Randall and Ken C. Leo as members of the Physical and Occupational Therapy Examining Board.

Jerry F. Duggan as a member of the Real Estate Examining Board.

Earl L. Howard as a member of the Respiratory Care Advisory Committee.

Bruce D. Buchanan as a member of the Social Work Examining Board.

Sue Ann N. Hillman and Sherry J. Carter as members of the Speech Pathology and Audiology Examining Board.

Jacqueline Day and John P. Stark as members of the Iowa Law Enforcement Academy Council.

Douglas K. Shull and Catherine Dunn as members of the State Transportation Commission.

Sally Puttman and Bertha M. Versteegh as members of the State Soil Conservation Committee.

Michael R. Lura as Administrator of the Racing and Gaming Division of the Department of Inspections and Appeals.

Mary Jane Oakland as a member of the Dietetic Examining Board.

James W. Vander Woude as a member of the Engineering and Land Surveying Examining Board.

Burnita T. Ankerstjerne and Calvin J. Van Arkel as members of the Mortuary Science Examining Board.

Merlin D. Hulse as a member of the Personnel Commission.

Dan Loren Rogers for appointment and reappointment as a member of the Psychology Examining Board.

Donna R. Robinson as a member of the State Board of Examiners for Nursing Home Administrators.

Dennis Nagel as a member and Chairperson of the Utilities Board.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn

Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Coleman	Gettings	Goodwin
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 535** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:46 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 1:38 p.m.

The vote revealed 44 present, 6 absent and a quorum present.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 138

Senator Horn withdrew the motion to reconsider Senate File 138, a bill for an act to change the name of the county board of supervisors to the board of county commissioners, filed by him on February 20, 1989, and found on page 448 of the Senate Journal.

Senator Jensen withdrew the motion to reconsider Senate File 138 filed by him on February 20, 1989, and found on page 453 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 59, 234, 380, 533, 655, 255, 332, 402 and 550.

House File 59

On motion of Senator Husak, House File 59, a bill for an act relating to the purchase and sale of grain by providing for the offering of a special quality grains electronic bulletin board service through the department of agriculture and land stewardship and providing for an advisory committee study of grain marketing to draft proposed legislation to develop the market for special quality grains, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 59** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 234

On motion of Senator Gronstal, House File 234, a bill for an act relating to entities and subject matter regulated by the department of commerce, division of banking, including banks, regulated loans, and industrial loan companies, with report of committee on Commerce recommending amendment and passage and the committee on Ways and Means recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—3488 filed by the committee on Commerce on March 29, 1989, to pages 1, 2, 5 and 10 of the bill and moved its adoption.

Amendment S—3488 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 234) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 380

On motion of Senator Mann, House File 380, a bill for an act relating to real estate practices, permitting certain activities to be conducted through a corporation owned by a real estate broker associate or salesperson, and providing properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 380) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 533

On motion of Senator Husak, House File 533, a bill for an act relating to the regulation of grain management, by providing for licensing and regulation of grain dealers and warehouse operators and the administration of licensing and regulation within the department of agriculture and land stewardship and by the Iowa grain indemnity board, with report of committee recommending passage, was taken up for consideration.

Senator Husak offered amendment S—3592 filed by Senators Husak, Soorholtz and Scott on April 7, 1989, to pages 1, 12, 13 and 17 of the bill and moved its adoption.

Amendment S—3592 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 533) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Murphy

Absent or not voting, 2:

Boswell Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 655

On motion of Senator Gettings, House File 655, a bill for an act relating to the second injury fund, by increasing payments to the fund in event of a job-related death, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 655) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 255

On motion of Senator Gronstal, House File 255, a bill for an act relating to forms for the registration of voters, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **House File 255** be **deferred**.

House File 332

On motion of Senator Coleman, House File 332, a bill for an act allowing a physician, as defined in section 135.1, to issue a statement attesting to a person's handicap for the purpose of issuing a handicapped plate, identification device, or sticker, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 332) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Fuhrman	Gentleman
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Absent or not voting, 3:

Boswell	Kibbie	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 402

On motion of Senator Bruner, House File 402, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 402) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 550

On motion of Senator Scott, House File 550, a bill for an act relating to providing assistance to retrain workers in existing businesses and providing for an evaluation of retraining programs, with report of committee recommending passage, was taken up for consideration.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 550) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 647, 663 and 669.

House File 647

On motion of Senator Carr, House File 647, a bill for an act relating to governmental bodies under the open meetings law, including the definition of governmental body and the provision of information relating to open meetings and public records to governmental bodies, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 647) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell

Fuhrman

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 663

On motion of Senator Jensen, House File 663, a bill for an act requiring motorized bicycles to be equipped with bicycle safety flags and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **House File 663** be deferred.

House File 679

On motion of Senator Gettings, House File 679, a bill for an act to permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 679) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Fuhrman	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Joint Resolution 5.

House Joint Resolution 5

On motion of Senator Fraise, House Joint Resolution 5, a joint resolution proposing an amendment to the Constituion of the State of Iowa removing the disqualification from office for parties to a duel, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa removing the disqualification from office for parties to a duel.

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:

1. Section 5 of Article I of the Constitution of the State of Iowa is repealed.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and the Secretary of State is directed to cause the amendment to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (H.J.R. 5) the vote was:

Yeas, 37:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Hannon	Horn	Hultman	Husak

Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Taylor	Tieden	Varn
Welsh			

Nays, 12:

Gentleman	Gronstal	Hagerla	Hedge
Hester	Jensen	Pate	Rife
Sturgeon	Szymoniak	Tinsman	Vande Hoef

Absent or not voting, 1:

Boswell

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 666 and 669.

House File 666

On motion of Senator Szymoniak, House File 666, a bill for an act to repeal the provision repealing the postsecondary options Act, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 666) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott

Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 669

On motion of Senator Hester, House File 669, a bill for an act prohibiting the sale or distribution of purple loosestrife (*lythrum salicaria*) and subjecting violators to a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—3503 filed by the committee on Natural Resources on March 31, 1989, to page 1 and to the title page of the bill.

Senator Hannon asked and received unanimous consent that action on amendment S—3503 and **House File 669** be **deferred**.

Senator Husak asked and received unanimous consent to take up out of order House Files 254, 650, 198, 375 and 665.

House File 254

On motion of Senator Coleman, House File 254, a bill for an act relating to the regulation of oxygenate octane enhancers, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 254) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake

Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Fuhrman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 650

On motion of Senator Hedge, House File 650, a bill for an act relating to products derived from sorghum, including labeling requirements, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 650) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 198

On motion of Senator Kibbie, House File 198, a bill for an act relating to the issuance and possession of commercial fishing operators' licenses, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3560 filed by the committee on Natural Resources on April 5, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3560 was adopted by a voice vote.

Senator Scott offered amendment S—3568 filed by Senators Scott, Priebe and Hedge on April 6, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3568 was adopted by a voice vote.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 198) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Gentleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 375

On motion of Senator Peterson, House File 375, a bill for an act relating to the Iowa conservation corps program, with report of committee recommending passage, was taken up for consideration.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 375) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 665

On motion of Senator Mann, House File 665, a bill for an act authorizing free fishing permits for residents of health care facilities and juvenile shelter care homes, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 665) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 5:

Fuhrman	Murphy	Peterson	Rife
Tieden			

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 669

The Senate resumed consideration of House File 669, a bill for an act prohibiting the sale or distribution of purple loosestrife (*lythrum salicaria*) and subjecting violators to a penalty, and

amendment S—3503 by the committee on Natural Resources to page 1 and to the title page of the bill, previously deferred.

Senator Hannon offered amendment S—3611 filed by her from the floor to amendment S—3503 and moved its adoption.

Amendment S—3611 was adopted by a voice vote.

Senator Hester moved the adoption of amendment S—3503 as amended, which motion prevailed by a voice vote.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 669) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Files 668, 678, 687 and 735.

House File 668

On motion of Senator Fraise, House File 668, a bill for an act relating to bonds for state, county, and city officers including waiver of the exemption of a homestead from execution and liability of the officers, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 668) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 678

On motion of Senator Dieleman, House File 678, a bill for an act relating to certain filings with the secretary of state by nonprofit corporations, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 678** be deferred.

House File 687

On motion of Senator Priebe, House File 687, a bill for an act to eliminate the nonresident commercial mussel license, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 687) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Lloyd-Jones	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 735

On motion of Senator Gronstal, House File 735, a bill for an act relating to enhanced 911 emergency telephone communications systems, and providing for the Act's applicability, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent to withdraw amendment S—3612 filed by Senators Gronstal, Nystrom and Carr from the floor to pages 4, 5 and the title page of the bill.

Senator Gronstal asked and received unanimous consent that action on **House File 735** be **deferred**.

INTRODUCTION OF BILL

Senate File 516, by Taylor and Vande Hoef, a bill for an act relating to the prohibition against operating motor vehicles while intoxicated, and providing penalties.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 3:41 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:50 p.m., Senator Welsh presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the members of the **conference committee**, appointed April 10, 1989, on **House File 535**, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, on the part of the House are: The Representative from Clinton, Mr. Ollie, Chair; the Representative from Linn, Mrs. Chapman, the Representative from Adams, Mr. Daggett, the Representative from Hancock, Mr. Stromer, and the Representative from Lee, Mr. Wise.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: April 7, 1989, 8:37 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hedge, Lloyd-Jones, Rensink, Szymoniak, Tieden, Tinsman and Varn.

Members Absent: Boswell, Deluhery, Kibbie and Lind (all excused).

Committee Business: Recommended passage of House File 670; recommended passage of House Files 644 and 659 as amended.

Adjourned: 9:05 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 7, 1989, 12:00 noon.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Soorholtz, Sturgeon and Varn.

Members Absent: Rife (excused).

Committee Business: Recommended passage of House File 600; reported House File 282 to the Senate calendar without recommendation.

Adjourned: 12:30 p.m.

JUDICIARY

Convened: April 7, 1989, 12:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Deluhery, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: Coleman and Drake (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 662, 20, 329 and 529.

Adjourned: 1:15 p.m.

LOCAL GOVERNMENT

Convened: April 7, 1989, 9:08 a.m.

Members Present: Miller, Chair; Szymoniak, Vice Chair; Vande Hoef, Ranking Member; Fraise, Goodwin, Jensen, Murphy (arrived 9:28) and Tinsman.

Members Absent: Kinley and Priebe.

Committee Business: Recommended passage of House File 620; House File 571 failed recommendation for passage; recommended confirmation of Governor's appointees.

Adjourned: 9:35 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 7, 1989, 10:48 a.m.

Members Present: Boswell, Chair; Hannon, Vice Chair; Hagerla, Ranking Member; Lind, Peterson, Szymoniak and Vande Hoef.

Members Absent: Kibbie, Miller, Pate, Rife and Scott (all excused).

Committee Business: Recommended confirmation of Governor's appointees.

Adjourned: 11:00 a.m.

TRANSPORTATION

Convened: April 7, 1989, 11:10 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Dieleman, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones.

Members Absent: Drake, Ranking Member and Nystrom.

Committee Business: Recommended passage of House Files 745 and 723; deferred action on House File 737.

Adjourned: 11:35 a.m.

PETITIONS

The following petitions opposing legislation increasing any tax

on beer, wine or soft drinks were presented and placed on file by:

Senator Gettings from forty-six residents of Wapello County.

Senator Gronstal from forty-seven residents of Iowa.

Senator Gronstal from fifty-five residents of Pottawattamie County.

Senator Hester from five hundred six residents of Pottawattamie County.

Senator Horn from sixty-four residents of Linn County.

Senator Hutchins from two hundred two residents of Audubon, Carroll, Crawford and Shelby Counties.

Senator Kibbie from two hundred forty-three residents of Clay County.

Senator Kinley from one hundred twenty-eight residents of Polk County.

Senator Riordan from sixty-six residents of Dallas County.

Senator Scott from eighty-eight residents of Howard County.

Senator Tieden from twenty-four residents of Allamakee County.

The following petitions were presented and placed on file by:

Senator Hedge from seventy-eight residents of Appanoose and Wayne Counties opposing House File 362 and Senate File 373 (utilities cross subsidization).

Senator Kibbie from three thousand one hundred twenty-one residents of Palo Alto, Emmet, Dickinson and Clay Counties opposing casino gambling on land and water.

PRESENTATION OF VISITORS

Senator Hultman presented Claudia Auer from West Germany, exchange student residing with Senator and Mrs. Rensink and attending Sioux Center High School, Sioux Center, Iowa. Ms. Auer was accompanied by her parents, Anton and Dorothea Auer.

Senator Hutchins presented the following visitors who were present in the Senate chamber as his guests: Susan Hutchins, Director of Public Relations at Buena Vista College, Storm Lake, Iowa; Teddy Taylor, member of the British Parliament; Christopher Jackson, member of the European Parliament; David

Regan, Government Professor at the University of Nottingham; and Roy Schirole, Professor of Business at Buena Vista College.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty sixth grade students from Thornton Elementary School, Thornton, Iowa, accompanied by Alice Heitland. Senator Miller.

Thirty-one fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Joan Strentz. Senator Gentleman.

Sixteen twelfth grade students from Lytton Sr. High School, Lytton, Iowa, accompanied by Diane Lenertz. Senator Fuhrman.

The following visitors were present in the Senate gallery:

Seventy-two sixth grade students from Clarion Community School, Clarion, Iowa, accompanied by Mrs. Mechem. Senator Taylor.

STUDY BILL RECEIVED

SSB 374 Ways and Means

Relating to funding available for roads including appropriations of moneys to the affected jurisdictions.

SUBCOMMITTEE ASSIGNMENTS

House File 156

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Hultman and Running

House File 269

EDUCATION: Horn, Chair; Corning and Lind

House File 641

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Corning

House File 744

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

SSB 373

WAYS AND MEANS: Kibbie, Chair; Drake and Murphy

SSB 374

WAYS AND MEANS: Dieleman, Chair; Fraise and Drake

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 402 passed the Senate on April 10, 1989.

CHARLES BRUNER

MADAM PRESIDENT: I move to reconsider the vote by which House File 550 passed the Senate on April 10, 1989.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 293 passed the Senate on April 10, 1989.

JOE WELSH

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S.F. 516 Judiciary

AMENDMENTS FILED

S-3604	S.F.	366	House amendment
S-3605	H.F.	700	Donald V. Doyle
			Eugene Fraise
			Bob Carr
			Michael E. Gronstal
S-3606	S.F.	515	Linn Fuhrman
S-3607	H.F.	18	Jim Lind
S-3608	H.F.	496	Tom Mann, Jr.
S-3609	H.F.	344	Jim Riordan
S-3610	H.F.	59	Calvin O. Hultman

S-3611	H.F.	669	Beverly A. Hannon
S-3612	H.F.	735	Michael E. Gronstal
			Jack Nystrom
			Bob Carr
S-3613	H.F.	598	Al Sturgeon
S-3614	H.F.	663	John Jensen
			Donald Doyle
S-3615	S.F.	373	Calvin O. Hultman
S-3616	H.F.	735	Michael E. Gronstal
			Jack Nystrom
			Bob Carr
S-3617	S.F.	373	Don Gettings
			H. Kay Hedge
			Eugene Fraise
S-3618	H.F.	163	Donald Doyle
S-3619	H.F.	402	Charles Bruner
S-3620	H.F.	451	John Kibbie
			Richard Running
			Ken Scott
			Leonard Boswell
			Mark Hagerla
			Richard Vande Hoef
			Alvin Miller
			Don Gettings
			Eugene Fraise
			Berl Priebe
			Bill Hutchins
			Wally Horn
			James Riordan
			Calvin Hultman
			Patrick Deluhery
			C. Joseph Coleman
			Wilmer Rensink
			Larry Murphy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:53 p.m., until 9:00 a.m., Tuesday, April 11, 1989.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 11, 1989

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Monday, April 10, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 52, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools (S—3621).

ALSO: That the House has on April 7, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 120, a bill for an act relating to the allowable length of stinger-steered automobile transporters and certain semitrailers when operated on highways designated by the state transportation commission.

Senate File 275, a bill for an act relating to the administration of an estate and changing certain notice provisions.

Senate File 276, a bill for an act relating to the registration of federal liens.

Senate File 397, a bill for an act relating to salaries of the clerks of the district court.

Senate File 402, a bill for an act relating to the membership of the medical assistance advisory council.

Senate File 435, a bill for an act relating to state licensing of asbestos professionals who perform work in schools.

Senate File 500, a bill for an act relating to the powers and duties of certain local governmental bodies, by providing for the use of ordinances in certain instances, by changing procedures for certain city elections, by requiring written veto messages, by changing filing procedures for a special assessment, and by specifying the duties of city finance offices.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House File 344.

House File 344

On motion of Senator Riordan, House File 344, a bill for an act relating to the substance abuse law, with report of committee recommending passage, was taken up for consideration.

Senator Riordan offered amendment S—3609 filed by him on April 10, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3609 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 344) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Fuhrman	Hannon	Husak
Sturgeon	Tinsman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

House File 550

Senator Hultman withdrew the motion to reconsider House File 550, a bill for an act relating to providing assistance to retrain workers in existing businesses and providing for an evaluation of retraining programs, filed by him on April 10, 1989, and found on page 1304 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 403, 475 and 537.

House File 403

On motion of Senator Bruner, House File 403, a bill for an act relating to child support awards by establishing an advisory committee and requiring the application of uniform support guidelines by the courts and the department of human services and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—3554 filed by him on April 4, 1989, to pages 2 and 4 of the bill and moved its adoption.

Amendment S—3554 was adopted by a voice vote.

Senator Running asked and received unanimous consent that action on **House File 403** be **deferred**.

House File 475

On motion of Senator Gettings, House File 475, a bill for an act providing for the refund of unexpired registration fees for certain vehicles registered as special mobile equipment and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 475) the vote was:

Ayes, 43:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 1:

Welsh

Absent or not voting, 6:

Boswell	Fuhrman	Hannon	Husak
Peterson	Sturgeon		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 537

On motion of Senator Scott, House File 537, a bill for an act relating to motor vehicle registrations and certificates of title and providing penalties and effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Welsh offered amendment S—3558 filed by him on April 5, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3558 was adopted by a voice vote.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 537) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Fuhrman	Husak	Sturgeon
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Dieleman asked and received unanimous consent that **Senate File 210** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Joint Resolution 12 and House File 146.

House Joint Resolution 12

On motion of Senator Lloyd-Jones, House Joint Resolution 12, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman offered amendment S—3587 filed by him on April 7, 1989, to page 1 of the resolution.

Senator Lloyd-Jones raised the point of order that amendment S—3587 was not germane to the resolution.

The Chair ruled the point well taken and amendment S—3587 out of order.

Senator Lloyd-Jones moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the resolution was read the last time.

House Joint Resolution 12, a joint resolution proposing an amendment to the Constituion of the State of Iowa relating to the equality of rights of men and women under the law.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed.

Section 1 of Article I of the Constitution of the State of Iowa, is amended to read as follows:

RIGHTS OF PERSONS. SECTION 1. All men and women are, by nature, free and equal, and have certain inalienable rights -- among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness. Neither the State nor any of its political subdivisions shall, on the basis of gender, deny or restrict the equality of rights under the law.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause the same to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (H.J.R. 12) the vote was:

Yeas, 43:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Szymoniak	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 4:

Dieleman	Jensen	Taylor	Tieden
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Absent or not voting, 3:

Boswell	Fuhrman	Sturgeon
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The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 146

On motion of Senator Fraise, House File 146, a bill for an act relating to the county commission of veteran affairs, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3284 filed by her on March 16, 1989, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 26.

Amendment S—3284 lost.

Action on **House File 146** was temporarily **deferred**.

BUSINESS PENDING

House File 403

The Senate resumed consideration of House File 403, a bill for an act relating to child support awards by establishing an advisory committee and requiring the application of uniform support guidelines by the courts and the department of human services and providing an effective date, previously deferred.

Senator Running offered amendment S—3624 filed by him from the floor to page 4 of the bill.

Senator Bruner raised the point of order that amendment S—3624 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3624 out of order.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 403) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Fraise

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 127 and 496.

House File 127

On motion of Senator Horn, House File 127, a bill for an act to allow class "C" liquor control license holders and class "B" beer permit holders to brew beer to be served on the premises and making the barrel tax on beer applicable, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3627 filed by Senators Doyle, Priebe and Tieden from the floor to page 4 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 15.

Amendment S—3627 was adopted.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 127) the vote was:

Ayes, 36:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Gentleman
Gronstal	Hagerla	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rife	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 13:

Dieleman	Drake	Fuhrman	Gettings
Goodwin	Hannon	Hedge	Hester
Jensen	Rensink	Scott	Taylor
Vande Hoef			

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 496

On motion of Senator Mann, House File 496, a bill for an act relating to credit services organizations, by requiring their registration, imposing regulation, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—3608 filed by him on April 10, 1989, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3608 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 496) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Miller

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate Files 6 and 331** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 552, 575, and 637.

House File 552

On motion of Senator Gronstal, House File 552, a bill for an act relating to the consumer credit code, by providing for certain

charges, amending the definition of debt collectors, requiring notification and the imposition of certain fees, appropriating funds collected, and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 552) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 5:

Fuhrman	Gentleman	Hagerla	Hedge
Peterson			

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 575

On motion of Senator Gronstal, House File 575, a bill for an act relating to the investment authority of state banks, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 575) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 637

On motion of Senator Mann, House File 637, a bill for an act relating to the access of confidential information collected by the department of employment services, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 637) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind

Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Fuhrman	Hedge
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Absent or not voting, 3:

Boswell	Murphy	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate File 41** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House File 645.

House File 645

On motion of Senator Mann, House File 645, a bill for an act relating to mortgage brokers and mortgage bankers, with report of committee recommending passage, was taken up for consideration.

Senator Hultman offered amendment S—3632 filed by him from the floor to page 1 of the bill.

Senator Mann raised the point of order that amendment S—3632 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3632 out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 645) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 199

Senator Priebe called up for consideration House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions, amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on its amendment.**

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 199 on the part of the Senate: Senators Priebe, Chair; Lloyd-Jones, Hannon, Tinsman and Gentleman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 693, 313, 319 and 399.

House File 693

On motion of Senator Nystrom, House File 693, a bill for an act relating to notaries public and other notarial officers and notarial acts, and providing an applicability date and an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 693) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Boswell

Corning

Hultman

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 313

On motion of Senator Kinley, House File 313, a bill for an act relating to the common boundary for a voluntary annexation, with report of committee recommending passage, was taken up for consideration.

Senator Hultman offered amendment S—3630 filed by him from the floor to page 1 and to the title page of the bill.

Senator Jensen asked and received unanimous consent that action on amendment S—3630 and **House File 313** be deferred.

House File 319

On motion of Senator Miller, House File 319, a bill for an act relating to the establishment of benefited recreational lake districts and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 319) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Pate	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Peterson

Absent or not voting, 5:

Boswell
Rife

Corning

Hultman

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 399

On motion of Senator Carr, House File 399, a bill for an act relating to restrictions on the power of the division of deaf services of the department of human rights to obtain office space for utilization in carrying out service projects for deaf persons, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 399) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell

Drake

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House File 420.

House File 420

On motion of Senator Tinsman, House File 420, a bill for an act authorizing the board of supervisors to review and remand a decision of the board of adjustment, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 420) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Hultman	Murphy	Rensink
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate Joint Resolution 10.

Senate Joint Resolution 10

On motion of Senator Welsh, Senate Joint Resolution 10, a joint resolution to nullify administrative rules of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date, was taken up for consideration.

Senator Welsh moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 10) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Drake	Murphy	Rensink
Vande Hoef			

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 16, by Kinley, a concurrent resolution to urge and petition the United States Department of Defense to establish an all-service museum located at Fort Des Moines, Iowa.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 1:30 p.m.

APPENDIX

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: April 10, 1989, 4:00 p.m.

Members Present: Sturgeon, Chair; Miller, Vice Chair; Tinsman, Ranking Member; Gentleman and Hannon.

Members Absent: none.

Committee Business: Subcommittee approved and submitted proposed Health and Human Rights appropriations bill to the full Appropriations Committee.

Adjourned: 5:27 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: April 10, 1989, 11:50 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Budget decisions.

Adjourned: 12:17 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: April 10, 1989, 11:55 a.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member and Goodwin.

Members Absent: Palmer.

Committee Business: Reconsidered approval of LSB 2436 to consider supplemental priorities.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: April 10, 1989, 12:00 noon.

Members Present: Gettings, Chair; Lind, Ranking Member; Husak and Pate.

Members Absent: Coleman, Vice Chair.

Committee Business: Discussed supplementary appropriations bill.

Adjourned: 12:55 p.m.

WAYS AND MEANS

Convened: April 10, 1989, 5:00 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie and Szymoniak.

Members Absent: Hester, Ranking Member; Murphy, Palmer, Riordan and Soorholtz (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 5:05 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 11th day of April, 1989:

Senate File 506.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointment, completed its investigations on April 10, 1989, and recommended the appointee be confirmed:

Roosevelt Taylor as a member of the Iowa Finance Authority.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1989, when the vote was taken on House Joint Resolution 12.

Had I been present, I would have voted "aye" on the resolution.

AL STURGEON

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 537 passed the Senate on April 11, 1989.

DONALD V. DOYLE

SUBCOMMITTEE ASSIGNMENT

Senate File 447

APPROPRIATIONS: Welsh, Chair; Gronstal and Lind

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty eleventh grade students from Guthrie Center High School, Guthrie Center, Iowa, accompanied by Connie Skow. Senator Riordan.

Forty sixth grade students from Manson Elementary School, Manson, Iowa, accompanied by Mr. Mays, Mrs. Schettler and Mrs. Moeding. Senator Fuhrman.

Thirty-one fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Paul Linn. Senator Gentleman.

One hundred fifth and sixth grade students from West Monona Elementary School, Onawa, Iowa, accompanied by Joan Petersen. Senator Doyle.

AMENDMENTS FILED

S—3621	S.F.	52	House amendment
S—3622	H.F.	573	Richard Vande Hoef
S—3623	H.F.	735	Michael E. Gronstal
S—3624	H.F.	403	Richard Running
S—3625	H.F.	345	Jim Riordan Maggie Tinsman Ray Taylor Tom Mann, Jr.
S—3626	H.F.	18	Tom Mann, Jr.
S—3627	H.F.	127	Donald Doyle Berl Priebe Dale Tieden
S—3628	H.F.	537	Donald Doyle
S—3629	H.F.	146	Jim Lind
S—3630	H.F.	313	Calvin Hultman
S—3631	H.F.	551	Don Gettings Donald Doyle
S—3632	H.F.	645	Calvin Hultman
S—3633	H.F.	740	Ray Taylor
S—3634	H.F.	250	Ray Taylor Richard Running
S—3635	H.F.	537	Donald Doyle
S—3636	H.F.	620	Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Varn took the chair at 1:43 p.m.

The vote revealed 46 present, 4 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Resolution 8.

Senate Resolution 8

On motion of Senator Running, Senate Resolution 8, a senate resolution requesting the governor to proclaim September 15, 1989, as Iowa POW/MIA Recognition Day, with report of committee recommending passage, was taken up for consideration.

Senator Running moved the adoption of Senate Resolution 8, which motion prevailed by a voice vote.

BUSINESS PENDING

House File 146

The Senate resumed consideration of House File 146, a bill for an act relating to the county commission of veteran affairs, previously deferred.

Senator Lind offered amendment S—3629 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3629 was adopted by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 146) the vote was:

Ayes, 37:

Carr	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Miller	Murphy	Nystrom	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 9:

Bruner	Corning	Fuhrman	Gentleman
Hannon	Lloyd-Jones	Mann	Szymoniak
Tinsman			

Absent or not voting, 4:

Boswell	Coleman	Palmer	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 163 and 542.

House File 163

On motion of Senator Doyle, House File 163, a bill for an act relating to the duties of the department of inspections and appeals in the appeal and hearing processes of the state department of transportation, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3618 filed by him on April 10, 1989, to pages 18 and 19 of the bill and moved its adoption.

Amendment S—3618 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 163) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 542

On motion of Senator Hannon, House File 542, a bill for an act relating to reprisals and orders with respect to certain disclosures of information and other actions by employees of the state and its political subdivisions, providing penalties, providing civil remedies, and providing properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 542) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Zimmerman took the chair at 2:04 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 430 and 551.

House File 430

On motion of Senator Goodwin, House File 430, a bill for an act authorizing the appointment or designation of a city health officer, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 430) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Drake	Hester	Tinsman
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 551

On motion of Senator Nystrom, House File 551, a bill for an act to modify the requirements for establishing an aviation authority, with report of committee recommending passage, was taken up for consideration.

Senator Gettings offered amendment S—3631 filed by Senators Gettings and Doyle from the floor to page 1 of the bill and moved its adoption.

Amendment S—3631 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 551) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings

Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 199** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 573, 581 and 641.

House File 573

On motion of Senator Fraise, House File 573, a bill for an act relating to civil service medical examinations and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3622 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3622 was adopted by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 573) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 581

On motion of Senator Fraise, House File 581, a bill for an act authorizing a reserve account for fire protection, emergency warning, and ambulance services provided by townships, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 581) the vote was:

Ayes, 45:

Bruner	Carr	Corning	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal

Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 4:

Coleman	Dieleman	Running	Tinsman
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Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 641

On motion of Senator Sturgeon, House File 641, a bill for an act relating to human immunodeficiency virus-related testing and counseling, and eliminating a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Running asked and received unanimous consent that action on **House File 641** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 672, 706 and 717.

House File 672

On motion of Senator Varn, House File 672, a bill for an act relating to harassment and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 672) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 706

On motion of Senator Kibbie, House File 706, a bill for an act relating to the use of federal and state funding sources to finance job training through vocational education, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **House File 706** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 717

On motion of Senator Soorholtz, House File 717, a bill for an act relating to requirements for a license to practice podiatry by requiring successful completion of a residency or preceptorship for applicants graduating from podiatric college in 1995 or thereafter, with report of committee recommending passage, was taken up for consideration.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 717) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Bruner called up the motion to reconsider House File 402 filed by him on April 10, 1989, found on page 1304 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 402) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Tieden

Absent or not voting, 4:

Boswell	Rife	Running	Soorholtz
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The motion prevailed.

Senator Bruner moved to reconsider the vote by which House File 402 went to its last reading, which motion prevailed by a voice vote.

House File 402

On motion of Senator Bruner, House File 402, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements, was taken up for reconsideration.

Senator Bruner offered amendment S—3619 filed by him on April 10, 1989, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3619 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 402) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer

Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 10, 1989)

House File 735

The Senate resumed consideration of House File 735, a bill for an act relating to enhanced 911 emergency telephone communications systems, and providing for the Act's applicability, deferred April 10, 1989.

Senator Gronstal offered amendment S—3623 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3623 was adopted by a voice vote.

Senator Gronstal offered amendment S—3616 filed by Senators Gronstal, Nystrom and Carr on April 10, 1989, to pages 4, 5 and to the title page of the bill and moved its adoption.

Amendment S—3616 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 735) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin

Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

House File 641

The Senate resumed consideration of House File 641, a bill for an act relating to human immunodeficiency virus-related testing and counseling, and eliminating a penalty, previously deferred.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 641) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 10, 1989)

House File 678

The Senate resumed consideration of House File 678, a bill for an act relating to certain filings with the secretary of state by nonprofit corporations, deferred April 10, 1989.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 678) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 721, 13, 20, 71 and 329.

House File 721

On motion of Senator Deluhery, House File 721, a bill for an act enacting the quad cities interstate metropolitan authority compact, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 721** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 13

On motion of Senator Gronstal, House File 13, a bill for an act relating to conduct which endangers the physical health or safety of a student and which is a condition of association with a student group or organization, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 13) the vote was:

Ayes, 46:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Fuhrman Tieden

Absent or not voting, 2:

Boswell Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 20

On motion of Senator Horn, House File 20, a bill for an act relating to dissolution of marriage and related proceedings by providing for a pilot program of mandatory mediation of contested issues of child custody and visitation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn offered amendment S—3601 filed by the committee on Judiciary on April 7, 1989, to pages 2 and 5 of the bill and moved its adoption.

Amendment S—3601 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 20) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Gronstal	Hagerla
Hannon	Hedge	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 5:

Drake	Gentleman	Goodwin	Hester
Rensink			

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Mann took the chair at 3:14 p.m.

House File 71

On motion of Senator Gronstal, House File 71, a bill for an act establishing pilot projects for a peer review court as a diversion program for offenders ten through seventeen years of age, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 71** be deferred.

House File 329

On motion of Senator Horn, House File 329, a bill for an act relating to the name of and liabilities arising from activities of the small business assistance center at the University of Northern Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 329) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie

Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 480

On motion of Senator Priebe, House File 480, a bill for an act relating to the licensing of fur dealers and subjecting violators to an existing penalty, was taken up for further consideration (substituted for Senate File 221 as amended and deferred on April 6, 1989).

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 480) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Varn

Nays, 8:

Dieleman	Fuhrman	Gentleman	Jensen
Peterson	Rensink	Vande Hoef	Welsh

Absent or not voting, 2:

Boswell	Hutchins
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate File 221** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 570

On motion of Senator Nystrom, House File 570, a bill for an act relating to the registration of aircraft, was taken up for further consideration (substituted for Senate File 453 and deferred April 6, 1989).

Senator Lind offered amendment S—3586 filed by him on April 7, 1989, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 30, nays, 9.

Amendment S—3586 was adopted.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 570) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise

Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 3:

Drake	Lind	Tieden
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Absent or not voting, 3:

Boswell	Murphy	Sturgeon
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Nystrom asked and received unanimous consent that **Senate File 453** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 739

On motion of Senator Lloyd-Jones, House File 739, a bill for an act regarding the application process for federal airport funds and mandating that governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval, was taken up for further consideration (substituted for Senate File 443 as amended and deferred on April 6, 1989).

Senator Pate asked and received unanimous consent that action on **House File 739** be **deferred**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 513, 556, 662 and 699.

House File 513

On motion of Senator Gronstal, House File 513, a bill for an act prohibiting the theft of telephone service, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 513) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Murphy	Sturgeon
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 556

On motion of Senator Varn, House File 556, a bill for an act relating to increasing the penalty and providing for attorney fees

for failure to acknowledge satisfaction of a mortgage within thirty days, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 556** be deferred.

House File 662

On motion of Senator Horn, House File 662, a bill for an act relating to court proceedings involving child support orders where the dependent child resides in another state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **House File 662** be deferred.

House File 699

On motion of Senator Varn, House File 699, a bill for an act relating to the state public defender and the appointment of a state appellate defender, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 699) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 722 and 745.

House Files 722

On motion of Senator Deluhery, House File 722, a bill for an act relating to infectious waste management, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3591 filed by the committee on Environment and Energy Utilities on April 7, 1989, to page 2 of the bill.

Senator Gronstal offered amendment S—3641 filed by Senators Gronstal, Pate and Deluhery from the floor to amendment S—3591 and moved its adoption.

Amendment S—3641 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3591 as amended, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 722) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann

Miller	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 745

On motion of Senator Coleman, House File 745, a bill for an act relating to the stopping, standing, and parking of vehicles including parking for handicapped persons and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **House File 745** be deferred.

UNFINISHED BUSINESS (Deferred April 10, 1989)

House File 663

The Senate resumed consideration of House File 663, a bill for an act requiring motorized bicycles to be equipped with bicycle safety flags and making a penalty applicable, deferred April 10, 1989.

Senator Jensen offered amendment S—3614 filed by Senators Jensen and Doyle on April 10, 1989, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3614 was adopted by a voice vote.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 663) the vote was:

Ayes, 39:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Nystrom	Pate	Peterson
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	

Nays, 9:

Fuhrman	Gentleman	Hultman	Murphy
Palmer	Priebe	Tieden	Vande Hoef
Welsh			

Absent or not voting, 2:

Boswell	Lind
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Doyle called up the motion to reconsider House File 537 filed by him on April 11, 1989, found on page 1329 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 537) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate

Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Tieden

Absent or not voting, 2:

Boswell Hultman

The motion prevailed.

Senator Doyle moved to reconsider the vote by which House File 537 went to its last reading, which motion prevailed by a voice vote.

House File 537

On motion of Senator Doyle, House File 537, a bill for an act relating to motor vehicle registrations and certificates of title and providing penalties and effective dates, was taken up for reconsideration.

Senator Doyle offered amendment S—3635 filed by him from the floor to pages 3 of the bill and moved its adoption.

Amendment S—3635 was adopted by a voice vote.

With the adoption of amendment S—3635, the Chair ruled amendment S—3628 filed by Senator Doyle from the floor to page 3 of the bill, out of order.

Senator Welsh offered amendment S—3647 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—3647 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 537) the vote was:

Ayes, 41:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Varn
Welsh			

Nays, 8:

Corning	Fuhrman	Gentleman	Hedge
Hultman	Tieden	Tinsman	Vande Hoef

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 628

On motion of Senator Varn, House File 628, a bill for an act relating to the purchase or sale of an individual and providing a penalty, was taken up for further consideration (substituted for Senate File 414 and deferred on April 6, 1989.)

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 628) the vote was:

Ayes, 49:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon

Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Boswell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Varn asked and received unanimous consent that **Senate File 414** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 729

On motion of Senator Horn, House File 729, a bill for an act relating to insurance coverage for health care services, requiring that coverage be made available for care provided by certain registered nurses, providing for direct payment, modifying provisions relating to preferred providers, and providing for data collection and utilization review, was taken up for further consideration (substituted for Senate File 480 as amended, deferred on April 6, 1989).

Senator Horn offered amendment S—3572 filed by him on April 6, 1989, to page 5 of the bill and moved its adoption.

Amendment S—3572 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 729) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 2:

Palmer	Peterson
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Absent or not voting, 3:

Boswell	Fraise	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate File 480** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 522.

House File 522

On motion of Senator Priebe, House File 522, a bill for an act relating to the filling of a vacancy on the county board of supervisors, with report of committee recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—3646 filed by Senators Priebe, Miller and Tinsman from the floor to pages 1, 2 and to the title page of the bill.

Senator Carr asked and received unanimous consent that action on amendment S—3646 and **House File 522** be **deferred**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 17, by Bruner, a concurrent resolution requesting an interim study relating to the regulation of clinical laboratories and laboratory science practitioners.

Read first time and **passed on file**.

APPENDIX

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointees referred to the committee on State Government for investigation on March 21, 1989, were automatically placed on the Individual Confirmation Calendar **without recommendation**:

Erlene Veverka as a member of the Board of Nursing Examiners.

Cheryl J. Richardson as a member of the Engineering and Land Surveying Examining Board.

Dr. Donna Drees as a member of the Medical Examining Board.

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 10, 1989, when the final vote was taken on House File 270.

Had I been present, I would have voted "aye".

MARK R. HAGERLA

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1989, when the final vote was taken on House File 430.

Had I been present, I would have voted "nay".

MAGGIE TINSMAN

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 146 passed the Senate on April 11, 1989.

JIM LIND

MADAM PRESIDENT: I move to reconsider the vote by which House File 729 passed the Senate on April 11, 1989.

BEVERLY A. HANNON

PRESENTATION OF VISITOR

Senator Soorholtz presented the Honorable Carson Rogers, State Senator from Nebraska, who was present in the Senate chamber.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	16	Rules and Administration
S. C. R.	17	Rules and Administration

AMENDMENTS FILED

S—3637	S. F.	373	William Dieleman
S—3638	S. F.	373	John W. Jensen
S—3639	H. F.	293	Joe Welsh
S—3640	H. F.	451	Elaine Szymoniak
S—3641	H. F.	722	Michael E. Gronstal Paul D. Pate Patrick Deluhery
S—3642	S. F.	373	Wally Horn
S—3643	H. F.	745	C. Joseph Coleman
S—3644	H. F.	662	Tom Mann, Jr.
S—3645	S. F.	366	William Palmer
S—3646	H. F.	522	Berl E. Priebe Alvin V. Miller Maggie Tinsman
S—3647	H. F.	537	Joe Welsh
S—3648	H. F.	686	John Kibbie Leonard Boswell Richard Running Jean Lloyd-Jones
S—3649	H. F.	178	Bob Carr
S—3650	H. F.	490	Bob Carr
S—3651	H. F.	490	Bob Carr
S—3652	S. F.	370	Eugene Fraise

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:43 p.m., until 9:00 a.m., Wednesday, April 12, 1989.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 12, 1989

The Senate met in regular session at 9:04 a.m., Senator Coleman presiding.

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Tuesday, April 11, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 130, a bill for an act relating to the establishment and operation of point-of-sale and automatic teller machine terminals and providing an effective date.

Senate File 155, a bill for an act relating to the availability of counseling services to children who are members of a household where an incident involving domestic abuse has occurred.

Senate File 169, a bill for an act relating to the rate filing requirements of common carriers.

Senate File 260, a bill for an act eliminating the ability of utilities division staff to file a complaint with the utilities board alleging that a utility's rates are excessive following an investigation by division staff, a special audit, continuous review of operations, or review of annual reports.

ALSO: That the House has on April 10, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 117, a bill for an act relating to medical assistance requirements and providing for eligibility of certain recipients of federal Medicare (S—3654).

Senate File 231, a bill for an act relating to the regulation of alternate operator services and making civil penalties applicable (S—3655).

ALSO: That the members of the **conference committee**, appointed April 11, 1989, on **House File 199**, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions are: The Representative from Polk, Mr. Holveck, Chair; the Representative from Johnson, Mrs. Doderer, the Representative from Polk, Mr. Bisignano, the Representative from Buchanan, Mr. Kremer, and the Representative from Woodbury, Mr. Shoning.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 124, 88, 6, 29, 372 and 140.

House File 124

On motion of Senator Kibbie, House File 124, a bill for an act to increase the fee for the wildlife habitat stamp, with reports of committees on Natural Resources recommending passage and the committee on Ways and Means without recommendation, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 124) the vote was:

Ayes, 33:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Gentleman	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Kibbie
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Welsh			

Nays, 11:

Doyle	Fraise	Fuhrman	Gettings
Hagerla	Hultman	Jensen	Peterson
Tinsman	Vande Hoef	Varn	

Absent or not voting, 6:

Boswell	Drake	Kinley	Mann
Murphy	Pate		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 88

On motion of Senator Kibbie, House File 88, a bill for an act providing for nonresident hunting licenses for deer and wild turkey, with reports of committees on Natural Resources recommending amendment and passage and the committee on

Ways and Means recommending passage, was taken up for consideration.

Senator Kibbie offered amendment S—3109 filed by the committee on Natural Resources on February 23, 1989, to page 1 of the bill.

Senator Kibbie offered amendment S—3653 filed by him from the floor to amendment S—3109 and moved its adoption.

Amendment S—3653 was adopted by a voice vote.

Senator Kibbie moved the adoption of amendment S—3109 as amended, which motion prevailed by a voice vote.

Action on **House File 88** was temporarily deferred.

House File 6

On motion of Senator Priebe, House File 6, a bill for an act relating to issuance of hunting licenses to landowners and tenants for deer and wild turkey, with reports of committee on Natural Resources recommending passage and the committee on Ways and Means without recommendation, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 6) the vote was:

Ayes, 38:

Bruner	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Jensen	Kibbie	Kinley
Lloyd-Jones	Miller	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 5:

Carr	Doyle	Lind	Riordan
Sturgeon			

Voting present, 1:

Gentleman

Absent or not voting, 6:

Boswell	Hultman	Hutchins	Mann
Murphy	Nystrom		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 29

On motion of Senator Peterson, House File 29, a bill for an act relating to the recovery of unemployment compensation overpayments, with report of committee recommending passage, was taken up for consideration.

Senator Peterson asked and received unanimous consent that action on **House File 29** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 372

On motion of Senator Husak, House File 372, a bill for an act relating to the duties of the natural resource commission and the environment and the environmental protection commission with respect to budget approval requirements, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 372) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink

Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Hutchins	Mann	Miller
Murphy			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 140

On motion of Senator Hannon, House File 140, a bill for an act relating to the linked deposit program and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—3496 filed by the committee on Small Business and Economic Development on March 30, 1989, to pages 2, 5 and the title page of the bill.

Senator Hagerla asked and received unanimous consent that action on amendment S—3496 and **House File 140** be **deferred**.

UNFINISHED BUSINESS (Deferred April 6, 1989)

Senate File 468

The Senate resumed consideration of Senate File 468, a bill for an act relating to the powers and duties of the Iowa corn board, deferred April 6, 1989.

Senator Scott offered amendment S—3600 filed by him on April 7, 1989, to pages 1 through 4 and 6 through 9 of the bill and moved its adoption.

Amendment S—3600 was adopted by a voice vote.

Senator Scott asked and received unanimous consent that **House File 734** be substituted for **Senate File 468** as amended.

House File 734

On motion of Senator Scott, House File 734, a bill for an act relating to the powers and duties of the Iowa corn promotion board, was taken up for consideration.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 734) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Drake	Mann	Murphy
Tinsman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Scott asked and received unanimous consent that **Senate File 468** be **withdrawn** from further consideration of the Senate.

MOTION TO RECONSIDER WITHDRAWN

House File 729

Senator Hannon withdrew the motion to reconsider House File 729, a bill for an act relating to insurance coverage for health care services, requiring that coverage be made available for care provided by certain registered nurses, providing for direct payment, modifying provisions relating to preferred providers, and providing for data collection and utilization review, filed by her on April 11, 1989, and found on page 1361 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House Files 272, 273 and 477.

House File 272

On motion of Senator Hannon, House File 272, a bill for an act relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa products and services, authorizing the establishment of guidelines, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—3492 filed by the committee on Small Business and Economic Development on March 30, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3492 was adopted by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 272) the vote was:

Ayes, 43:

Bruner	Carr	Corning	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn

Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Coleman	Deluhery	Dieleman
Mann	Murphy	Peterson	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 273

On motion of Senator Scott, House File 273, a bill for an act relating to economic development corporations in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Miller offered amendment S—3497 filed by Senators Miller, et al., on March 30, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3497 was adopted by a voice vote.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 273) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running

Scott
Taylor
Varn

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Nays, none.

Absent or not voting, 4:

Boswell

Deluhery

Mann

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 477

On motion of Senator Doyle, House File 477, a bill for an act relating to certain motor vehicles, by providing for the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, the operation of certain motor vehicles, subjecting violators to a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—3561 filed by the committee on Natural Resources on April 5, 1989, to pages 2 through 4, 8, 9 and 13 of the bill and moved its adoption.

Amendment S—3561 was adopted by a voice vote.

Senator Tieden offered amendment S—3665 filed by him from the floor to page 9 of the bill.

Senator Kinley took the chair at 10:45 a.m.

Senator Tieden moved the adoption of amendment S—3665, which motion prevailed by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 477) the vote was:

Ayes, 47:

Bruner
Deluhery

Carr
Dieleman

Coleman
Doyle

Corning
Drake

Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Goodwin	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 684 and 250.

House File 684

On motion of Senator Tinsman, House File 684, a bill for an act relating to persons or copartnerships required to file statements regarding the use of trade names, by requiring each county recorder to submit a monthly list of such persons to the secretary of state, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 684) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink

Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Varn	Welsh

Nays, 4:

Dieleman	Drake	Hedge	Vande Hoef
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Absent or not voting, 2:

Boswell	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 250

On motion of Senator Doyle, House File 250, a bill for an act relating to violations of an individual's civil rights, by prohibiting interference with the contractual or business relations of another citizen, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor civil rights violations, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **House File 250** be **deferred**.

UNFINISHED BUSINESS (Deferred March 30, 1989)

Senate File 370

The Senate resumed consideration of Senate File 370, a bill for an act a bill for an act relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner, and amendment S—3407, deferred March 30, 1989.

Senator Fraise withdrew amendment S—3407 to page 1 and the title page of the bill and amendment S—3652 filed by him on April 11, 1989, to strike everything after the enacting clause of the bill.

Senator Fraise offered amendment S—3656 filed by him from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3656 was adopted by a voice vote.

Senator Fraise asked and received unanimous consent that **House File 698** be substituted for **Senate File 370** as amended.

House File 698

On motion of Senator Fraise, House File 698, a bill for an act relating to the accountancy examining board, including its membership, the use of the accountancy practitioner advisory council, and requirements for licensure as an accounting practitioner, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 698) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Boswell	Hultman	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Fraise asked and received unanimous consent that **Senate File 370** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 345.

Hosue File 345

On motion of Senator Carr, House File 345, a bill for an act to provide for county participation in medical assistance payments for home and community-based services for mentally retarded persons who would otherwise be eligible for care in an intermediate care facility, with report of committee recommending passage, was taken up for consideration.

Senator Riordan offered amendment S—3625 filed by Senators Riordan, et al., on April 11, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3625 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 345) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon

Szymoniak
Vande Hoef

Taylor
Varn

Tieden
Welsh

Tinsman

Nays, none.

Absent or not voting, 3:

Boswell

Mann

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 499** be referred from the Regular Calendar to the committee on **State Government**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Diane J. McNulty as a member of the Accountancy Examining Board.

Robert R. Rush as a member of the Campaign Finance Disclosure Commission.

Jo Ann Nina Pals as a member of the Cosmetology Examining Board.

Beverly A. Anderson and Anne M. Pederson as members of the County Finance Committee.

Harry G. Slife and Julie J. Bulkeley as members of the Iowa Economic Development Board.

Darwin Thomas (Tom) Lynner, Jr. as a member of the Iowa Finance Authority.

Alfred C. Bohling, Jr. as a member of the Landscape Architectural Examining Board.

Sharon K. Smith as a member of the Mental Health and Mental Retardation Commission.

Judith K. Rinehart as a member of the Social Work Examining Board.

Virginia K. Nichols as a member of the State Board of Tax Review.

Linda Groves as a member of the Commission on the Deaf.

George C. Otte as a member of the State Library Commission.

Ruth M. Roberts as a member of the Architectural Examining Board.

William D. Murphy as a member of the State Judicial Nominating Commission.

Cyndi Fisher as a member of the Commission on Judicial Qualifications.

Ann M. Lohman as a member of the Optometry Examining Board.

Harry Bookey as a member of the Iowa Product Development Corporation.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell

Mann

Rife

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 223, a bill for an act relating to early childhood programs (S—3661).

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 18, by committee on Agriculture, a concurrent resolution to petition the Governor of the state of Iowa to issue a proclamation of a disaster emergency due to drought conditions affecting water resources of the state.

Read first time and placed on calendar.

Senate Concurrent Resolution 19, by committee on Agriculture, a concurrent resolution to urge and petition the United States Department of Agriculture to make lands which are under the conservation reserve program eligible for grazing by livestock.

Read first time and placed on calendar.

Senate Concurrent Resolution 20, by committee on Agriculture, a concurrent resolution to urge and petition the congress of the United States, the president of the United States, the secretary of agriculture, the United States department of agriculture, including the animal and plant health inspection service of the United States department of agriculture, to reconsider adoption of rule changes amending 9 C.F.R. pt. 92

relating to precautions against infection of native swine herds from foreign transmission of disease.

Read first time and **placed on calendar.**

INTRODUCTION OF BILL

Senate File 517, by committee on Appropriations, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date.

Read first time and **placed on Appropriations Calendar.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:31 a.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 11, 1989, 4:50 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Amended and approved LSBs 2327 and 2375 as committee bills.

Adjourned: 5:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: April 10, 1989, 3:58 p.m.

Members Present: Running, Chair; Peterson, Vice Chair; Hedge, Ranking Member; Goodwin and Palmer.

Members Absent: none.

Committee Business: Subcommittee amended, approved and submitted LSB 2436 to the full Appropriations Committee.

Adjourned: 4:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: April 11, 1989, 8:10 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Lind, Ranking Member and Husak.

Members Absent: Pate.

Committee Business: Subcommittee amended, approved and submitted proposed appropriations bill to the full Appropriations Committee; discussed and deferred additional appropriations bill.

Adjourned: 8:52 a.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 124 passed the Senate on April 12, 1989.

EMIL J. HUSAĀK

MADAM PRESIDENT: I move to reconsider the vote by which House File 477 passed the Senate on April 12, 1989.

JAMES RIORDAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighty fifth grade students from Waukee Middle School, Waukee, Iowa, accompanied by Marilyn Anfinson. Senator Riordan.

Forty-five sixth grade students from Bryant Elementary School, Boone, Iowa, accompanied by Mrs. Orr. Senator Nystrom.

Sixty twelfth grade students from Sumner High School, Sumner, Iowa, accompanied by Otis Ruby. Senator Jensen.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 12, 1989, when the final vote was taken on House File 734.

Had I been present, I would have voted "aye".

MAGGIE TINSMAN

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 18, a concurrent resolution to petition the Governor of the state of Iowa to issue a proclamation of a disaster emergency due to drought conditions affecting water resources of the state.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, Soorholtz, Coleman, Fraise, Hester, Husak, Miller and Scott. Nays, none. Absent or not voting, 7: Riordan, Boswell, Fuhrman, Hedge, Palmer, Rensink and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 19, a concurrent resolution to urge and petition the United States Department of Agriculture to make lands which are under the conservation reserve program eligible for grazing by livestock.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, Soorholtz, Coleman, Fraise, Hester, Husak, Miller and Scott. Nays, none. Absent or not voting, 7: Riordan, Boswell, Fuhrman, Hedge, Palmer, Rensink and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 20, a concurrent resolution to urge and petition the congress of the United States, the president of the United States, the secretary of agriculture, the United States department of agriculture, including the animal and plant health inspection service of the United States department of agriculture, to reconsider adoption of rule changes amending 9 C.F.R. pt. 92 relating to precautions against infection of native swine herds from foreign transmission of disease.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Priebe, Soorholtz, Coleman, Fraise, Hester, Husak, Miller and Scott. Nays, none. Absent or not voting, 7: Riordan, Boswell, Fuhrman, Hedge, Palmer, Rensink and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 517, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund,

revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Welsh, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PROOF OF PUBLICATION

Verified proof of publication of House File 631 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate.

AMENDMENTS FILED

S—3653	H.F.	88	John Kibbie
S—3654	S.F.	117	House amendment
S—3655	S.F.	231	House amendment
S—3656	S.F.	370	Eugene Fraise
S—3657	H.F.	740	Linn Fuhrman
S—3658	H.F.	740	Linn Fuhrman
S—3659	H.F.	140	Jim Riordan
			Beverly Hannon
			Elaine Szymoniak
			Alvin Miller
			Bob Carr
S—3660	H.F.	140	Richard Vande Hoef
S—3661	S.F.	223	House amendment
S—3662	H.F.	250	Ray Taylor
			Richard Running
S—3663	H.F.	29	Calvin Hultman
S—3664	H.F.	700	Donald Doyle
			Eugene Fraise
			Bob Carr
			Michael E. Gronstal
S—3665	H.F.	477	Dale Tieden
S—3666	H.F.	250	Linn Fuhrman
S—3667	H.F.	572	Norman Goodwin

S—3668	H.F.	465	Alvin Miller Eugene Fraise Maggie Tinsman Elaine Szymoniak Richard Vande Hoef
S—3669	H.F.	723	John W. Jensen Jean Lloyd-Jones
S—3670	H.F.	713	Jack Rife
S—3671	H.F.	713	Paul D. Pate

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AFTERNOON SESSION

The Senate reconvened at 1:46 p.m., Senator Running presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the remainder of the week on request of Senator Hutchins.

Senator Coleman took the chair at 2:06 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 201, 367 and 371.

House File 201

On motion of Senator Running, House File 201, a bill for an act relating to the regulation of lotteries, lottery tickets, and other games of chance, or contest, by amending provisions relating to advertising, with report of committee recommending passage, was taken up for consideration.

Senator Lind offered amendment S—3320 filed by him on March 20, 1989, to page 1 of the bill.

Senator Running raised the point of order that amendment S—3320 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3320 out of order.

Senator Lind asked and received unanimous consent that action on **House File 201** be **deferred**.

House File 367

On motion of Senator Gentleman, House File 367, a bill for an act relating to the powers and duties of the state historical society and the historical division of the department of cultural affairs, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 367) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Deluhery	Kinley	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 371

On motion of Senator Riordan, House File 371, a bill for an act relating to emergency medical care providers, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3501 filed by the committee on Human Resources on March 30, 1989, to page 8 of the bill and moved its adoption.

Amendment S—3501 was adopted by a voice vote.

Senator Hagerla withdrew amendment S—3557 filed by him on April 5, 1989, to page 11 of the bill.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 371) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Kinley	Mann
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 490, 98 and 572.

House File 490

On motion of Senator Carr, House File 490, a bill for an act relating to the department of inspections and appeals, revising provisions governing the structure and allocation of duties within

the department, changing the structure for racing and gaming regulation, providing changes in certain statutory requirements relating to bingo and other games and raffles, revising the responsibilities of the department, and providing other properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Carr offered amendment S—3651 filed by him on April 11, 1989, to pages 1 and 10 of the bill and moved its adoption.

Amendment S—3651 was adopted by a voice vote.

Senator Carr offered amendment S—3650 filed by him on April 11, 1989, to pages 4 and 8 of the bill and moved its adoption.

Amendment S—3650 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 490) the vote was:

Ayes, 39:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 7:

Hagerla	Hedge	Hultman	Rensink
Rife	Scott	Vande Hoef	

Absent or not voting, 4:

Boswell	Deluhery	Mann	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 98

On motion of Senator Kinley, House File 98, a bill for an act relating to the establishment of bank offices within a municipal corporation or urban complex in which the principal place of business of the bank is located, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kinley offered amendment S—3569 filed by the committee on Commerce on April 6, 1989, to page 1 and the title page of the bill.

Senator Priebe called for a division of amendment S—3569: page 1, lines 3 through 17 as division S—3569A; page 1, lines 18 through 50 and page 2 as division S—3569B.

Senator Kinley moved the adoption of division S—3569A, which motion prevailed by a voice vote.

Senator Priebe raised the point of order that division S—3569B was not germane to the bill.

The Chair ruled the point not well taken and division S—3569B in order.

Senator Rife asked and received unanimous consent that action on division S—3569B and **House File 98** be deferred.

House File 572

On motion of Senator Goodwin, House File 572, a bill for an act relating to the payment for uniform citation and complaint forms, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin offered amendment S—3667 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3667 was adopted by a voice vote.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 572) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Deluhery	Mann	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 537** be **immediately messaged** to the House.

BUSINESS PENDING

House File 88

The Senate resumed consideration of House File 88, a bill for an act providing for nonresident hunting licenses for deer and wild turkey, previously deferred.

Senator Murphy offered amendment S—3089 filed by him on February 20, 1989, to page 1 of the bill and called for a division: lines 3, 4, 14 and 15 as division S—3089A; lines 5 through 13 as division S—30879B; lines 16 through 23 as division S—3089C.

Senator Murphy withdrew division S—3089 A.

Senator Murphy asked and received unanimous consent that action on divisions S—3089B and 3089C be deferred.

Senator Murphy asked and received unanimous consent that action on **House File 88** be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 196 and 692.

House File 196

On motion of Senator Murphy, House File 196, a bill for an act relating to the collection of certain adoption information according to federal regulations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3499 filed by the committee on Human Resources on March 30, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3499 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 196) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Boswell
Tieden

Deluhery

Hultman

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 692

On motion of Senator Carr, House File 692, a bill for an act requiring the department of inspections and appeals to develop a special classification of residential care facilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—3579 filed by the committee on Human Resources on April 6, 1989, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3579 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 692) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell
Tieden

Deluhery

Mann

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 703, 713 and 740.

House File 703

On motion of Senator Miller, House File 703, a bill for an act relating to the financing for the rural community 2000 program and authorizing the issuance of bonds and notes by the Iowa finance authority for the program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller asked and received unanimous consent that action on **House File 703** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 713

On motion of Senator Carr, House File 713, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that action on **House File 713** be **deferred**.

House File 740

On motion of Senator Doyle, House File 740, a bill for an act relating to obscenity law, providing penalties, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Kinley took the chair at 3:13 p.m.

Senator Doyle asked and received unanimous consent that action on **House File 740** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 598.

House File 598

On motion of Senator Sturgeon, House File 598, a bill for an act relating to the testing of public water systems, and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3577 filed by the committee on Environment and Energy Utilities on April 6, 1989, to page 1 of the bill.

Senator Sturgeon offered amendment S—3613 filed by him on April 10, 1989, to amendment S—3577 and moved its adoption.

Amendment S—3613 was adopted by a voice vote.

Senator Sturgeon moved the adoption of amendment S—3577 as amended, which motion prevailed by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 598) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Deluhery	Mann	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 631, 644 and 659.

House File 631

On motion of Senator Welsh, House File 631, a bill for an act to legalize proceedings of the City Council of the City of Bellevue relating to the letting of a construction contract, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 631) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Mann	Rife
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 644

On motion of Senator Varn, House File 644, a bill for an act relating to institutions, programs, and funds for which the college aid commission acts as a guaranteeing agency, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 644** be deferred.

House File 659

On motion of Senator Varn, House File 659, a bill for an act relating to a guaranteed student loan payment program, providing for loans to nurses, math-science teachers, and occupational therapists, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 659** be deferred.

Senator Horn asked and received unanimous consent to take up out of order House File 700.

House File 700

On motion of Senator Varn, House File 700, a bill for an act relating to victims of certain criminal acts, by providing for the distribution of the presentence investigation report to counsel, registration of victims with the county attorney, filing of the victim impact statement, notification to victims by various departments, reorganizing crime victim assistance programs and services within the department of justice, and modifying the state crime victim reparation program, with report of committee recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 700** be deferred.

UNFINISHED BUSINESS
(Deferred April 11, 1989)

House File 522

The Senate resumed consideration of House File 522, a bill for an act relating to the filling of a vacancy on the county board of supervisors, and amendment S—3646, deferred April 11, 1989.

Senator Priebe offered amendment S—3674 filed by Senators Priebe, et al., from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3674 was adopted by a voice vote.

With the adoption of amendment S—3674, the Chair ruled amendment S—3646 by Senators Priebe, Miller and Tinsman to pages 1, 2 and the title page of the bill, deferred on April 11, 1989, out of order.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 522) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Mann	Palmer
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Senate stood at ease until the fall of the gavel for the purposes of party caucuses.

The Senate resumed session, Senator Kinley presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the afternoon session on request of Senator Hultman.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolutions 18, 19 and 20.

Senate Concurrent Resolution 18

On motion of Senator Priebe, Senate Concurrent Resolution 18, a concurrent resolution to petition the Governor of the state of Iowa to issue a proclamation of a disaster emergency due to drought conditions affecting water resources of the state, was taken up for consideration.

Senator Priebe moved the adoption of Senate Concurrent Resolution 18, which motion prevailed by a voice vote.

Senate Concurrent Resolution 19

On motion of Senator Priebe, Senate Concurrent Resolution 19, a concurrent resolution to urge and petition the United States Department of Agriculture to make lands which are under the conservation reserve program eligible for grasing by livestock, was taken up for consideration.

Senator Priebe moved the adoption of Senate Concurrent Resolution 19, which motion prevailed by a voice vote.

Senate Concurrent Resolution 20

On motion of Senator Priebe, Senate Concurrent Resolution 20, a concurrent resolution to urge and petition the congress of the United States, the president of the United States, the secretary of agriculture, the United States department of agriculture, including the animal and plant health inspection service of the United States department of agriculture, to reconsider adoption of rule changes amending 9 C.F.R. pt. 92 relating to precautions against infection of native swine herds from foreign transmission of disease, was taken up for consideration.

Senator Priebe moved the adoption of Senate Concurrent Resolution 20, which motion prevailed by a voice vote.

BUSINESS PENDING

House File 201

The Senate resumed consideration of House File 201, a bill for an act relating to the regulation of lotteries, lottery tickets, and other games of chance, or contest, by amending provisions relating to advertising, and providing an effective date, previously deferred.

Senator Lind offered amendment S—3679 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 9, nays 27.

Amendment S—3679 lost.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 201) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge

Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Deluhery	Mann	Nystrom
Taylor	Tieden		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 52

Senator Corning called up for consideration Senate File 52, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools, amended by the House, and moved that the Senate concur in House amendment S—3621 filed April 11, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Corning moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 52) the vote was:

Ayes, 32:

Bruner	Carr	Coleman	Corning
Doyle	Drake	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hester	Hultman	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Miller	Murphy	Palmer	Pate
Priebe	Riordan	Soorholtz	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 12:

Dieleman	Fraise	Hedge	Horn
Husak	Jensen	Peterson	Rensink
Rife	Running	Scott	Vande Hoef

Absent or not voting, 6:

Boswell	Deluhery	Mann	Nystrom
Taylor	Tieden		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 487** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

MOTION TO RECONSIDER WITHDRAWN

House File 477

Senator Riordan withdrew the motion to reconsider House File 477, a bill for an act relating to certain motor vehicles, by providing for the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, the operation of certain motor vehicles, subjecting violators to penalties, and providing effective dates, filed by him on April 12, 1989, and found on page 1383 of the Senate Journal.

INTRODUCTION OF BILL

Senate File 518, by Hutchins and Hultman, a bill for an act relating to contracts and other agreements of telegraph and telephone companies and terms and conditions of service applicable to telegraph and telephone company customers, including those relating to liability, and providing an effective date.

Read first time and **passed on file**.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-nine sixth grade students from Okoboji Middle School, Milford, Iowa, accompanied by Ms. Anderson. Senator Kibbie.

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1989.

Had I been present, I would have voted "aye" on House Files 319 and 693.

JOY CORNING

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1989, when the final vote was taken on House Joint Resolution 12.

Had I been present, I would have voted "aye".

LINN FUHRMAN

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S.F. 518 Commerce

INTRODUCTION OF BILL

Senate File 519, by Hutchins and Hultman, a bill for an act relating to the chairperson of the board of parole and the board of parole.

Read first time under Rule 28 and **passed on file**.

AMENDMENTS FILED

S-3672	H.F.	740	Donald Doyle
S-3673	S.F.	514	Emil Husak Al Sturgeon Maggie Tinsman Norman Goodwin
S-3674	H.F.	522	Berl E. Priebe Maggie Tinsman Bob Carr Eugene Fraise Alvin Miller
S-3675	S.F.	373	Don Gettings H. Kay Hedge Jack Rife
S-3676	H.F.	740	Larry Murphy
S-3677	H.F.	740	Larry Murphy
S-3678	H.F.	88	Larry Murphy
S-3679	H.F.	201	Jim Lind
S-3680	S.F.	373	Joe Welsh
S-3681	H.F.	660	William D. Palmer
S-3682	S.F.	373	Michael Gronstal Paul Pate
S-3683	H.F.	739	Paul Pate Jean Lloyd-Jones Donald Doyle Richard Running Jim Lind Joy Corning Elaine Szymoniak Wally Horn
S-3684	H.F.	343	Jim Riordan
S-3685	H.F.	723	John W. Jensen

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Thursday, April 13, 1989.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 13, 1989

The Senate met in regular session at 9:08 a.m., President pro tempore Mann presiding.

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Wednesday, April 12, 1989, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 118, a bill for an act relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce.

ALSO: That the House has on April 11, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 110, a bill for an act relating to foster care review by establishing certain reporting requirements.

Senate File 203, a bill for an act relating to escorts during the transfer of inmates committed to the custody of the director of the department of corrections.

Senate File 339, a bill for an act providing for delivering a deceased inmate's property to a designated person by the department of corrections.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 493** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

UNFINISHED BUSINESS (Deferred April 12, 1989)

House File 88

The Senate resumed consideration of House File 88, a bill for an act providing for nonresident hunting licenses for deer and wild turkey, and divisions S—3089B and S—3089C by Senator Murphy to page 1 of the bill, deferred on April 12, 1989.

Senator Murphy offered amendment S—3678 filed by him on April 12, 1989, to divisions S—3089B and S—3089C and called for a division: lines 3 through 5 as division S—3678A and lines 6 through 8 as division S—3678B.

Senator Murphy moved the adoption of division S—3678A to division S—3089B, which motion prevailed by a voice vote.

Senator Murphy asked and received unanimous consent that action on division S—3678B to division S—3089C be deferred.

Senator Murphy moved the adoption of division S—3089B as amended.

A non record roll call was requested.

The ayes were 27, nays 2.

Division S—3089B as amended was adopted.

Senator Murphy moved the adoption of division S—3678B to division S—3089C, previously deferred, which motion prevailed by a voice vote.

Senator Murphy moved the adoption of division S—3089C as amended, which motion prevailed by a voice vote.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 88) the vote was:

Ayes, 36:

Bruner	Carr	Coleman	Corning
Dieleman	Drake	Fraise	Gentleman
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Rensink	Rife
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, 11:

Doyle	Fuhrman	Gettings	Hester
Horn	Nystrom	Priebe	Riordan
Running	Scott	Varn	

Absent or not voting, 3:

Boswell	Deluhery	Hultman
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

Senate File 373

The Senate resumed consideration of Senate File 373, a bill for an act relating to public utilities and their affiliates, with civil penalties applicable, deferred April 6, 1989.

Senator Gronstal offered amendment S—3581 filed by Senators Gronstal, et al., on April 6, 1989, to strike everything after the enacting clause of the bill.

Senator Szymoniak requested a division of amendment S—3581.

The Chair stated amendment S—3581 was not divisible.

Senator Welsh offered amendment S—3694 filed by him from the floor to pages 1, 2 and 5 through 7 of amendment S—3581.

Senator Varn raised the point of order that amendment S—3694 to amendment S—3581 was not germane.

The Chair ruled the point not well taken and amendment S—3694 in order.

Senator Welsh moved the adoption of amendment S—3694 to amendment S—3581 and requested a non record roll call.

The ayes were 5, nays 29.

Amendment S—3694 lost.

Senator Horn offered amendment S—3642 filed by him on April 11, 1989, to pages 1, 5 and 6 of amendment S—3581, moved its adoption and requested a non record roll call.

The ayes were 14, nays 28.

Amendment S—3642 lost.

Senator Jensen withdrew amendment S—3638 filed by him on April 11, 1989, to page 2 of amendment S—3581.

Senator Gronstal offered amendment S—3682 filed by Senators Gronstal and Pate on April 12, 1989, to page 2 of amendment S—3581 and moved its adoption.

Amendment S—3682 was adopted by a voice vote.

With the adoption of amendment S—3682 to amendment S—3581, the Chair ruled amendment S—3617 filed by Senators Gettings, Hedge and Fraise on April 10, 1989, to page 2 of amendment S—3581, out of order.

Senator Hultman offered amendment S—3615 filed by him on April 10, 1989, to page 2 of amendment S—3581, moved its adoption, and requested a non record roll call.

The ayes were 17, nays 24.

Amendment S—3615 lost.

Senator Dieleman offered amendment S—3637 filed by him on April 11, 1989, to pages 4 and 7 of amendment S—3581, moved its adoption, and requested a non record roll call.

The ayes were 15, nays 24.

Amendment S—3637 lost.

Senator Gettings asked and received unanimous consent to withdraw amendment S—3675 filed by Senators Gettings, Hedge and Rife on April 12, 1989, to pages 6 and 7 of amendment S—3581.

Senator Gettings offered amendment S—3691 filed by Senators Gettings and Hedge from the floor to pages 6 and 7 of amendment S—3581.

Senator Sturgeon took the chair at 11:01 a.m.

President pro tempore Mann took the chair at 11:04 a.m.

Senator Gettings moved the adoption of amendment S—3691 to amendment S—3591 and requested a non record roll call.

The ayes were 13, nays 25.

Amendment S—3691 lost.

Senator Welsh offered amendment S—3680 filed by him on April 12, 1989, to page 6 of amendment S—3581 and moved its adoption.

Amendment S—3680 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller for the morning on request of Senator Hutchins.

BUSINESS PENDING

Senate File 373

The Senate resumed consideration Senate File 373 and amendment S—3581 as amended.

Senator Welsh raised the point of order that amendment S—3581 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3581 as amended in order.

Senator Gronstal moved the adoption of amendment S—3581 as amended, which motion prevailed by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 373) the vote was:

Ayes, 36:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Murphy	Palmer
Pate	Peterson	Rensink	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Taylor	Vande Hoef	Varn	Welsh

Nays, 11:

Gettings	Goodwin	Hultman	Husak
Jensen	Nystrom	Priebe	Rife
Scott	Tieden	Tinsman	

Absent or not voting, 3:

Boswell	Deluhery	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

House File 146

Senator Lind withdrew the motion to reconsider House File 146, a bill for an act relating to the county commission of veteran affairs, filed by him on April 11, 1989, and found on page 1361 of the Senate Journal.

WITHDRAWN

Senator Lind asked and received unanimous consent that **Senate Resolution 9** be **withdrawn** from further consideration of the Senate.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 11, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 82, a bill for an act relating to jurisdiction over and discipline of members of the Iowa national guard (S—3688).

Senate File 88, a bill for an act relating to children, youth, and families, providing for the collection, development, and dissemination of statistical information, providing for the continued existence of the division of children, youth, and families in the department of human rights, and providing an effective date (S—3687).

Senate File 216, a bill for an act relating to the issuance of cremation permits, providing reporting requirements, providing for the payment of costs, and making penalties applicable (S—3689).

INTRODUCTION OF BILL

Senate File 520, by committee on Appropriations, a bill for

an act relating to and making appropriations to the department of economic development.

Read first time and **placed on Appropriations Calendar.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:50 a.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 12, 1989, 8:15 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Coleman, Fraise, Fuhrman, Hedge (arrived 8:35), Hester, Husak, Miller, Palmer, Rensink (arrived 8:50) and Scott.

Members Absent: Riordan, Vice Chair; Boswell and Vande Hoef (all excused).

Committee Business: Approved LSBs 2697, 2705 and 2711 as committee concurrent resolutions; presentation by Alan Stokes from the Department of Natural Resources.

Adjourned: 9:05 a.m.

APPROPRIATIONS

Convened: April 12, 1989, 4:50 p.m.

Members Present: Welsh, Chair; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Boswell, Vice Chair and Tieden, Ranking Member (both excused).

Committee Business: Approved LSB 2375 as a committee bill and amended and approved LSB 1461 as a committee bill.

Adjourned: 5:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 12, 1989, 11:40 a.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Miller, Rife, Soorholtz, Sturgeon and Varn.

Members Absent: none.

Committee Business: Discussion of House File 600 (filter strips) by Department of Agriculture and committee members.

Adjourned: 12:10 p.m.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Kevin Hicks, Danville, Iowa — For Eagle Scout Award. Senator Hagerla (April 13, 1989).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty eighth grade students from Alden Middle School, Alden, Iowa, accompanied by Janet Ziesman. Senator Taylor.

Thirty-nine twelfth grade students from Colo/Nesco High School, Colo, Iowa, accompanied by Jack Roberts and Mr. Johns. Senators Nystrom and Bruner.

Twenty-three sixth grade students from New Market Elementary School, New Market, Iowa, accompanied by Arlene Chilcott. Senator Boswell.

Forty-six members of the Heritage Club, Elkader, Iowa. Senator Tieden.

Thirty-nine twelfth grade students from Johnston High School, Johnston, Iowa, accompanied by Dave Beeson and Dave Pitz. Senator Palmer.

Thirty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mary Huggins. Senator Gentleman.

Twenty-two FFA students from Guttenberg Community School, Guttenberg, Iowa, accompanied by Steve Zaruba, Trudy Glawe and George Harbaugh. Senator Tieden.

Ten sixth grade students from Klemme Elementary School, Klemme, Iowa, accompanied by Gladys Wessels. Senator Taylor.

Twelve FFA students from Manson Community School, Manson, Iowa, accompanied by Jerry Chizok. Senator Fuhrman.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 88 passed the Senate on April 13, 1989.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which House File 88 passed the Senate on April 13, 1989.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 373 passed the Senate on April 13, 1989.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 373 passed the Senate on April 13, 1989.

RICHARD VARN

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 520, a bill for an act relating to and making appropriations to the department of economic development.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Boswell and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3686	H.F.	71	Michael Gronstal
S—3687	S.F.	88	House amendment
S—3688	S.F.	82	House amendment

S-3689	S.F.	216	House amendment
S-3690	S.F.	372	Alvin V. Miller
S-3691	S.F.	373	Don E. Gettings H. Kay Hedge
S-3692	H.F.	250	Linn Fuhrman
S-3693	H.F.	723	John W. Jensen
S-3694	S.F.	373	Joe Welsh
S-3695	H.F.	373	Bob Carr
S-3696	H.F.	723	Linn Fuhrman
S-3697	H.F.	656	Al Sturgeon

AFTERNOON SESSION

The Senate reconvened at 2:01 p.m., President pro tempore Mann presiding.

INTRODUCTION OF BILL

Senate File 521, by committee on Appropriations, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Read first time and **placed on Appropriations calendar.**

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred April 6, 1989)

Senate File 372

The Senate resumed consideration of Senate File 372, a bill for an act relating to the use of county and municipal infractions, deferred April 6, 1989.

Senator Miller offered amendment S—3454 filed by Senators Miller and Doyle on March 28, 1989, to pages 1, 2 and 4 of the bill and moved its adoption.

Amendment S—3454 was adopted by a voice vote.

Senator Miller offered amendment S—3552 filed by Senators Miller and Doyle on April 4, 1989, to pages 2 and 4 of the bill and moved its adoption.

Amendment S—3552 was adopted by a voice vote.

Senator Miller offered amendment S—3690 filed by him from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3690 was adopted by a voice vote.

With the adoption of amendment S—3454, the Chair ruled amendment S—3355 filed by Senators Miller and Doyle on March 21, 1989, to pages 2 and 4 of the bill, out of order.

Senator Miller asked and received unanimous consent that **House File 596** be substituted for **Senate File 372** as amended.

House File 596

On motion of Senator Miller, House File 596, a bill for an act relating to the handling and use of county and municipal infractions, making a Code correction in regard to such infractions, and providing for penalties and remedies for such infractions, was taken up for consideration.

Senator Miller moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 596) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Nystrom
Palmer	Pate	Peterson -	Priebe
Rensink	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Mann

Absent or not voting, 4:

Boswell

Deluhery

Hultman

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Miller asked and received unanimous consent that **Senate File 372** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 166, 448 and 643.

House File 166

On motion of Senator Hester, House File 166, a bill for an act relating to the authority of county conservation boards, by authorizing the charging of certain county park fees and by prohibiting the exclusive use of county parks by one or more organizations, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **House File 166** be **deferred**.

House File 448

On motion of Senator Peterson, House File 448, a bill for an act relating to the coverage of real estate agents under the workers' compensation law, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Peterson offered amendment S—3565 filed by the committee on Business and Labor Relations on April 5, 1989, to page 1 and the title page of the bill, moved its adoption and requested a non record roll call.

The ayes were 29, nays 11.

Amendment S—3565 was adopted.

Senator Hultman asked and received unanimous consent that action on **House File 448** be deferred.

House File 643

On motion of Senator Running, House File 643, a bill for an act relating to the filing of a bond by out-of-state contractors, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Running offered amendment S—3563 filed by the committee on State Government on April 5, 1989, to strike everything after the enacting clause and moved its adoption.

Amendment S—3563 was adopted by a voice vote.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 643) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	Deluhery	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 343, 379 and 709.

House File 343

On motion of Senator Riordan, House File 343, a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3580 filed by the committee on Human Resources on April 6, 1989, to pages 21, 22, 28 and 29 of the bill.

Senator Riordan offered amendment S—3684 filed by him on April 12, 1989, to amendment S—3580 and moved its adoption.

Amendment S—3684 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—3580 as amended, which motion prevailed by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 343) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell

Deluhery

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 379

On motion of Senator Hannon, House File 379, a bill for an act relating to the hospice licensure renewal fee, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 379) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell

Deluhery

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 709

On motion of Senator Fraise, House File 709, a bill for an act relating to credit card receipt processing for state departments, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 709) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hannon	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Tinsman	Vande Hoef	Varn	Welsh

Nays, 6:

Fuhrman	Hagerla	Hedge	Hester
Rife	Tieden		

Absent or not voting, 4:

Boswell	Deluhery	Nystrom	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Pending February 20, 1989)

Senate File 214

The Senate resumed consideration of Senate File 214, a bill for an act relating to the registration, regulation, and inspection of swimming pools, spas, and bathing beaches and providing penalties, with report of committee on Ways and Means

recommending amendment and passage, pending on February 20, 1989.

Senator Riordan offered amendment S—3595 filed by Senator Horn on April 7, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Coleman took the chair at 3:17 p.m.

Senator Riordan moved the adoption of amendment S—3595, which motion prevailed by a voice vote.

With the adoption of amendment S—3595, the following amendments were out of order:

S—3133 filed by the committee on Ways and Means on February 28, 1989, to pages 1 through 3 of the bill.

S—3147 filed by Senators Hultman and Drake on March 1, 1989, to pages 1 and 2 of the bill.

S—3295 filed by Senator Szymoniak on March 16, 1989, to amendment S—3133.

S—3361 filed by Senator Horn on March 21, 1989, to amendment S—3133.

Senator Riordan asked and received unanimous consent that **House File 373** be substituted for **Senate File 214** as amended.

House File 373

On motion of Senator Riordan, House File 373, a bill for an act relating to the registration, regulation and inspection of swimming pools and spas, and providing penalties, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **House File 373** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 506.

House File 506

On motion of Senator Hannon, House File 506, a bill for an act relating to the solicitation of public donations and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 506) the vote was:

Ayes, 48:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Boswell Deluhery

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 355, 675, 451, 736, 656, 660, 529, 670, 600 and 723.

House File 355

On motion of Senator Running, House File 355, a bill for an act relating to travel agents and agencies by providing for registration and regulation, and providing for fees and penalties,

with report of committee recommending passage, was taken up for consideration.

Senator Running asked and received unanimous consent that action on **House File 355** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 675

On motion of Senator Szymoniak, House File 675, a bill for an act relating to the establishment and financing of geographic data base systems by cities and counties, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **House File 675** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 451

On motion of Senator Gronstal, House File 451, a bill for an act relating to audits, amending provisions governing audits of governmental subdivisions and revising the powers and duties of the auditor of state with respect to such audits, providing for payment to the auditor of state for certain advisory and consultative services, providing for filing fees, providing properly related matters, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 451** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 736

On motion of Senator Running, House File 736, a bill for an act relating to the use of integrity tests as a condition of employment and providing a penalty, was taken up for consideration.

Senator Running asked and received unanimous consent that action on **House File 736** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 656

On motion of Senator Sturgeon, House File 656, a bill for an act relating to reducing pollution by products purchased by the state, and by setting requirements for procurement by the department of general services, the state board of regents, the state department of transportation, and the commission for the blind, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 656** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 660

On motion of Senator Carr, House File 660, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources, with report of committee recommending passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that action on **House File 660** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 529

On motion of Senator Gronstal, House File 529, a bill for an act relating to the exemption from civil and criminal liability arising from the donation of food, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 529** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 670

On motion of Senator Horn, House File 670, a bill for an act relating to the number of days and hours of instruction in school per school day, with report of committee recommending passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **House File 670** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 600

On motion of Senator Varn, House File 600, a bill for an act relating to the protection of water quality, including the establishment of protected areas, and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **House File 600** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 723

On motion of Senator Lloyd-Jones, House File 723, a bill for an act relating to the implementation of a program for integrated roadside vegetation management and weed control, including the crediting of moneys to the living roadway trust fund, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 723** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

INTRODUCTION OF BILL

Senate File 522, by Hutchins and Hultman, a bill for an act relating to radon testing and abatement, and making a penalty applicable.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by Lloyd-Jones, a resolution honoring Dr. James Van Allen for being awarded the 1989 Crafoord Prize by the Royal Swedish Academy of Sciences.

Read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Szymoniak presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 1989, passed the following bill in which the concurrence of the House was asked.

Senate File 442, a bill for an act relating to rules adopted under section 321.450 as they relate to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce and to retail dealers and their employees delivering fertilizers and pesticides to farm customers and providing an effective date.

APPENDIX

STUDY BILLS RECEIVED

SSB 375 Ways and Means

Relating to the standard deduction for income taxation and providing a retroactive applicability date.

SSB 376 Ways & Means

Relating to political campaigns, providing for a political contribution tax credit on the personal income tax under certain circumstances, providing for a political candidates fund to be used for partial public financing of certain political campaigns, revising provisions relating to the campaign finance income tax checkoff, restricting the use of campaign funds, prohibiting false representations concerning a candidate, providing additional requirements with respect to disclosures, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, appropriating funds, providing penalties, providing other properly related matters, and providing effective and applicability dates.

SSB 377 Ways & Means

Relating to tax increment financing and providing an effective date.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. R.	10	Rules and Administration
S. F.	519	State Government
S. F.	522	Environment and Energy Utilities

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five sixth grade students from Allison-Bristow Community School, Allison, Iowa, accompanied by Mark Randall, Ruth Haan, and Ester Woodley. Senator Jensen.

Senator Tieden presented Jussi and Corolina Tinninen and son Emil of Helsinki, Finland, who were present in the Senate chamber on April 12, 1989, as his guests.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3565 to House File 448 was adopted by the Senate on April 13, 1989.

WILMER RENSINK

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 521, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Boswell and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 523 (SSB 376), a bill for an act relating to political campaigns, providing for a political contribution tax credit on the personal income tax under certain circumstances, providing for a political candidates fund to be used for partial public financing of certain political campaigns, revising provisions relating to the campaign finance income tax checkoff, restricting the use of campaign funds, prohibiting false representations concerning a candidate, providing additional requirements with respect to disclosures, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, appropriating funds, providing penalties, providing other properly related matters, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dieleman, Husak, Bruner, Fraise, Gentleman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, 3: Hester, Drake and Fuhrman. Absent or not voting, 1: Hultman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 524 (SSB 374), a bill for an act relating to funding available for roads including appropriations of moneys to the affected jurisdictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dieleman, Husak, Hester, Fraise, Gentleman, Kibbie, Murphy, Riordan, Soorholtz and Szymoniak. Nays, 3: Bruner, Drake and Fuhrman. Absent or not voting, 2: Hultman and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 523, by committee on Ways and Means, a bill for an act relating to political campaigns, providing for a political contribution tax credit on the personal income tax under certain circumstances, providing for a political candidates fund to be used for partial public financing of certain political campaigns, revising provisions relating to the campaign finance income tax checkoff, restricting the use of campaign funds, prohibiting false representations concerning a candidate, providing additional requirements with respect to disclosures, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, appropriating funds, providing penalties, providing other properly related matters, and providing effective and applicability dates.

Read first time under Rule 28 and placed on Ways and Means calendar.

Senate File 524, by committee on Ways and Means, a bill for an act relating to funding available for roads including appropriations of moneys to the affected jurisdictions.

Read first time under Rule 28 and placed on Ways and Means calendar.

AMENDMENTS FILED

S—3698	H.F.	674	Joy Corning Al Sturgeon
S—3699	H.F.	250	Tom Mann, Jr.
S—3700	H.F.	739	Paul D. Pate Jean Lloyd-Jones

ADJOURNMENT

On motion of Senator Running, the Senate adjourned at 5:02 p.m., until 8:00 a.m., Friday, April 14, 1989.

JOURNAL OF THE SENATE

NINETY-SIXTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 14, 1989

The Senate met in regular session at 8:04 a.m., Senator Coleman presiding.

Prayer was offered by Dr. Robert L. Domokos, President of Faith Baptist Bible College, Ankeny, Iowa.

The Journal of Thursday, April 13, 1989, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 31 present, 19 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Running for the day on request of Senator Hutchins and Senators Pate and Nystrom for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 76, a bill for an act providing for jailer training programs to be administered by the Iowa law enforcement academy.

Senate File 83, a bill for an act relating to the prohibition of plastic beverage cans, and providing a penalty.

Senate File 90, a bill for an act relating to the regulation of the practice of dentistry by providing that students of dental hygiene are not engaged in the practice of dentistry.

Senate File 112, a bill for an act relating to nonsubstantive Code corrections.

Senate File 129, a bill for an act relating to the release of child abuse information to certain individuals.

Senate File 176, a bill for an act relating to service of notice of expiration of the right of redemption from tax sales.

Senate File 346, a bill for an act relating to the adoption by the division of labor services of the department of employment services of rules based on the most recent federal occupational safety and health administration's standards.

Senate File 364, a bill for an act authorizing the board of supervisors to waive a tax penalty, interest, or cost if a clerical error is found.

Senate File 367, a bill for an act relating to the powers and duties of county recorders.

Senate File 410, a bill for an act relating to the conducting of an epidemiological blinded study to determine the prevalence of the human immunodeficiency virus infection and providing an effective date.

Senate File 412, a bill for an act relating to the medical assistance subrogation rights of the department of human services.

Senate File 416, a bill for an act relating to the identification of persons engaged in private investigation and private security businesses.

Senate File 462, a bill for an act relating to credit transactions by changing the maximum service fee on loans by industrial loan companies, by changing the maximum finance charge for certain consumer loans pursuant to open-end credit.

Senate File 475, a bill for an act relating to Article 8 of the Uniform Commercial Code, by including both certificated and uncertificated securities within the scope of Article 8, and by making conforming amendments to Articles 1, 5, and 9.

Senate File 488, a bill for an act relating to solid waste disposal and providing penalties.

Senate File 497, a bill for an act relating to transportation certificates for livestock by requiring inclusion of the driver's license number of the owner of the livestock on the transportation certificate.

ALSO: That the House has on April 12, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 121, a bill for an act relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties (S—3704).

Senate File 300, a bill for an act relating to the annexation of territory including secondary roads (S—3703).

Senate File 343, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties (S—3702).

Senate File 428, a bill for an act relating to the installation and use of telecommunications devices for deaf persons in an enhanced 911 service area (S—3701).

ALSO: That the House has on April 13, 1989, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 537, a bill for an act relating to motor vehicle registrations and certificates of title and providing penalties and effective dates.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 549, 178, 465, 366 and 623.

House File 549

On motion of Senator Hagerla, House File 549, a bill for an act relating to the agricultural product advisory council, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hagerla asked and received unanimous consent that further action on **House File 549** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 178

On motion of Senator Carr, House File 178, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that action on **House File 178** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 465

On motion of Senator Szymoniak, House File 465, a bill for an act relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities, or, by agreement, within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to issue special assessment bonds for the improvements, to establish and collect rates and charges to maintain and operate the improvements, and to enter into joint agreements with cities and other counties for these purposes, and by providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **House File 465** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 366

On motion of Senator Fraise, House File 366, a bill for an act authorizing a county to exercise certain governmental powers to protect the public health and welfare, and to levy special assessments against affected property, with report of committee recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 366** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 623

On motion of Senator Husak, House File 623, a bill for an act relating to developing comprehensive management plans with owners of highly erodible land, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 623** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 18, 282, 459, 688 and 690.

House File 18

On motion of Senator Taylor, House File 18, a bill for an act relating to the possession and delivery of alcoholic liquor, wine, or beer by a person under legal age, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 18** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 282

On motion of Senator Gronstal, House File 282, a bill for an act relating to the effective date for the provision of tax incentives for the sale and use of degradable bags used as point-of-sale packaging, with report of committee without recommendation, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 282** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 459

On motion of Senator Mann, House File 459, a bill for an act relating to the disposition of seizable and forfeitable property, by modifying provisions relating to seizable property and seizure of vehicles, by providing for classes of forfeiture property, amending the burden of proof at forfeiture proceedings, providing for conditions of forfeiture, establishing certain affirmative defenses, presumptions, and counterclaims, providing for the award of attorney fees, and providing an applicability date and an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **House File 459** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 688

On motion of Senator Gentleman, House File 688, a bill for an act relating to the protection of children, by providing for the grounds and procedures for child in need of assistance and termination of parental rights proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 688** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 690

On motion of Senator Gentleman, House File 690, a bill for an act relating to the protection of children, by modifying provisions relating to a child in need of assistance, child abuse, termination of parental rights, religious exemptions regarding children, and providing for a procedure relating to courtroom testimony of children, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 690** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Horn asked and received unanimous consent to take up out of order House Files 674 and 728.

House File 674

On motion of Senator Sturgeon, House File 674, a bill for an act relating to victim counseling and services, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **House File 674** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 728

On motion of Senator Murphy, House File 728, a bill for an act relating to official publications by amending rates for county publication of board proceedings, by reducing the specific information required in county care facility inventory publications, by permitting division of the delinquent tax list for publication, by establishing a minimum type size, by reducing publication fees when publication is not timely made, and by eliminating the requirement for publication of notice of textbook purchase, with report of committee recommending passage, was taken for consideration.

Senator Murphy asked and received unanimous consent that action on **House File 728** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following eligible appointees on the En Bloc Confirmation Calendar:

Roosevelt Taylor as a member of the Iowa Finance Authority.

Glenda D. Gorsh as a member of the Mental Health and Mental Retardation Commission.

Shirley A. Hampton as a member of the Commission on the Deaf.

Myrna L. Langerud as a member of the Council on Human Services.

Lorraine Tate as a member of the Alcoholic Beverages Commission.

Margaret P. Borgen as a member of the First in the Nation in Education Foundation Governing Board.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Priebe called up the appointment of Robert R. Rigler as Superintendent of Banking, placed on the Individual Confirmation Calendar on April 6, 1989, and found on page 1237 of the Senate Journal.

Senator Priebe moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Deluhery	Nystrom	Pate
Running	Tinsman		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Carr called up the appointment of Paul Grossheim as Director of the Department of Corrections, placed on the Individual Confirmation Calendar on February 21, 1989, and found on page 464 of the Senate Journal.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 3:

Mann	Murphy	Szymoniak
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Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Bruner called up the appointment of Charles Palmer as Director of Human Services, placed on the Individual Confirmation Calendar on February 21, 1989, and found on page 470 of the Senate Journal.

President pro tempore Mann took the chair at 8:40 a.m.

Senator Bruner moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge

Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 2:

Lind	Welsh
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Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Coleman called up the appointment of Richard P. Sulzbach as a member of the Iowa Lottery Board, placed on the Individual Confirmation Calendar on March 7, 1989, and found on page 668 of the Senate Journal.

Senator Coleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Coleman called up the appointment of Dr. Donna Drees as a member of the Medical Examining Board, placed on the Individual Confirmation Calendar on April 11, 1989, and found on page 1361 of the Senate Journal.

Senator Coleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Coleman called up the appointment of Erlene Veverka as a member of the Board of Nursing Examiners, placed on the Individual Confirmation Calendar on April 11, 1989, and found on page 1361 of the Senate Journal.

Senator Coleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Szymoniak called up the appointment of Jeanine S. Hettinga as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on April 7, 1989, and found on page 1254 of the Senate Journal.

Senator Szymoniak moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Deluhery	Nystrom	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hannon called up the appointment of Richard P. Canella as a member of the State Racing Commission, placed on the Individual Confirmation Calendar on March 2, 1989, and found on page 601 of the Senate Journal.

Senator Hannon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell
Running

Deluhery

Nystrom

Pate

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Mann presiding.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Welsh presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 12, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 14, a bill for an act relating to manicuring, providing for the licensing of manicurists, and providing properly related matters (S—3706).

Senate File 278, a bill for an act relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties (S—3708).

Senate File 498, a bill for an act relating to the appointment, terms, retention, and qualifications of magistrates, and providing an effective date (S—3705).

Senate File 508, a bill for an act relating to common liens on real or personal property and providing a remedy (S—3707).

INTRODUCTION OF BILLS

Senate File 525, by Hutchins, a bill for an act relating to excursion gambling boats, by providing licensing requirements, by providing for the allocation of revenue, by providing for the accounting of receipts, by providing restrictions on the operation of gambling games, and providing a penalty.

Read first time and **passed on file**.

Senate File 526, by Miller, a bill for an act to legalize proceedings of the city council of the city of Ventura relating to the method of payment for a construction project and providing an effective date.

Read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the day on request of Senator Hutchins.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Fraise called up the reappointment of Richard P. Canella as a member of the State Racing Commission, placed on the Individual Confirmation Calendar on April 4, 1989, and found on page 1160 of the Senate Journal.

Senator Fraise moved that the foregoing reappointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind

Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Coleman	Deluhery	Pate
Priebe	Running	Vande Hoef	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Lorraine J. May as a member of the State Racing Commission, placed on the Individual Confirmation Calendar on April 4, 1989, and found on page 1160 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Coleman	Deluhery	Pate
Priebe	Running		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Carr called up the appointment of Cheryl J. Richardson as a member of the Engineering and Land Surveying Examining Board, placed on the Individual Confirmation Calendar on April 11, 1989, and found on page 1361 of the Senate Journal.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Deluhery	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Varn called up the appointment of Richard C. Hartsuck as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 28, 1989, and found on page 1047 of the Senate Journal.

Senator Varn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Deluhery	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Sturgeon called up the appointment of James M. Earley as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 6, 1989, and found on page 1220 of the Senate Journal.

Senator Sturgeon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy

Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Deluhery	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Sturgeon called up the appointment of Margaret M. Prah as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 6, 1989, and found on page 1220 of the Senate Journal.

Senator Sturgeon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Deluhery	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following eligible appointee on the En Bloc Confirmation Calendar:

Alyce Ann Clasen as a member of the Social Work Examining Board.

Senator Horn moved the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Coleman	Deluhery	Pate
Running			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

President pro tempore Mann took the chair at 10:06 a.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 165, 324 and 620.

House File 165

On motion of Senator Tieden, House File 165, a bill for an act relating to the authority of the county conservation board to grant certain law enforcement powers to its director and employees, with report of committee recommending passage, was taken up for consideration.

Senator Tieden asked and received unanimous consent that action on **House File 165** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 324

On motion of Senator Vande Hoef, House File 324, a bill for an act relating to the confidentiality of county general relief records, and subjecting violators to a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Vande Hoef asked and received unanimous consent that action on **House File 324** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

House File 620

On motion of Senator Szymoniak, House File 620, a bill for an act relating to the appeal of local governmental budgets, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **House File 620** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

BILL ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bill to committee:

S. F. 525 Judiciary

CONFIRMATION OF GOVERNOR'S APPOINTMENT (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointee on the En Bloc Confirmation Calendar:

Terry K. Lichty as a member of the Podiatry Examining Board.

Senator Hutchins moved that the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Bruner	Carr	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Coleman	Deluhery	Jensen
Pate	Running		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

REFUSAL OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Rife called up the reappointment of Robert W. Schlutz as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 28, 1989, and found on page 1047 of the Senate Journal.

Senator Rife moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 24:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Kinley
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 21:

Bruner	Carr	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Hutchins	Kibbie	Lind
Lloyd-Jones	Mann	Murphy	Riordan
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 5:

Boswell	Coleman	Deluhery	Pate
Running			

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Robert W. Schlutz.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 21, by Rensink, a concurrent resolution to petition the United States government to require

that meat products produced outside the United States be labeled as foreign produced.

Read first time and **passed on file.**

Senate Resolution 11, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and **placed on calendar.**

Senate Resolution 12, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and **placed on calendar.**

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 11, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 12, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Resolutions 11 and 12.

Senate Resolution 11

On motion of Senator Hutchins, Senate Resolution 11, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Resolution 11, which motion prevailed by a voice vote.

Senate Resolution 12

On motion of Senator Hutchins, Senate Resolution 12, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Resolution 12, which motion prevailed by a voice vote.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

S. F.	526	Judiciary
S. C. R.	21	Agriculture

REFUSAL OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Soorholtz called up the reappointment of Donna M. Hammitt as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 28, 1989, and found on page 1047 of the Senate Journal.

Senator Soorholtz moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 20:

Corning	Dieleman	Fuhrman	Gentleman
Goodwin	Hester	Hultman	Jensen
Kinley	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Soorholtz	Tieden	Tinsman	Vande Hoef

Nays, 20:

Bruner	Carr	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Hutchins	Kibbie	Lind	Lloyd-Jones
Mann	Murphy	Riordan	Scott
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 10:

Boswell	Coleman	Deluhery	Drake
Hagerla	Hedge	Husak	Pate
Running	Taylor		

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Donna M. Hammitt.

Senator Hutchins announced that any motions to reconsider filed on Governor's appointees acted upon on April 14, 1989, would not be taken up for consideration by the Senate.

APPENDIX

STUDY BILL RECEIVED

SSB 145.1 Ways and Means

Relating to state individual income tax by giving capital gain deduction treatment to limited amounts of long-term capital gain, repealing the provision for special refunds for limited amounts of long-term capital gain, providing an earned income tax credit, and providing a retroactive applicability date.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 14, 1989, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 506 — Relating to the administration of small estates.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 519, a bill for an act relating to the chairperson of the board of parole and the board of parole.

Recommendation: DO PASS.

Final Vote: Ayes. 15: Carr, Lloyd-Jones, Nystrom, Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-nine twelfth grade students from Nora Springs High School, Rock Falls, Iowa, accompanied by Frank Altman. Senator Scott.

Fifty-five seventh and eighth grade students from Holy Trinity School, Templeton, Iowa, accompanied by Mary Jo Wickman. Senator Hutchins.

Six high school students from Ottumwa High School, Ottumwa, Iowa, accompanied by Terry Carroll. Senator Gettings.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 16

RULES AND ADMINISTRATION: Kinley, Chair; Hultman and Gettings

Senate Concurrent Resolution 17

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate File 525

JUDICIARY: Horn, Chair; Doyle and Hagerla

SSB 145.1

WAYS AND MEANS: Bruner, Chair; Dieleman and Hultman

SSB 375

WAYS AND MEANS: Bruner, Chair; Dieleman and Soorholtz

SSB 376

WAYS AND MEANS: Fraise, Chair; Dieleman and Gentleman

SSB 377

WAYS AND MEANS: Dieleman, Chair; Murphy and Hultman

AMENDMENTS FILED

S—3701	S. F.	428	House amendment
S—3702	S. F.	343	House amendment
S—3703	S. F.	300	House amendment
S—3704	S. F.	121	House amendment
S—3705	S. F.	498	House amendment
S—3706	S. F.	14	House amendment

S—3707	S. F.	508	House amendment
S—3708	S. F.	278	House amendment
S—3709	H. F.	250	Tom Mann, Jr.
S—3710	H. F.	740	Tom Mann, Jr.
S—3711	H. F.	740	Ray Taylor

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:01 a.m., until 10:00 a.m., Monday, April 17, 1989.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 17, 1989

The Senate met in regular session at 10:03 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Jack W. Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa.

The Journal of Friday, April 14, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 122, a bill for an act relating to the practice of tattooing and providing penalties.

Senate File 201, a bill for an act expanding the definition of sex act and making more acts subject to penalties.

Senate File 225, a bill for an act allowing the utilities board to reject an application for new or changed rates, charges, schedules, or regulations by a public utility without a hearing in certain circumstances.

Senate File 229, a bill for an act allowing a complainant or public utility to petition the utilities board to initiate a formal proceeding.

Senate File 233, a bill for an act providing for DNA profiling of certain criminal offenders.

Senate File 253, a bill for an act relating to the time within which a postconviction relief action may be brought which arises out of a prison disciplinary proceeding and providing an effective date and an applicability provision.

Senate File 256, a bill for an act relating to the allowable axle weights for vehicles transporting raw materials which are removed from a road under construction.

Senate File 360, a bill for an act prohibiting the theft of a veteran's grave marker, and providing a penalty.

Senate File 406, a bill for an act relating to retention of a court reporter by a newly appointed judge.

Senate File 444, a bill for an act relating to the industrial services division of the department of employment services, revising provisions governing deputy industrial commissioners, expanding provisions governing settlements in workers' compensation cases, and providing properly related matters.

Senate File 479, a bill for an act directing the Code editor to transfer various chapters and sections of the Code relating to the authority to regulate drainage to a new chapter.

Senate File 482, a bill for an act relating to the appeal process for bidders aggrieved by awards of the purchasing division of the department of general services, and providing properly related matters.

Senate File 485, a bill for an act to prohibit the sale, purchase, or use of a pesticide containing daminozide, providing an effective date, and making a penalty applicable.

Senate File 486, a bill for an act relating to rent-to-own regulations.

Senate File 494, a bill for an act relating to the disposition of property devised as a class gift where the testator has survived the devisee, and providing for the act's applicability.

ALSO: That the House has on April 13, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 111, a bill for an act relating to foreign money judgments and providing an effective date (S—3719).

Senate File 218, a bill for an act relating to the investments of credit unions, by permitting investment in corporate bonds as defined by rule of the administrator (S—3718).

Senate File 318, a bill for an act relating to the state soil conservation committee, by providing for the composition of the committee and its powers and duties (S—3717).

Senate File 365, a bill for an act relating to the filing of campaign finance disclosure reports by city and school elective offices and for local ballot issues (S—3712).

Senate File 391, a bill for an act relating to reporting county jail information to the director of the department of corrections (S—3716).

Senate File 407, a bill for an act relating to unclaimed intangible personal property by providing for the treatment of claims in the course of the dissolution of a corporation in the same manner as unclaimed property held by a court or by the state and by altering certain aspects of claim administration, distribution of moneys, and other matters properly related with the disposition of unclaimed personal property and procedures related thereto (S—3715).

Senate File 466, a bill for an act allowing a speculative industrial building built by a local community development organization in a rural community to be eligible under the community and rural development loan program as a new infrastructure (S—3714).

Senate File 450, a bill for an act relating to educational standards, including flexible scheduling within a school year, waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team, and making technical changes (S—3713).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 216

Senator Murphy called up for consideration Senate File 216, a bill for an act relating to the issuance of cremation permits, providing reporting requirements, providing for the payment of costs, and making penalties applicable, amended by the House, and moved that the Senate concur in House amendment S—3689 filed April 13, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Murhpy moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 216) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Peterson	Priebe	Rensink
Riordan	Running	Scott	Szymoniak
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Drake	Horn	Kinley	Palmer
Pate	Rife	Soorholtz	Sturgeon
Taylor			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 117

Senator Hannon called up for consideration Senate File 117, a bill for an act relating to medical assistance requirements and providing for eligibility of certain recipients of federal Medicare, amended by the House, and moved that the Senate concur in House amendment S—3654 filed April 12, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 117) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Peterson
Priebe	Rensink	Riordan	Running
Scott	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Kinley	Palmer	Pate	Rife
Soorholtz	Sturgeon		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 119

Senator Welsh called up for consideration Senate File 119, a bill for an act relating to state financial management by revising provisions governing the reversion of appropriations, the

prescribing of uniform accounting systems and forms, account coding to identify authorizing statutes, and authorization for the prepayment of claims, and providing properly related matters, amended by the House in House amendment S—3302 filed March 20, 1989.

Senator Welsh offered amendment S—3721 filed by him from the floor to House amendment S—3302 and moved its adoption.

Amendment S—3721 was adopted by a voice vote.

Senator Welsh moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 119) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Murphy	Nystrom	Peterson
Priebe	Rensink	Riordan	Running
Scott	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Hagerla

Absent or not voting, 9:

Hester	Kibbie	Kinley	Miller
Palmer	Pate	Rife	Soorholtz
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 10, 1989)

House File 59

The Senate resumed consideration of House File 59, a bill for an act relating to the purchase and sale of grain by providing for the offering of a special quality grains electronic bulletin board service through the department of agriculture and land stewardship and providing for an advisory committee study of grain marketing to draft proposed legislation to develop the market for special quality grains, deferred April 10, 1989.

Senator Hultman offered amendment S—3610 filed by him on April 10, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3610 was adopted by a voice vote.

Senator Boswell offered amendment S—3555 filed by him on April 5, 1989, to page 3 of the bill and moved its adoption.

Amendment S—3555 was adopted by a voice vote.

With the adoption of amendment S—3555, the Chair ruled amendment S—3543 filed by Senator Boswell on April 4, 1989, to page 3 of the bill, out of order.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 59) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Szymoniak	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 1:

Tinsman

Absent or not voting, 5:

Kinley

Palmer

Rife

Soorholtz

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1989)

House File 713

The Senate resumed consideration of House File 713, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee, deferred April 12, 1989.

Senator Carr offered amendment S—3576 filed by the committee on Environment and Energy Utilities on April 6, 1989, to pages 1 and 2 of the bill.

Senator Pate offered amendment S—3671 filed by him on April 12, 1989, to amendment S—3576 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3671 to amendment S—3576 be adopted?" (H.F. 713) the vote was:

Ayes, 16:

Corning

Gentleman

Goodwin

Hagerla

Hedge

Hester

Hultman

Jensen

Lind

Nystrom

Pate

Rensink

Taylor

Tieden

Tinsman

Vande Hoef

Nays, 29:

Boswell

Bruner

Carr

Coleman

Deluhery

Dieleman

Doyle

Drake

Fraise

Fuhrman

Gettings

Gronstal

Hannon

Horn

Husak

Hutchins

Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Peterson	Priebe	Riordan
Running	Scott	Szymoniak	Varn
Welsh			

Absent or not voting, 5:

Kinley	Palmer	Rife	Soorholtz
Sturgeon			

Amendment S—3671 lost.

Senator Hultman asked and received unanimous consent that action on amendment S—3576 and **House File 713** be **deferred**.

UNFINISHED BUSINESS (Deferred April 13, 1989)

House File 723

The Senate resumed consideration of House File 723, a bill for an act relating to the implementation of a program for integrated roadside vegetation management and weed control, including the crediting of moneys to the living roadway trust fund, and providing an effective date, deferred April 13, 1989.

Senator Fuhrman withdrew amendment S—3696 filed by him on April 13, 1989, to pages 4 and 5 of the bill.

Senator Jensen offered amendment S—3669 filed by Senators Jensen and Lloyd-Jones on April 12, 1989, to pages 12 and 14 of the bill.

Senator Jensen offered amendment S—3685 filed by him on April 12, 1989, to amendment S—3669 and moved its adoption.

Amendment S—3685 was adopted by a voice vote.

Senator Jensen moved the adoption of amendment S—3669 as amended, which motion prevailed by a voice vote.

Senator Jensen offered amendment S—3693 filed by him on April 13, 1989, to page 12 of the bill.

Senator Lloyd-Jones asked and received unanimous consent that action on amendment S—3693 and **House File 723** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 14, 1989)

House File 165

The Senate resumed consideration of House File 165, a bill for an act relating to the authority of the county conservation board to grant certain law enforcement powers to its director and employees, deferred April 14, 1989.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 165) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Lind	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Jensen	Kinley	Lloyd-Jones	Palmer
Rife	Soorholtz	Sturgeon	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 343

Senator Varn called up for consideration Senate File 343, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties, amended by the House, and moved that the Senate concur in House amendment S—3702 filed April 14, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 343) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Palmer	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 278

Senator Deluhery called up for consideration Senate File 278, a bill for an act relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—3708 filed April 14, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 278) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Jensen	Kinley	Palmer	Rife
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 300

Senator Szymoniak called up for consideration Senate File 300, a bill for an act relating to the annexation of territory including secondary roads, amended by the House, and moved that the Senate concur in House amendment S—3703 filed April 14, 1989,

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Szymoniak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 300) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Hultman	Husak	Kinley	Palmer
Rife	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 121

Senator Gettings called up for consideration Senate File 121, a bill for an act relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties, amended

by the House, and moved that the Senate concur in House amendment S—3704 filed April 14, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gettings moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 121) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Palmer	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:39 a.m., until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:50 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

H.F.	197	Natural Resources
H.F.	49	Business and Labor Relations

HOUSE AMENDMENTS CONSIDERED

Senate File 231

Senator Bruner called up for consideration Senate File 231, a bill for an act relating to the regulation of alternate operator services and making civil penalties applicable, amended by the House, and moved that the Senate concur in House amendment S—3655 filed April 12, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 231) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn			

Nays, none.

Absent or not voting, 5:

Kinley	Palmer	Rife	Soorholtz
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 88

Senator Bruner called up for consideration Senate File 88, a bill for an act relating to children, youth, and families, providing for the collection, development, and dissemination of statistical information, providing for the continued existence of the division of children, youth, and families in the department of human rights, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3687 filed April 13, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 88) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Rensink	Riordan	Running	Scott
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 3:

Gentleman	Hedge	Taylor
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Absent or not voting, 4:

Kinley	Palmer	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

House File 723

The Senate resumed consideration of House File 723, a bill for an act relating to the implementation of a program for integrated roadside vegetation management and weed control, including the crediting of moneys to the living roadway trust fund, and providing an effective date, and amendment S—3693, previously deferred.

Senator Jensen offered amendment S—3724 filed by Senators Jensen and Lloyd-Jones from the floor to page 12 of the bill and moved its adoption.

Amendment S—3724 was adopted by a voice vote.

With the adoption of amendment S—3724, the Chair ruled amendment S—3693 by Senator Jensen to page 12 of the bill, previously deferred, out of order.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 723) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Palmer	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 13, 1989)

House File 373

The Senate resumed consideration of House File 373, a bill for an act relating to the registration, regulation, and inspection of pools and spas, and providing penalties, deferred April 13, 1989.

Senator Carr withdrew amendment S—3695 filed by him on April 13, 1989, to pages 1 through 3 and to the title page of the bill.

Senator Gentleman asked and received unanimous consent that action on **House File 373** be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senate File 373

Senator Welsh withdrew the motion to reconsider Senate File 373, a bill for an act relating to public utilities and their affiliates, with civil penalties applicable, filed by him on April 13, 1989, and found on page 1416 of the Senate Journal.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 521.

Senate File 521

On motion of Senator Welsh, Senate File 521, 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.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 521) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley

Palmer

Rife

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 517.

Senate File 517

On motion of Senator Gronstal, Senate File 517, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date, was taken up for consideration.

Senator Gronstal offered amendment S—3731 filed by him from the floor to pages 5 and 12 of the bill.

Action on Senate File 517 was temporarily deferred.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

BUSINESS PENDING

Senate File 517

The Senate resumed consideration of Senate File 517.

Senator Gronstal moved the adoption of amendment S—3731, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3736 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3736 was adopted by a voice vote.

Senator Jensen offered amendment S—3720 filed by him from the floor to page 5 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3720 be adopted?” (S.F. 517) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Pate	Rensink	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 27:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Lloyd-Jones	Mann
Miller	Murphy	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 5:

Carr	Kinley	Palmer	Rife
Soorholtz			

Amendment S—3720 lost.

Senator Hutchins offered amendment S—3735 filed by Senators Hutchins and Hultman from the floor to page 8 of the bill and moved its adoption.

Amendment S—3735 was adopted by a voice vote.

Senator Gronstal offered amendment S—3733 filed by him from the floor to pages 10 through 14 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3733 be deferred.

Senator Gronstal offered amendment S—3732 filed by him from the floor to page 17 of the bill and moved its adoption.

Amendment S—3732 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3733 to pages 10 through 14 of the bill, previously deferred.

Amendment S—3733 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 517) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 6:

Fuhrman	Gentleman	Hagerla	Hedge
Taylor	Vande Hoef		

Absent or not voting, 4:

Kinley	Palmer	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senate File 373

Senator Varn withdrew the motion to reconsider Senate File 373, a bill for an act relating to public utilities and their affiliates,

with civil penalties applicable, filed by him on April 13, 1989, and found on page 1416 of the Senate Journal.

HOUSE AMENDMENT CONSIDERED

Senate File 428

Senator Vande Hoef called up for consideration Senate File 428, a bill for an act relating to the installation and use of telecommunications devices for deaf persons in an enhanced 911 service area, amended by the House, and moved that the Senate concur in House amendment S—3701 filed April 14, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Vande Hoef moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 428) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Running	Scott
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Kibbie	Kinley	Palmer	Rife
Riordan	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 423.

Senate File 423

On motion of Senator Fraise, Senate File 423, a bill for an act exempting from state taxes certain bonds and notes issued by the agricultural development authority, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 423) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Pate	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Fuhrman	Jensen	Kinley	Palmer
Rensink	Rife	Soorholtz	Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up out of order Senate File 512.

Senate File 512

On motion of Senator Drake, Senate File 512, a bill for an act relating to chemical emergencies, providing for the establishment of the Iowa emergency response commission and specifying its powers and duties, providing for intergovernmental agreements, providing for the designation of local emergency planning districts and the appointment of local emergency planning committees, providing for immunity from liability, providing disclosure requirements, authorizing civil actions by the commission, and providing properly related matters, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3725 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3725 was adopted by a voice vote.

Senator Drake withdrew amendment S—3723 filed by him from the floor to page 5 of the bill.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 512) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Palmer	Rife	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 515.

Senate File 515

On motion of Senator Fuhrman, Senate File 515, a bill for an act relating to the assessment and valuation of certain property, was taken up for consideration.

Senator Fuhrman offered amendment S—3606 filed by him on April 10, 1989, to the title page of the bill and moved its adoption.

Amendment S—3606 was adopted by a voice vote.

Senator Fuhrman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 515) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley

Palmer

Rife

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 119, 423, 512, 515, 517 and 521** and **House Files 59 and 723** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 170

Senator Carr called up for consideration Senate File 170, a bill for an act relating to personnel serving the consumer advocate division of the department of justice and the utilities division of the department of commerce, deleting provisions relating to the consumer advocate's authority to utilize employees of the utilities division, expanding the authority to employ consultants and technical advisors pursuant to contract, revising provisions relating to compensation, and providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—3240 filed March 13, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Carr moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 170) the vote was:

Ayes, 45:

Boswell
Corning

Bruner
Deluhery

Carr
Dieleman

Coleman
Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Kinley	Nystrom	Palmer	Rife
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 13, 1989)

House File 670

The Senate resumed consideration of House File 670, a bill for an act relating to the number of days and hours of instruction in school per school day, deferred April 13, 1989.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 670) the vote was:

Ayes, 34:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Gettings	Goodwin	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Priebe	Rensink	Running
Sturgeon	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 10:

Boswell	Fraise	Fuhrman	Gentleman
Hagerla	Pate	Peterson	Riordan
Scott	Vande Hoef		

Absent or not voting, 6:

Kinley	Nystrom	Palmer	Rife
Soorholtz	Szymoniak		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1989)

House File 740

The Senate resumed consideration of House File 740, a bill for an act relating to obscenity law, providing penalties, and making penalties applicable, deferred April 12, 1989.

Senator Mann offered amendment S—3585 filed by Senators Mann, et al., on April 6, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Murphy withdrew amendment S—3677 filed by him on April 12, 1989, to amendment S—3585.

Senator Taylor offered amendment S—3722 filed by him from the floor to amendment S—3585.

Senator Mann raised the point of order that amendment S—3722 to amendment S—3585 was not germane.

The Chair ruled the point well taken and amendment S—3722 to amendment S—3585 out of order.

Senator Mann offered amendment S—3593 filed by him on April 7, 1989, to amendment S—3585 and moved its adoption.

Amendment S—3593 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—3585 as amended.

A record roll call was requested.

On the question "Shall amendment S—3585 as amended be adopted?" (H.F. 740) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bruner	Carr	Coleman	Corning
Deluhery	Fraise	Fuhrman	Gentleman
Gettings	Hannon	Horn	Kibbie
Lind	Lloyd-Jones	Mann	Murphy
Pate	Peterson	Riordan	Sturgeon
Szymoniak	Tinsman	Varn	

Nays, 22:

Boswell	Dieleman	Doyle	Drake
Goodwin	Gronstal	Hagerla	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Miller	Priebe	Rensink
Running	Scott	Taylor	Tieden
Vande Hoef	Welsh		

Absent or not voting, 5:

Kinley	Nystrom	Palmer	Rife
Soorholtz			

Amendment S—3585 as amended was adopted.

(Action on House File 740 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 527, by committee on Ways and Means, a bill for an act authorizing the imposition of an additional county hospital levy consisting of a combination individual income surtax and property tax levy.

Read first time and placed on Ways and Means calendar.

Senate File 528, by committee on Ways and Means, a bill for an act relating to the markup of the wholesale price for alcoholic liquor.

Read first time and **placed on Ways and Means calendar.**

Senate File 529, by Hutchins and Hultman, a bill for an act creating the Iowa highway research board and providing for the board's compensation and expenses.

Read first time and **passed on file.**

Senate File 530, by committee on Ways and Means, a bill for an act relating to the calculation of the budget enrollment of reorganized school districts and providing an effective date.

Read first time and **placed on Ways and Means calendar.**

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 373** be **immediately messaged** to the House.

APPENDIX

PETITIONS

The following petitions opposing legislation increasing any tax on beer, wine or soft drinks were presented and placed on file by:

Senator Hedge from seventy residents of Keokuk, Washington and Mahaska Counties.

Senator Hutchins from sixteen residents of Crawford and Carroll Counties.

Senator Mann from one hundred three residents of Polk County.

Senator Miller from one hundred thirteen residents of the 10th senatorial district.

Senator Rensink from one hundred eleven residents of Sioux County.

Senator Scott from one hundred fifty-five residents of Floyd and Howard Counties.

Senator Tieden from fifty-five residents of Clayton Counties.

The following petitions were presented and placed on file by:

Senator Lloyd-Jones from twenty-one residents of Boone County favoring passage of House File 659 — Relating to a guaranteed student loan payment program, providing for loans to nurses, math-science teachers, and occupational therapists.

Senator Gettings from twenty-eight residents of Appanoose County opposing passage of Senate File 373 and House File 362 (regulating utilities).

Senator Husak from eight residents of Black Hawk County opposing the passage of House Joint Resolution 12 (relating to equality of rights for men and women) and submitting the issue to a vote of the people.

Senator Lloyd-Jones from twenty-six residents of Johnson County opposing the passage of House File 718 relating to medical and health needs including . . . requiring certain persons to wear helmets and providing a penalty.

Senator Szymoniak from ninety-eight residents of Polk County favoring legislation providing tighter control of the ownership and sale of handguns.

Senator Hannon from forty-three residents of Iowa opposing legislation allowing pornographic materials in the prison system.

Senator Kibbie from sixty-two residents of Palo Alto County favoring legislation increasing Iowa's laws against pornography.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-four fifth grade students from Willard Elementary School, Des Moines, Iowa, accompanied by Mrs. Ogle and Miss Morris. Senator Kinley.

Eleven 4-H members from Lee County, accompanied by Janet McMillian. Senator Fraise.

The following visitors were present in the Senate gallery:

Eleven seventh and eighth grade students from Waukee Middle School, Waukee, Iowa, accompanied by Jim Ness and Patricia Porter. Senator Riordan.

The Chair welcomed the Honorable Delbert Floy, former member of the Senate from Thornton, Iowa, who was present in the Senate chamber.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 525, a bill for an act relating to excursion gambling boats, by providing licensing requirements, by providing for the allocation of revenue, by providing for the accounting of receipts, by providing restrictions on the operation of gambling games, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Carr, Coleman, Deluhery, Drake, Hagerla, Horn, Varn and Welsh. Nays, 5: Gentleman, Fuhrman, Gronstal, Hester and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 526, a bill for an act to legalize proceedings of the city council of the city of Ventura relating to the method of payment for a construction project and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 232, a bill for an act relating to special fuel tax by amending the definition of special fuel holding tank.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Hultman, Kibbie, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Gentleman, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 527, a bill for an act authorizing the imposition of an additional county hospital levy consisting of a combination individual income surtax and property tax levy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Hultman, Kibbie, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Gentleman, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 528, a bill for an act relating to the markup of the wholesale price for alcoholic liquor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Hultman, Kibbie, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Gentleman, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 530 (SSB 373), a bill for an act relating to the calculation of the budget enrollment of reorganized school districts and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Hultman, Kibbie, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Gentleman, Palmer and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 522

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Deluhery and Pate

Senate File 526

JUDICIARY: Gronstal, Chair; Horn and Taylor

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: April 13, 1989, 1:15 p.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Vande Hoef, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Approved LSB 2279 as a committee bill.

Adjourned: 1:19 p.m.

STATE GOVERNMENT

Convened: April 13, 1989, 11:55 a.m.

Members Present: Carr, Chair; Lloyd-Jones, Vice Chair; Nystrom, Ranking Member; Coleman, Dieleman, Drake, Fraise, Gentleman, Gronstal, Hannon, Horn, Rife, Running, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of Senate File 519.

Adjourned: 12:00 noon.

WAYS AND MEANS

Convened: April 13, 1989, 3:50 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 376 and 374 as committee bills; amended Senate File 477 and ordered redrafted as a committee bill.

Adjourned: 5:15 p.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3585 as amended to House File 740 was adopted by the Senate on April 17, 1989.

EUGENE FRAISE

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3585 as amended to House File 740 was adopted by the Senate on April 17, 1989.

PAUL PATE

AMENDMENTS FILED

S-3712	S. F.	365	House amendment
S-3713	S. F.	450	House amendment
S-3714	S. F.	466	House amendment
S-3715	S. F.	407	House amendment
S-3716	S. F.	391	House amendment
S-3717	S. F.	318	House amendment
S-3718	S. F.	218	House amendment
S-3719	S. F.	111	House amendment
S-3720	S. F.	517	John W. Jensen
S-3721	S. F.	119	Joe Welsh
S-3722	H. F.	740	Ray Taylor
S-3723	S. F.	512	Richard Drake
S-3724	H. F.	723	John W. Jensen Jean Lloyd-Jones
S-3725	S. F.	512	Richard Drake
S-3726	S. F.	220	William Dieleman
S-3727	S. F.	220	William Dieleman
S-3728	S. F.	220	William Dieleman
S-3729	S. F.	220	William Dieleman
S-3730	H. F.	529	Richard Varn
S-3731	S. F.	517	Michael Gronstal
S-3732	S. F.	517	Michael Gronstal
S-3733	S. F.	517	Michael Gronstal
S-3734	H. F.	740	William Dieleman
S-3735	S. F.	517	Bill Hutchins Calvin O. Hultman
S-3736	S. F.	517	Joe Welsh
S-3737	S. F.	520	Charles Bruner
S-3738	H. F.	686	Richard Varn Linn Fuhrman John Kibbie
S-3739	S. F.	220	Jim Lind
S-3740	H. F.	250	Richard Vande Hoef
S-3741	H. F.	373	Linn Fuhrman Julia Gentleman
S-3742	H. F.	740	Larry Murphy

S—3743

H.F.

313

Joe Welsh
Emil J. Husak
Berl E. Priebe
John Soorholtz
Jim Lind

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Tuesday, April 18, 1989.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 18, 1989

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by Rabbi Steven Fink, Temple B'Nai Jeshurun, Des Moines, Iowa.

The Journal of Monday, April 17, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 295, a bill for an act relating to school bus driver education requirements.

Senate File 317, a bill for an act relating to the sale of milk products, by providing for the issuance of permits.

Senate File 349, a bill for an act relating to the provision of potable water and sanitary cups by a railroad in all locomotive engine and caboose areas, and providing for enforcement.

Senate File 395, a bill for an act adding certain controlled substances to schedule I, schedule IV, and schedule V controlled substances.

Senate File 408, a bill for an act relating to roads, including roads identified by the state transportation commission as a network of commercial and industrial highways, by establishing the purpose of the network, by providing the terms for the improvement of the network, and by altering concurrent jurisdiction of extensions of primary roads in municipalities.

Senate File 491, a bill for an act relating to the destruction of the contents of an original court file.

UNFINISHED BUSINESS

(Deferred April 17, 1989)

House File 373

The Senate resumed consideration of House File 373, a bill for an act relating to the registration, regulation, and inspection of swimming pools and spas, and providing penalties, deferred April 17, 1989.

Senator Fuhrman offered amendment S—3741 filed by Senators Fuhrman and Gentleman on April 17, 1989, to pages 1 through 3 of the bill.

Senator Riordan called for a division of amendment S—3741: page 1, lines 3 through 6 and 46 through 50, and page 2, lines 1 through 13 as division S—3741A; page 1, lines 7 through 45 as division S—3741B.

Senator Fuhrman moved the adoption of division S—3741A which motion prevailed by a voice vote.

Senator Fuhrman moved the adoption of division S—3741B.

A non record roll call was requested.

The ayes were 22 nays 21.

Division S—3741B was adopted.

Senator Fuhrman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 373) the vote was:

Ayes, 40:

Boswell	Bruner	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Varn

Nays, 5:

Coleman	Rife	Taylor	Vande Hoef
Welsh			

Absent or not voting, 5:

Carr	Deluhery	Hultman	Kibbie
Mann			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Riordan asked and received unanimous consent that **Senate File 214** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 14, 1989)

House File 728

The Senate resumed consideration of House File 728, a bill for an act relating to official publications by amending rates for county publication of board proceedings, by reducing the specific

information required in county care facility inventory publications, by permitting division of the delinquent tax list for publication, by establishing a minimum type size, by reducing publication fees when publication is not timely made, and by eliminating the requirement for publication of notice of textbook purchase, deferred April 14, 1989.

Action on House File 728 was temporarily deferred.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 136** be referred from the Regular Calendar to the committee on **Local Government**.

HOUSE AMENDMENTS CONSIDERED

Senate File 111

Senator Jensen called up for consideration Senate File 111, a bill for an act relating to foreign money judgments and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3719 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Jensen moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 111) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Priebe	Rensink	Rife	Riordan

Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Carr	Deluhery	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 391

Senator Gronstal called up for consideration Senate File 391, a bill for an act relating to reporting county jail information to the director of the department of corrections, amended by the House, and moved that the Senate concur in House amendment S—3716 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 391) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 3:

Hagerla Pate Rensink

Absent or not voting, 2:

Carr Deluhery

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 82

Senator Dieleman called up for consideration Senate File 82, a bill for an act relating to jurisdiction over and discipline of members of the Iowa national guard, amended by the House, and moved that the Senate concur in House amendment S—3688 filed April 13, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Dieleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 82) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Carr Deluhery

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 365

Senator Szymoniak called up for consideration Senate File 365, a bill for an act relating to the filing of campaign finance disclosure reports by city and school elective offices and for local ballot issues, amended by the House, and moved that the Senate concur in House amendment S—3712 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Szymoniak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 365) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Carr Deluhery Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 728

The Senate resumed consideration of House File 728, a bill for an act relating to official publications by amending rates for county publication of board proceedings, by reducing the specific information required in county care facility inventory publications, by permitting division of the delinquent tax list for publication, by establishing a minimum type size, by reducing publication fees when publication is not timely made, and by eliminating the requirement for publication of notice of textbook purchase, previously deferred.

Senator Rensink offered amendment S—3747 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3747 be adopted?” (H.F. 728) the vote was:

Ayes, 11:

Fuhrman	Gentleman	Gettings	Hedge
Jensen	Kibbie	Rensink	Sturgeon
Szymoniak	Taylor	Tinsman	

Nays, 37:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Drake	Fraise
Goodwin	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz	Tieden	Vande Hoef	Varn
Welsh			

Voting present, 1:

Dieleman

Absent or not voting, 1:

Deluhery

Amendment S—3747 lost.

Senator Priebe offered amendment S—3746 filed by Senators Priebe and Mann from the floor to page 2 and the title page of the bill.

Senator Fuhrman raised the point of order that amendment S—3746 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3746 in order.

Senator Priebe moved the adoption of amendment S—3746.

A record roll call was requested.

On the question “Shall amendment S—3746 be adopted?” (H.F. 728) the vote was:

Ayes, 23:

Boswell	Carr	Doyle	Gettings
Hedge	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Mann
Murphy	Palmer	Peterson	Priebe
Rife	Riordan	Scott	Soorholtz
Tieden	Varn	Welsh	

Nays, 25:

Bruner	Coleman	Corning	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hagerla	Hannon	Hester
Hultman	Lind	Lloyd-Jones	Miller
Nystrom	Pate	Rensink	Running
Sturgeon	Szymoniak	Taylor	Tinsman
Vande Hoef			

Voting present, 1:

Dieleman

Absent or not voting, 1:

Deluhery

Amendment S—3746 lost.

Senator Dieleman offered amendment S—3755 filed by him from the floor to page 1 and to the title page of the bill, moved its adoption and requested a non record roll call.

The ayes were 24, nays 20.

Amendment S—3755 was adopted.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

Senator Rensink moved to reconsider the vote by which House File 728 went to its last reading, which motion prevailed by a voice vote.

Senator Rensink filed the following motion to reconsider from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3746 to House File 728 failed to be adopted by the Senate on April 18, 1989.

Senator Carr asked and received unanimous consent that action on the motion to reconsider and **House File 728** be **deferred**.

President pro tempore Mann took the chair at 11:22 a.m.

PROOF OF PUBLICATION

Verified proof of publication of Senate File 526 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 526.

Senate File 526

On motion of Senator Gronstal, Senate File 526, a bill for an act to legalize proceedings of the city council of the city of Ventura relating to the method of payment for a construction project and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 526) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 31, a bill for an act relating to the violation of a law or rule of a health care facility and providing penalties (S—3753).

Senate File 449, a bill for an act relating to vocational education and requesting a study (S—3754).

Senate File 474, a bill for an act to establish a pseudorabies control program and providing for penalties and the repeal of a chapter (S—3748).

ALSO: That the House has on April 17, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 79, a bill for an act relating to the certificate of need program (S—3749).

Senate File 149, a bill for an act relating to the compulsory attendance and truancy laws and providing penalties (S—3750).

Senate File 472, a bill for an act relating to private and home education and providing a penalty (S—3752).

HOUSE AMENDMENTS CONSIDERED

Senate File 318

Senator Riordan called up for consideration Senate File 318, a bill for an act relating to the state soil conservation committee, by providing for the composition of the committee and its powers and duties, amended by the House, and moved that the Senate concur in House amendment S—3717 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass"? (S.F. 318) the vote was:

Ayes, 50:

Boswell
Corning

Bruner
Deluhery

Carr
Dieleman

Coleman
Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 218

Senator Deluhery called up for consideration of Senate File 218, a bill for an act relating to the investments of credit unions, by permitting investment in corporate bonds as defined by rule of the administrator, amended by the House, and moved that the Senate concur in House amendment S—3718 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass"? (S.F. 218) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott

Soorholtz
Tieden
Welsh

Sturgeon
Tinsman

Szymoniak
Vande Hoef

Taylor
Varn

Nays, none.

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bill to committee:

S. F. 529 Transportation

INTRODUCTION OF BILL

Senate File 531, by committee on Appropriations, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, state aviation fund, and abstract fee fund, providing for an exemption from reversion for certain funds, extending the effective period of the temporary authority for the operation of certain commercial vehicles, mandating reports of certain agency purchases, requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, and providing effective dates and retroactive application.

Read first time and placed on Appropriations calendar.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 22, by Carr, a concurrent resolution requesting the Legislative Council to authorize an interim study committee to study the regulation of barter exchanges.

Read first time and passed on file.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:40 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 17, 1989, 1:00 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: none.

Committee Business: Amended and ordered LSB 2310 redrafted as a committee bill.

Adjourned: 2:10 p.m.

JUDICIARY

Convened: April 17, 1989, 2:15 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 525 and 526; assigned bills to subcommittees; approved three resolutions.

Adjourned: 2:50 p.m.

WAYS AND MEANS

Convened: April 17, 1989, 11:55 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Hultman, Kibbie, Murphy, Riordan and Szymoniak.

Members Absent: Gentleman, Palmer and Soorholtz.

Committee Business: Senate Files 26 and 477 were approved and redrafted as committee bills; approved SSB 373 as a committee bill; recommended passage of Senate File 232.

Adjourned: 12:05 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of April, 1989:

Senate Files 120, 275, 276, 397, 402, 435 and 500.

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 531, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, state aviation fund, and abstract fee fund, providing for an exemption from reversion for certain funds, extending the effective period of the temporary authority for the operation of certain commercial vehicles, mandating reports of certain agency purchases, requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, and providing effective dates and retroactive application.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running and Tinsman. Nays, none. Absent or not voting, 2: Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3585 as amended to House File 740 was adopted by the Senate on April 17, 1989.

BEVERLY A. HANNON

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Nineteen eighth grade students from St. John School, Bancroft, Iowa, accompanied by Madeline Summitt. Senator Priebe.

Forty-five sixth grade students from Twin Cedars Elementary School, Bussey, Iowa, accompanied by Mark Law. Senator Dieleman.

Fifty fifth grade students from Rex Mathis Elementary School, West Des Moines, Iowa, accompanied by Thalya Hanson. Senator Gentleman.

The Chair welcomed the Honorable Richard Comito, former member of the Senate from Black Hawk County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3744	H.F.	459	Tom Mann, Jr.
S—3745	H.F.	579	Al Sturgeon
S—3746	H.F.	728	Berl E. Priebe Tom Mann, Jr.
S—3747	H.F.	728	Wilmer Rensink
S—3748	S.F.	474	House amendment
S—3749	S.F.	79	House amendment
S—3750	S.F.	149	House amendment
S—3751	H.F.	282	Jack Rife
S—3752	S.F.	472	House amendment
S—3753	S.F.	31	House amendment

S—3754	S.F.	449	House amendment
S—3755	H.F.	728	William W. Dieleman
S—3756	S.F.	520	Calvin Hultman
S—3757	S.F.	524	Jim Lind
S—3758	S.F.	520	Linn Fuhrman
S—3759	S.F.	520	Calvin Hultman
S—3760	S.F.	520	Calvin Hultman
S—3761	H.F.	250	Richard Running Ray Taylor
S—3762	S.F.	508	Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 1:42 p.m., Senator Deluhery presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

President Zimmerman took the chair at 1:50 p.m.

HOUSE AMENDMENT CONSIDERED

Senate File 407

Senator Carr called up for consideration Senate File 407, a bill for an act relating to unclaimed intangible personal property by providing for the treatment of claims in the course of the dissolution of a corporation in the same manner as unclaimed property held by a court or by the state and by altering certain aspects of claim administration, distribution of moneys, and other matters properly related with the disposition of unclaimed personal property and procedures related thereto, amended by the House, and moved that the Senate concur in House amendment S—3715 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Carr moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 407) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman

Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Peterson	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Lind	Murphy	Pate
Priebe	Rife	Taylor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 525.

Senate File 525

On motion of Senator Horn, Senate File 525, a bill for an act relating to excursion gambling boats, by providing licensing requirements, by providing for the allocation of revenue, by providing for the accounting of receipts, by providing restrictions on the operation of gambling games, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **Senate File 525** be deferred.

UNFINISHED BUSINESS (Pending on Adjournment April 17, 1989)

House File 740

The Senate resumed consideration of House File 740, a bill for an act relating to obscenity law, providing penalties, and making penalties applicable, pending on adjournment April 17, 1989.

Senator Fraise called up the motion to reconsider the vote by which amendment S—3585 as amended to House File 740 was adopted by the Senate on April 17, 1989, filed by him on April 17, 1989, found on page 1500 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (H.F. 740) the vote was:

Ayes, 23:

Carr	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hannon	Hedge	Hester	Hultman
Husak	Jensen	Kibbie	Kinley
Nystrom	Rensink	Rife	Running
Scott	Vande Hoef	Varn	

Nays, 23:

Boswell	Bruner	Corning	Deluhery
Fuhrman	Gentleman	Hagerla	Horn
Lind	Lloyd-Jones	Mann	Murphy
Palmer	Pate	Peterson	Priebe
Riordan	Soorholtz	Sturgeon	Szymoniak
Tieden	Tinsman	Welsh	

Absent or not voting, 4:

Coleman	Hutchins	Miller	Taylor
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The motion lost.

The following motions to reconsider were out of order:

The motion to reconsider the vote by which amendment S—3585 as amended to House File 740 was adopted by the Senate on April 17, 1989, filed by Senator Pate on April 17, 1989, and found on page 1500 of the Senate Journal.

The motion to reconsider the vote by which amendment S—3585 as amended to House File 740 was adopted by the Senate on April 17, 1989, filed by Senator Hannon on April 18, 1989, and found on page 1519 of the Senate Journal.

With the defeat of the motion to reconsider amendment S—3585 as amended, the Chair ruled the following amendments out of order:

S—3590 filed by Senator Doyle on April 7, 1989 to page 3 of the bill.

S—3633 filed by Senator Taylor on April 11, 1989, to pages 1 and 2 of the bill.

S—3657 filed by Senator Fuhrman on April 12, 1989, to page 2 of the bill.

S—3658 filed by Senator Fuhrman on April 12, 1989, to pages 1 and 2 of the bill.

S—3672 filed by Senator Doyle on April 12, 1989, to page 4 of the bill.

S—3676 filed by Senator Murphy on April 12, 1989, to pages 1 and 2 of the bill.

S—3710 filed by Senator Mann on April 14, 1989, to pages 3 and 4 of the bill.

S—3711 filed by Senator Taylor on April 14, 1989, to amendment S—3672.

S—3734 filed by Senator Dieleman on April 17, 1989, to page 5 of the bill.

S—3742 filed by Senator Murphy on April 17, 1989, to pages 1 and 2 of the bill.

S—3763 filed by Senators Mann, et al., from the floor to strike everything after the enacting clause and to the title page of the bill.

S—3765 filed by Senator Varn from the floor to amendment S—3585.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 740) the vote was:

Ayes, 38:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Fuhrman	Gentleman
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 9:

Boswell	Drake	Fraise	Gettings
Goodwin	Hultman	Husak	Jensen
Kinley			

Absent or not voting, 3:

Coleman	Hutchins	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 13, 1989)

House File 660

The Senate resumed consideration of House File 660, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources, deferred April 13, 1989.

Senator Palmer withdrew amendment S—3681 filed by him on April 12, 1989, to page 1 of the bill.

Senator Rife asked and received unanimous consent that action on **House File 660** be deferred.

UNFINISHED BUSINESS (Deferred April 17, 1989)

House File 713

The Senate resumed consideration of House File 713, a bill for an act relating to the appointment of an environmental advocate and the establishment of an environmental advocate advisory committee, and amendment S—3576 by the committee on Environment and Energy Utilities to pages 1 and 2 of the bill, deferred April 17, 1989.

Senator Rife offered amendment S—3670 filed by him on April 12, 1989, to amendment S—3576 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3670 to amendment S—3576 be adopted?” (H.F. 713) the vote was:

Ayes, 28:

Boswell	Corning	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hedge	Hester	Husak
Hutchins	Jensen	Kinley	Lind
Miller	Nystrom	Pate	Priebe
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Tinsman	Vande Hoef

Nays, 20:

Bruner	Carr	Deluhery	Dieleman
Doyle	Gronstal	Hannon	Horn
Kibbie	Lloyd-Jones	Mann	Murphy
Palmer	Peterson	Riordan	Running
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 2:

Coleman	Hultman
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Amendment S—3670 was adopted.

Senator Carr asked and received unanimous consent that action on amendment S—3576 as amended and **House File 713** be **deferred**.

**CONSIDERATION OF BILL
(Ways and Means Calendar)**

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 524.

Senate File 524

On motion of Senator Dieleman, Senate File 524, a bill for an act relating to funding available for roads including appropriations of moneys to the affected jurisdictions, was taken up for consideration.

Senator Lind offered amendment S—3757 filed by him from the floor to pages 1 and 3 of the bill.

Senator Dieleman raised the point of order that amendment S—3757 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3757 out of order.

Senator Gronstal offered amendment S—3776 filed by him from the floor to pages 1 and 2 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3776 be adopted?” (S.F. 524) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 11:

Bruner	Carr	Deluhery	Fuhrman
Gentleman	Gronstal	Horn	Kinley
Palmer	Running	Sturgeon	

Nays, 38:

Boswell	Corning	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Rife

Riordan	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Absent or not voting, 1:

Coleman

Amendment S—3776 lost.

Senator Gentleman offered amendment S—3778 filed by Senators Gentleman and Szymoniak from the floor to page 3 of the bill.

Senator Dieleman raised the point of order that amendment S—3778 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3778 out of order.

Senator Jensen offered amendment S—3779 filed by him from the floor to page 3 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3779 be adopted?” (S.F. 524) the vote was:

Ayes, 31:

Boswell	Carr	Corning	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Husak	Jensen	Lind
Murphy	Nystrom	Pate	Peterson
Priebe	Rensink	Rife	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 17:

Bruner	Deluhery	Dieleman	Gentleman
Gronstal	Hannon	Horn	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Palmer	Riordan	Running
Sturgeon			

Absent or not voting, 2:

Coleman Welsh

Amendment S—3779 was adopted.

Senator Szymoniak offered amendment S—3781 filed by Senators Szymoniak and Gentleman from the floor to page 3 of the bill and moved its adoption.

Amendment S—3781 lost by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 524) the vote was:

Ayes, 32:

Carr	Corning	Deluhery	Dieleman
Fraise	Gentleman	Gettings	Goodwin
Hannon	Hedge	Hester	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Rensink
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 17:

Boswell	Bruner	Doyle	Drake
Fuhrman	Gronstal	Hagerla	Horn
Lind	Nystrom	Peterson	Priebe
Rife	Riordan	Running	Scott
Soorholtz			

Absent or not voting, 1:

Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 524** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 525

The Senate resumed consideration of Senate File 525, a bill for an act relating to excursion gambling boats, by providing licensing requirements, by providing for the allocation of revenue, by providing for the accounting of receipts, by providing restrictions on the operation of gambling games, and providing a penalty, previously deferred.

Senator Dieleman offered amendment S—3770 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3770 lost by a voice vote.

Senator Dieleman offered amendment S—3772 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3772 was adopted by a voice vote.

Senator Dieleman withdrew amendment S—3774 filed by him from the floor to page 1 of the bill.

Senator Dieleman offered amendment S—3769 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3769 be adopted?" (S.F. 525) the vote was:

Ayes, 20:

Bruner	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Gronstal	Hannon
Hedge	Hester	Hultman	Jensen
Lloyd-Jones	Nystrom	Rensink	Riordan
Scott	Szymoniak	Taylor	Vande Hoef

Nays, 27:

Boswell	Carr	Deluhery	Doyle
Drake	Fraise	Hagerla	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Mann	Miller	Palmer
Pate	Peterson	Priebe	Rife

Running
Tinsman

Soorholtz
Varn

Sturgeon
Welsh

Tieden

Absent or not voting, 3:

Coleman

Gettings

Murphy

Amendment S—3769 lost.

Senator Gronstal offered amendment S—3783 filed by him from the floor to page 1 of the bill.

Senator Deluhery raised the point of order that amendment S—3783 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3783 in order.

Senator Gronstal moved the adoption of amendment S—3783.

A non record roll call was requested.

The ayes were 15, nays 31.

Amendment S—3783 lost.

Senator Dieleman offered amendment S—3773 filed by him from the floor to page 2 of the bill, moved its adoption and requested a non record roll call.

The ayes were 19, nays 22.

Amendment S—3773 lost.

Senator Gentleman offered amendment S—3782 filed by her from the floor to pages 2 through 4 of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S—3782 be adopted?" (S.F. 525) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Dieleman
Hannon

Fuhrman
Hester

Gentleman
Jensen

Gronstal
Kibbie

Lind	Lloyd-Jones	Mann	Miller
Pate	Peterson	Rensink	Riordan
Running	Sturgeon	Varn	

Nays, 29:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Goodwin	Hagerla	Hedge
Horn	Hultman	Husak	Hutchins
Kinley	Nystrom	Palmer	Priebe
Rife	Scott	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Welsh			

Absent or not voting, 2:

Coleman Murphy

Amendment S—3782 lost.

Senator Dieleman offered amendment S—3786 filed by him from the floor to page 2 of the bill, moved its adoption and requested a non record roll call.

The ayes were 17, nays 26.

Amendment S—3786 lost.

The Chair ruled amendment S—3771 filed by Senator Dieleman from the floor to page 2 of the bill, out of order.

Senator Lind offered amendment S—3784 filed by him from the floor to pages 3 and 4 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3784 be adopted?" (S.F. 525) the vote was:

Ayes, 20:

Corning	Fuhrman	Gentleman	Goodwin
Gronstal	Hedge	Jensen	Lind
Mann	Nystrom	Pate	Peterson
Rensink	Rife	Riordan	Running
Soorholtz	Sturgeon	Szymoniak	Varn

Nays, 28:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Hagerla	Hannon	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Miller	Murphy
Palmer	Priebe	Scott	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Absent or not voting, 2:

Coleman Hester

Amendment S—3784 lost.

Senator Bruner offered amendment S—3785 filed by him from the floor to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 24.

Amendment S—3785 lost.

Senator Dieleman offered amendment S—3788 filed by him from the floor to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 18, nays 27.

Amendment S—3788 lost.

Senator Dieleman offered amendment S—3787 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3787 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 525) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Carr	Deluhery	Doyle	Drake
Fraise	Gettings	Hagerla	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Priebe	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Tieden	Tinsman	Varn	Welsh

Nays, 21:

Boswell	Bruner	Corning	Dieleman
Fuhrman	Gentleman	Goodwin	Gronstal
Hannon	Hedge	Hester	Hultman
Jensen	Kibbie	Mann	Nystrom
Peterson	Rensink	Soorholtz	Taylor
Vande Hoef			

Absent or not voting, 1:

Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 525** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 46, a bill for an act relating to the employment of inmates and prisoners (S—3764).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 13, by committee on Judiciary, a resolution proposing the establishment of an interim study committee for the purpose of studying child abuse, juvenile delinquency, and termination of parental rights issues.

Read first time and placed on calendar.

Senate Resolution 14, by committee on Judiciary, a resolution proposing the creation of a commission to protect Iowans against illegal drug use to study the issues involved in illegal drug activities.

Read first time and placed on calendar.

Senate Resolution 15, by committee on Judiciary, a resolution proposing the establishment of an interim study committee for the purpose of studying the practice of land surveying and the implementation of a parcel identification number system.

Read first time and placed on calendar.

Senate Concurrent Resolution 23, by Deluhery, Gettings, Hannon, Running, Horn, Pate and Lloyd-Jones, a concurrent resolution to urge and petition the Postmaster General of the United States to issue a first-class commemorative postage stamp in honor of the Grant Wood centennial.

Read first time and passed on file.

Senate Concurrent Resolution 24, by committee on Agriculture, a concurrent resolution to petition the United States government to require that meat products produced outside the United States be labeled as foreign produced.

Read first time and placed on calendar.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C.R.	22	Rules and Administration
S. C.R.	23	Rules and Administration

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 24, a concurrent resolution to petition the United States government to require that meat products produced outside the United States be labeled as foreign produced.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Priebe, Riordan, Soorholtz, Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Coleman and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 532, a bill for an act relating to the compensation and benefits for legislators, and other public officials and employees by specifying salary levels, by providing adjustments for salaries, by specifying properly related matters, by making appropriations, and by specifying effective dates for certain provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Boswell, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Sturgeon and Varn. Nays, 5: Tieden, Jensen, Lind, Pate and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE RESOLUTION 13, a resolution proposing the establishment of an interim study committee for the purpose of studying child abuse, juvenile delinquency, and termination of parental rights issues.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 14, a resolution proposing the creation of a commission to protect Iowans against illegal drug use to study the issues involved in illegal drug activities.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 15, a resolution proposing the establishment of an interim study committee for the purpose of studying the practice of land surveying and the implementation of a parcel identification number system.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Doyle, Mann, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Hester, Horn, Taylor, Varn and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS RECEIVED

The following communications were received and placed on file in the office of the Secretary of the Senate:

DEPARTMENT OF ECONOMIC DEVELOPMENT

Annual Report for fiscal year 1988 on Community Economic Betterment Account (CEBA) program expenditures, pursuant to Chapters 99E.2(1)(b) and 99E.32(2), Code 1989.

LEAG

First 1989 report of the Legislative Extended Assistance Group on Impact of Changing Work Roles of Farm Wives on the Rural Economy.

A report on the potential of industrial recruitment for small cities in Iowa.

STATE TREASURER

Semi-Annual Credit Card Disclosure Report for comparison of credit cards offered in the state.

INTRODUCTION OF BILL

Senate File 532, by committee on Appropriations, a bill for an act relating to the compensation and benefits for legislators, and other public officials and employees by specifying salary levels, by providing adjustments for salaries, by specifying properly related matters, by making appropriations, and by specifying effective dates for certain provisions.

Read first time under rule 28 and placed on Appropriations Calendar.

AMENDMENTS FILED

S—3763	H.F.	740	Tom Mann, Jr. Linn Fuhrman Julia Gentleman Paul Pate Wally Horn
S—3764	S. F.	46	House amendment
S—3765	H.F.	740	Richard Varn
S—3766	S. F.	520	Calvin Hultman
S—3767	S. F.	520	Leonard Boswell John Kibbie Elaine Syzmoniak Mark Hagerla Jack Rife
S—3768	S. F.	520	Leonard Boswell
S—3769	S. F.	525	William Dieleman
S—3770	S. F.	525	William Dieleman
S—3771	S. F.	525	William Dieleman
S—3772	S. F.	525	William Dieleman
S—3773	S. F.	525	William Dieleman
S—3774	S. F.	525	William Dieleman
S—3775	H.F.	98	Jack Rife Berl Priebe George Kinley
S—3776	S. F.	524	Michael Gronstal
S—3777	H.F.	250	Tom Mann, Jr.
S—3778	S. F.	524	Julia Gentleman Elaine Syzmoniak

S—3779	S. F.	524	John Jensen
S—3780	S. F.	79	Al Sturgeon
			Berl Priebe
			Joe Welsh
S—3781	S. F.	524	Elaine Szymoniak
			Julia Gentleman
S—3782	S. F.	525	Julia Gentleman
S—3783	S. F.	525	Michael Gronstal
S—3784	S. F.	525	Jim Lind
S—3785	S. F.	525	Charles Bruner
S—3786	S. F.	525	William Dieleman
S—3787	S. F.	525	William Dieleman
S—3788	S. F.	525	William Dieleman
S—3789	S. F.	520	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Wednesday, April 19, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 19, 1989

The Senate met in regular session at 9:03 a.m., Senator Deluhery presiding.

Prayer was offered by the Reverend Michael Metz, pastor of the Ruthven United Methodist Church, Ruthven, Iowa.

The Journal of Tuesday, April 18, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Peterson for the morning on request of Senator Hutchins and Senator Pate for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 224, a bill for an act relating to student exercise of free expression in the public schools (S—3792).

ALSO: That the House has on April 17, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license (S—3791).

Senate File 426, a bill for an act relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, to release on appeal from a conviction of sexual abuse in the third degree, and providing penalties (S—3793).

ALSO: That the House has on April 17, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 490, a bill for an act relating to the sale, lease, rental, or advertising of water treatment systems.

ALSO: That the House has on April 17, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 751, a bill for an act relating to the remittance of the local option tax to local governments.

This bill was read first time and **passed on file**.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Resolutions 13 and 15** be referred from the Regular Calendar to the committee on **Rules and Administration**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President pro tempore Mann took the chair at 9:23 a.m.

The vote revealed 45 present, 5 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Coleman presiding.

President Zimmerman took the chair at 10:36 a.m.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 532.

Senate File 532

On motion of Senator Welsh, Senate File 532, a bill for an act relating to the compensation and benefits for legislators, and other public officials and employees by specifying salary levels, by providing adjustments for salaries, by specifying properly related matters, by making appropriations, and by specifying effective dates for certain provisions, was taken up for consideration.

Senator Jensen offered amendment S—3799 filed by him from the floor to page 19 of the bill and moved its adoption.

Amendment S—3799 was adopted by a voice vote.

Senator Gentleman asked and received unanimous consent that action on **Senate File 532** be **deferred**.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

BUSINESS PENDING

Senate File 532

The Senate resumed consideration of Senate File 532, previously deferred.

Senator Welsh offered amendment S—3802 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3802 was adopted by a voice vote.

Action on **Senate File 532** was temporarily **deferred**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 751 Ways and Means

BUSINESS PENDING

Senate File 532

The Senate resumed consideration of Senate File 532, previously deferred.

Senator Gentleman offered amendment S—3804 filed by her from the floor to pages 17 and 18 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3804 be adopted?” (S.F. 532) the vote was:

Ayes, 13:

Corning	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Lind
Rife	Scott	Taylor	Tieden
Vande Hoef			

Nays, 35:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Riordan
Running	Soorholtz	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Absent or not voting, 2:

Jensen Pate

Amendment S—3804 lost.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 532) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hannon	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 11:

Fuhrman	Gentleman	Hagerla	Hedge
Hester	Lind	Rife	Scott
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Hultman	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 532** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 520.

Senate File 520

On motion of Senator Boswell, Senate File 520, a bill for an act relating to and making appropriations to the department of economic development, was taken up for consideration.

Senator Boswell offered amendment S—3768 filed by him on April 18, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3768 was adopted by a voice vote.

(Action on Senate File 520 pending on recess).

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:50 a.m., until 1:15 p.m.

APPENDIX**COMMUNICATION**

The following communication was received in the office of the Secretary of the Senate:

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 2 claims of a general nature that were denied by the State Appeal Board April 10, 1989. This supplements our filing of January 5, 1989.

Index attached shows number of claim, name and address of claimant, amount of claim and action taken.

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
Secretary of the Senate

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Senate Appropriations Committee.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: April 18, 1989, 8:07 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Soorholtz, Ranking Member; Boswell, Fraise, Fuhrman, Hedge, Hester, Husak, Miller, Rensink, Scott and Vande Hoef.

Members Absent: Coleman and Palmer.

Committee Business: Approved LSB 2706 as a committee resolution; presentations by Winton Etchen, Iowa Fertilizer and Chemical Association; Dr. Fred Blackmer and Dr. Regis Voss, ISU Agronomy Department, regarding the fertilizer trust fund.

Adjourned: 8:45 a.m.

APPROPRIATIONS

Convened: April 18, 1989, 8:50 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running and Tinsman.

Members Absent: Sturgeon and Varn.

Committee Business: Amended and approved LSB 2310 as a committee bill.

Recessed: 9:05 a.m.

Reconvened: April 18, 1989, 11:45 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: none.

Committee Business: Amended and approved LSB 1219 as a committee bill.

Adjourned: 12:00 noon.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Cliff Burroughs, former member of the Senate from Butler County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighty fifth grade students from Audubon Jr. High School, Audubon, Iowa, accompanied by Bob Clark. Senator Hutchins.

Fifty fifth grade students from Union-Whitten-Beaman-Conrad-Liscomb Middle School, Union, Iowa, accompanied by Mary Pieper and John Ehn. Senators Jensen and Taylor.

Forty-five sixth, seventh and eighth grade students from John Paul Academy, Davenport, Iowa, accompanied by Carol Gottschalk. Senators Tinsman and Deluhery.

Thirty-one sixth grade students from Ruthven-Ayrshire Community School, Ruthven, Iowa, accompanied by Steve Ingvall and Connie Larson. Senator Kibbie.

Fifty ninth grade students from Oelwein Jr. High School, Oelwein, Iowa, accompanied by Bruce Willemson, Carl Heller, Mitch Murphy and Connie James. Senator Murphy.

The following visitors were present in the Senate gallery:

Fifty fifth grade students from Slater Elementary School, Slater, Iowa, accompanied by Kathy Fjalén. Senator Nystrom.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3670 to amendment S—3576 to House File 713 was adopted by the Senate on April 12, 1989.

BILL HUTCHINS

AMENDMENTS FILED

S—3790	S. F.	531	Joe Welsh
S—3791	S. F.	157	House amendment
S—3792	S. F.	224	House amendment
S—3793	S. F.	426	House amendment
S—3794	S. F.	361	Michael E. Gronstal
S—3795	S. F.	531	Emil J. Husak
S—3796	S. F.	449	Larry Murphy
S—3797	H. F.	686	Richard Varn
			Linn Fuhrman
			John Kibbie
			Leonard Boswell
S—3798	H. F.	745	C. Joseph Coleman
S—3799	S. F.	532	John W. Jensen

S—3800	H.F.	700	Joe Welsh
S—3801	H.F.	700	Richard Varn
S—3802	S.F.	532	Joe Welsh
S—3803	S.F.	531	Jean Lloyd-Jones
			Tom Mann
			Julia Gentleman
			Elaine Szymoniak
			Al Sturgeon
S—3804	S.F.	532	Julia Gentleman
S—3805	S.F.	531	Appropriations
S—3806	S.F.	531	Don Gettings
S—3807	S.F.	531	Joe Welsh
S—3808	S.F.	531	Richard F. Drake
S—3809	S.F.	520	Leonard Boswell
			John Kibbie
			Elaine Szymoniak
			Mark Hagerla
			Jack Rife

AFTERNOON SESSION

The Senate reconvened at 1:23 p.m., President Zimmerman presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 4, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION PIONEER LAWMAKERS Fiftieth Biennial Session House Chamber - 1:30 p.m.

In accordance with House Concurrent Resolution 3, the joint convention was called to order, President Zimmerman presiding.

President Zimmerman declared a quorum present and the joint convention duly organized.

Senator Hutchins moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote and the President appointed as such committee Senators Coleman and Tieden and Representatives Blanshan and Pellett.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Zimmerman presented the Honorable Tom Mann, Jr., President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Zimmerman presented the Honorable John Connors, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Zimmerman presented the Honorable William Harbor, member of the House of Representatives from Mills County, who responded to the welcome.

Representative Harbor announced the legislators who were eligible to become members of the Pioneer Lawmakers and that Russell "Rusty" Laird, lobbyist from Des Moines, Dr. William Peterson ("Steamboat Bill") of Iowa City and Bettie Wentz, House secretary from Des Moines, were awarded honorary membership in the Pioneer Lawmakers Association.

Representative Harbor presented George Mills, longtime columnist for the Des Moines Register, who addressed the joint convention.

President Zimmerman then presented the Honorable Jack Miller, member of the Iowa house of representatives (1955-1956), Iowa state senate (1957-1960), U.S. Senate (1960-1972) and present Senior U.S. Circuit Judge, U.S. Court of Appeals for the Federal Circuit, who addressed the joint convention as follows:

It has been a long time since I addressed a joint session of the Iowa legislature, and I am highly honored and appreciative of the gracious invitation to do so on this, the 50th biennium of the Iowa Pioneer Lawmakers Association.

As my reference point, I would select a day early in December, 1954. The November elections were behind us, and a new session of the legislature was only a month away - January of 1955. I had been elected state representative from Woodbury County and was really looking forward to what promised to be a new and deeply satisfying experience as a state legislator.

So, on that December day, I drove to Des Moines to arrange for a room in one of the hotels, with the expectation that I would ordinarily be able to go home on Friday afternoon and return on Sunday evening. I also wanted some orientation on how the house of representatives operated. I was lucky - the chief clerk of the House, whose service commenced in 1921, was A.C. Gustafson (known to everyone as "Gus"), and he was in. He gave me an enthusiastic hour of his valuable time, answering many questions and really showing me around. I also met his deputy, Bill Kendrick, who served as chief clerk from 1959 to 1972.

My first need, said Gus, was an experienced secretary, and he put me in touch with Edith McElroy, who accepted my invitation to be my secretary during the upcoming session. Edith was an officer in the Business and Professional Women's Association and was most helpful in insuring that I would be knowledgeable and fairly liberal with respect to legislation affecting women. As the session went on, it became more and more evident that a good staff is indispensable to a good legislature, and we certainly had a good staff while I was there. A little lady,

who served as legislative counsel to the House, deserves special comment - Lillian Leffert. No bill of any consequence was cleared for action without passing her professional review. She taught me a lot.

It wasn't long before I noticed the influence some of the political writers, TV and radio newscasters had on the legislature. In retrospect, this should not have been surprising considering the quality of journalists like Geroge Mills, Cliff Millen, Skip Weber, Frank Nye of the Cedar Rapids Gazette, Bill Severn of the Waterloo Courier, Dillard Stokes of the Council Bluffs Nonpareil, and Paul Norris of the Marshalltown Times Republican. They may not have had recognition on a nationwide scale, but they were then, and their successors are today, just as professional as self-appointed members of the "Washington Media Elite."

It seemed as though there was always something brewing in the House. The first time we had a record vote, all of the lights showed up on the board - except the one of State Representative Klein from Clarke County. He stood up, got the Speaker's eye, and said: "I want to press the blue button." Everyone laughed except Klein. Later we learned that he was color blind. Speaker Art Hanson was still suspicious.

If you were there, as I was, how could you ever forget Show Girl Dagmar's visit to the Capitol? She had an overactive press agent, who spread the word that Dagmar would visit the Capitol, the Governor, and, of course, the legislature. Three of us had an appointment with Governor Leo Hoegh as soon as the House convened. Just as we began to move toward the rear of the chamber, Dagmar appeared in center stage, escorted by Clark McNeal of Belmond, who announced in his silver-tongued voice: "Mr. Speaker, a message from the Senate." Down the aisle to the well of the chamber they came. Dagmar didn't wait to be introduced - she literally engulfed the Speaker in a warm embrace. We thought it prudent to get out of there and meet with the Governor. But as we got to the Governor's outer office, he came out, hair mussed, and mouth bleeding from excess lipstick. "Did you see that woman?" he asked. We reported what had occurred in the House. This time, Art Hanson was not just suspicious. He was red-faced.

At the next election, I moved over to the state senate, Woodbury County's Charlie Van Eaton having retired. It wasn't long before my erstwhile colleagues in the house began asking me what I thought of the change. Somehow I managed to finesse their question by saying it would be like comparing the rumpus room of one's home with the study - one usually has more "fun" in the rumpus room. In my four-year term in the senate, the biggest issue was reapportionment, which was not settled until after I had left. Nevertheless this issue was terribly abrasive and emotional, causing the same hard feelings that had previously arisen over school district legislation.

(Judge Miller spoke extemporaneously about the dove bill and his daughters visit to the Capitol).

Let me close with a few observations. First, a comparison of the state legislature with the federal Congress. After twelve years in the U.S. Senate, I would have to say that the state legislature does a better job of legislating - gives a closer,

more personal attention to its business - than does the Congress. Here each house often becomes, in effect, a committee of the whole, Almost all of the members are present and are familiar with the bills being debated. Of course, there are exceptions, but I am satisfied that the federal Congress could take a lesson in grass roots legislating from many state legislatures including, particularly this one.

Second, it can be argued that the reason for the differences lies in the Congressional complexities spawned by rules or statutes, including an unhelpfully large number of subcommittees, each striving to gain a share of the publicity pie. This argument has merit, but year after year the Congress seems less and less willing to streamline its operations and to devote its energies (including spending) to what is necessary - as distinguished from what is merely desirable.

Finally, those who have had and will, in the future, have the privilege of serving in the Iowa legislature can be justly proud of their dedication to the proclamation that "Our liberties we prize and our rights we will maintain." This along with an enlightened state judiciary, explains why Iowa is a good and great land. Nowhere can you find a better place to achieve what President Bush has praised as a "sense of service and love of country."

May God bless your efforts. Thank you.

Representative Arnould moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber and resumed regular session, President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BUSINESS PENDING

Senate File 520

The Senate resumed consideration of Senate File 520, a bill for an act relating to and making appropriations to the department of economic development, pending on recess.

Senator Boswell offered amendment S—3767 filed by Senators Boswell, et al., on April 18, 1989, to pages 1 through 4 of the bill.

Senator Welsh called for a division of amendment S—3767 as follows:

Lines 4 through 9 as division S—3767A.

Lines 14 through 19 as division S—3767B.

Lines 20 and 21 as division S—3767C.

Lines 22 and 23 as division S—3767D.

Lines 2, 3, 10 through 13 and 24 through 28 as division S—3767E.

Senator Boswell moved the adoption of division S—3767A, which motion lost by a voice vote.

Senator Coleman filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3767A to Senate File 520 failed to be adopted by the Senate on April 19, 1989.

The motion prevailed by a voice vote and division S—3767A was taken up for reconsideration.

Senator Boswell moved the adoption of division S—3767A, which motion prevailed by a voice vote.

On motions by Senator Boswell, divisions S—3767B, S—3767C, S—3767D and S—3767E were adopted by voice votes.

Senator Hultman asked and received unanimous consent that action on amendment S—3760 filed by him on April 18, 1989, to page 1 of the bill be deferred.

Senator Boswell offered amendment S—3809 filed by Senators Boswell, et al., from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3809 was adopted by a voice vote.

With the adoption of amendment S—3809, the Chair ruled amendment S—3760 by Senator Hultman to page 1 of the bill previously deferred, out of order.

Senator Fuhrman offered amendment S—3758 filed by him on April 18, 1989, to page 5 of the bill and moved its adoption.

Amendment S—3758 lost by a voice vote.

With the adoption of amendment S—3809, the Chair ruled amendment S—3759 filed by Senator Hultman on April 18, 1989, to page 2 of the bill, out of order.

Senator Hultman withdrew amendment S—3766 filed by him on April 18, 1989, to page 2 of the bill.

Senator Gettings offered amendment S—3815 filed by Senators Boswell, Gettings and Welsh from the floor to page 2 of the bill and moved its adoption.

Amendment S—3815 was adopted by a voice vote.

Senator Hultman offered amendment S—3756 filed by him on April 18, 1989, to pages 5, 7 and 8 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3756 be adopted?” (S.F. 520) the vote was:

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Taylor	Tieden
Tinsman			

Nays, 31:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Varn	Welsh	

Goodwin	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Miller	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 4:

Bruner	Gronstal	Mann	Murphy
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Absent or not voting, 1:

Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 520** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 531.

Senate File 531

On motion of Senator Gettings, Senate File 531, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, state aviation fund, and abstract fee fund, providing for an exemption from reversion for certain funds, extending the effective period of the temporary authority for the operation of certain commercial vehicles, mandating reports of certain agency purchases, requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, and providing effective dates and retroactive application, was taken up for consideration.

Senator Husak offered amendment S—3795 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3795 was adopted by a voice vote.

Senator Gettings asked and received unanimous consent that action on amendment S—3806 filed by him from the floor to page 11 of the bill be deferred.

Senator Coleman offered amendment S—3813 filed by him from the floor to page 13 of the bill and moved its adoption.

Amendment S—3813 was adopted by a voice vote.

Senator Lind offered amendment S—3812 filed by Senators Lind and Welsh from the floor to page 14 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 28.

Amendment S—3812 lost.

Senator Drake offered amendment S—3808 filed by him from the floor to page 14 of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—3808 be deferred.

Senator Lind asked and received unanimous consent that action on amendment S—3822 filed by him from the floor to page 14 of the bill be deferred.

Senator Welsh offered amendment S—3807 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—3807 was adopted by a voice vote.

Senator Welsh offered amendment S—3805 filed by the committee on Appropriations from the floor to pages 15 and 19 of the bill and moved its adoption.

Amendment S—3805 was adopted by a voice vote.

Senator Fraise offered amendment S—3823 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—3823 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—3803 filed by Senators Lloyd-Jones, et al., from the floor to pages 15 through 17 and the title page of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 25.

Amendment S—3803 lost.

The Chair ruled amendment S—3820 filed by Senators Sturgeon and Fuhrman from the floor to pages 15 through 17 and the title page of the bill, out of order.

Senator Welsh offered amendment S—3790 filed by him from the floor to page 19 of the bill and moved its adoption.

Amendment S—3790 was adopted by a voice vote.

Senator Mann asked and received unanimous consent that action on amendment S—3816 filed by him from the floor to pages 19 and 20 of the bill be deferred for consideration of amendment S—3826.

Senator Mann offered amendment S—3826 filed by Senators Mann et al., from the floor to pages 19 and 20 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3826 be adopted?” (S.F. 531) the vote was:

Ayes, 10:

Drake
Kinley
Peterson

Gentleman
Lloyd-Jones
Szymoniak

Gettings
Mann

Goodwin
Palmer

Nays, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gronstal	Hagerla
Hannon	Hedge	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Lind	Miller	Murphy	Nystrom
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Absent or not voting, 3:

Hester	Pate	Priebe
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Amendment S—3826 lost.

The Chair ruled amendment S—3816 by Senator Mann to pages 19 and 20 of the bill, previously deferred, out of order.

Senator Jensen offered amendment S—3821 filed by Senators Jensen and Drake from the floor to page 19 of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—3821 be deferred.

Senator Miller offered amendment S—3824 filed by him from the floor to page 19 of the bill and moved its adoption.

Amendment S—3824 was adopted by a voice vote.

Senator Lind offered amendment S—3829 filed by him from the floor to page 20 of the bill.

Senator Welsh raised the point of order that amendment S—3829 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3829 in order.

Senator Lind moved the adoption of amendment S—3829.

A record roll call was requested.

On the question “Shall amendment S—3829 be adopted?” (S.F. 531) the vote was:

Ayes, 4:

Gentleman	Kinley	Lind	Soorholtz
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Nays, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Lloyd-Jones
Miller	Nystrom	Palmer	Peterson
Rensink	Riordan	Running	Scott
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Voting present, 1:

Welsh

Absent or not voting, 7:

Hester	Mann	Murphy	Pate
Priebe	Rife	Szymoniak	

Amendment S—3829 lost.

Senator Hannon offered amendment S—3827 filed by Senators Hannon and Mann from the floor to pages 2 and 5 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3827 be adopted?” (S.F. 531) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 11:

Bruner	Gentleman	Gronstal	Hannon
Horn	Lloyd-Jones	Mann	Murphy
Riordan	Szymoniak	Tinsman	

Nays, 37:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Miller	Nystrom
Palmer	Peterson	Rensink	Rife
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Absent or not voting, 2:

Pate Priebe

Amendment S—3827 lost.

President pro tempore Mann took the chair at 6:13 p.m.

Senator Hultman offered amendment S—3825 filed by Senators Hultman and Lind from the floor to pages 4 and 5 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3825 be adopted?” (S.F. 531) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Nystrom
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Riordan	Running
Scott	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 2:

Pate

Priebe

Amendment S—3825 lost.

Senator Gettings moved the adoption of amendment S—3806 to page 11 of the bill, previously deferred.

A non record roll call was requested.

The ayes were 32, nays 9.

Amendment S—3806 was adopted.

Senator Lind withdrew amendment S—3822 to page 14 of the bill, previously deferred.

(Action on Senate File 531 pending on adjournment).

APPENDIX**STUDY BILL RECEIVED****SSB 378 Appropriations**

Relating to the adoption of rules by the department of inspections and appeals for intermediate care facilities for the mentally retarded and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 529**

TRANSPORTATION: Coleman, Chair; Doyle and Drake

House File 751

WAYS AND MEANS: Riordan, Chair; Dieleman and Soorholtz

LSB 2706

AGRICULTURE: Rensink, Chair; Riordan and Vande Hoef

REPORT OF COMMITTEE MEETING**RULES AND ADMINISTRATION**

Convened: April 14, 1989, 10:30 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Approved proposed committee resolutions deferring action on the confirmation of governor's appointees Darlene Blake to the Psychology Examining Board and Robert A. Van Vooren to the Iowa Economic Development Board.

Adjourned: 10:35 a.m.

PRESENTATION OF VISITOR

President Zimmerman welcomed the Honorable Andrew Frommelt, former member of the Senate from Dubuque County, who was present in the Senate chamber.

AMENDMENTS FILED

S—3810	S.F.	472	Larry Murphy
S—3811	H.F.	579	Al Sturgeon
S—3812	S.F.	531	Jim Lind Joe Welsh
S—3813	S.F.	531	C. Joseph Coleman
S—3814	S.F.	520	Al Sturgeon
S—3815	S.F.	520	Leonard Boswell Don Gettings Joe Welsh
S—3816	S.F.	531	Tom Mann, Jr.
S—3817	S.F.	223	Charles Bruner
S—3818	S.F.	523	Julia Gentleman
S—3819	H.F.	728	Alvin Miller Maggie Tinsman Berl Priebe Bob Carr Linn Fuhrman Richard Vande Hoef Eugene Fraise Kenneth Scott Elaine Szymoniak
S—3820	S.F.	531	Al Sturgeon Linn Fuhrman
S—3821	S.F.	531	John Jensen Richard Drake
S—3822	S.F.	531	Jim Lind
S—3823	S.F.	531	Eugene Fraise
S—3824	S.F.	531	Alvin Miller
S—3825	S.F.	531	Calvin Hultman Jim Lind
S—3826	S.F.	531	Tom Mann, Jr. Elaine Szymoniak Richard F. Drake

S—3827	S. F.	531	Julia Gentleman Beverly Hannon Tom Mann, Jr.
S—3828	S. F.	531	Jim Lind
S—3829	S. F.	531	Jim Lind
S—3830	H. F.	250	Ray Taylor Richard Running
S—3831	H. F.	703	Alvin Miller
S—3832	H. F.	690	Julia Gentleman
S—3833	H. F.	250	Richard Varn Tom Mann, Jr. Jim Lind Paul Pate Larry Murphy Linn Fuhrman
S—3834	H. F.	250	Linn Fuhrman
S—3835	S. F.	523	Julia Gentleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:35 p.m., until 9:00 a.m., Thursday, April 20, 1989.

JOINT MEMORIAL SERVICE

**SEVENTY-THIRD GENERAL ASSEMBLY
HOUSE CHAMBER
WEDNESDAY, APRIL 19, 1989
7:30 p.m.**

Program

REPRESENTATIVE ROBERT D. FULLER, PRESIDING

Invocation.....Representative Horace Daggett, Adams

“Jesus Walked This Lonesome Valley”.....Spiritual
Legislative Chorus

MEMORIALS — HOUSE

Reading: Representative Dorothy F. Carpenter, Polk

MEMORIAL — SENATE

Reading: Senator Jack W. Hester, Pottawattamie

“Precious Lord Take My Hand”Allen-Ringwald
Double Mixed Quartet

Honorable Mark Haverland, Honorable Jack Hester, Honorable Mark Shearer;
Secretaries Joan Koenigs, Clarretta De Groot, Barbara Kalbach,
Harriett Vande Hoef and Research Assistant Peter Small

MEMORIALS — HOUSE

Reading: Representative Vic Stueland, Clinton

MEMORIAL — HOUSE AND SENATE

Reading: Senator Jean Lloyd-Jones, Johnson

“Deep River”.....Aaron Copeland
Peter Small, House Democratic Staff

MEMORIALS — HOUSE

Reading: Representative Jane Svoboda, Tama

MEMORIAL — SENATE

Reading: Senator Ray Taylor, Hardin

“Joy In The Morning”Natalie Sleeth
Legislative Chorus

MEMORIAL HOUSE

Reading: Representative Charles N. Poncy, Wapello

MEMORIAL — HOUSE AND SENATE

Reading: Senator Larry Murphy, Fayette

Benediction Senator Richard Vande Hoef, Osceola

IN MEMORIAM

SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE

Honorable Elizabeth R. Miller (Marshall County) House — 63rd and 64th (Marshall County) Senate — 65th, 66th, 67th, 67x and 68th.

Honorable John Patton (Buchanan and Delaware Counties) House — 64th. (Cherokee, Ida and Plymouth Counties) Senate — 61st and 62nd.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Don D. Alt (Polk County) 63rd and 64th.

Honorable John E. Camp (Clinton County) 58th, 59th, 60th, 60x, 62nd, 63rd, and 64th.

Honorable William E. Darrington (Harrison County) 54th, 55th, 56th, 57th, 58th, 59th, 60th, 60x, 62nd and 63rd.

Honorable James P. Denato (Polk County) 61st.

Honorable Isabel M. Eillott (Woodbury County) 47th and 48th.

Honorable Ada Garner (Butler County) 45th and 45x.

Honorable Frances G. Hakes (Pocahontas County) 59th, 60th and 60x.

Honorable Alfred Eugene Jones (Clarke County) 54th and 55th.

Honorable Edgar J. Koch (Woodbury County) 62nd and 63rd.

Honorable Harold V. Nelson (Cherokee County) 61st, 62nd and 63rd.

Honorable Fred J. Paullus (Franklin County) 48th and 49th.

Honorable Henry H. Stevens (Greene County) 51st, 52nd, 52x, 53rd, 54th, 55th, 56th and 57th.

Honorable Paul A. Troeger (Wapello County) 48th, 50th, 50x, 52nd and 52x.

SERVED IN THE SENATE

Honorable J. Louis Fisher (Warren and Clarke Counties) 57th, 58th, 59th, 60th and 60x.

Honorable Howard L. Vincent (Wayne and Lucas Counties) 60th and 60x.

Candlelighters

Senator Eugene S. Fraise
Senator Kenneth D. Scott
Representative Mike Peters
Representative Jane Teaford

Hosts

Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Maggie Tinsman
Representative John H. Connors
Representative Mary A. Lundby
Representative Dolores M. Mertz

Legislative Chorus

Director: Representative Betty Jean Clark
Accompanist: Nancy Shimanek Boyd
Comprised of Legislators, Legislative Secretaries and Staff

SENATE MEMORIAL COMMITTEE

Honorable C. Joseph Coleman, Chair
Honorable Donald V. Doyle
Honorable Richard F. Drake
Honorable Dale L. Tieden

HOUSE MEMORIAL COMMITTEE

Honorable Robert D. Fuller, Chair
Honorable Tom H. Miller
Honorable Mark S. Shearer
Honorable Don Shoning

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 20, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Richard Pippard, pastor of the Fremont United Methodist Church, Fremont, Iowa.

The Journal of Wednesday, April 19, 1989, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Peterson for the morning on request of Senator Hutchins and Senator Lind for the day on request of Senator Rife.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 271, a bill for an act relating to the repeal of a local option sales and services tax and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 18, 1989, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 127, a bill for an act to allow class "C" liquor control license holders and class "B" beer permit holders to brew beer to be served on the premises and making the barrel tax on beer applicable, and providing an effective date.

House File 598, a bill for an act relating to the testing of public water systems, and making penalties applicable.

ALSO: That the House has on April 18, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 459, a bill for an act relating to payment of a senior judge's medical insurance premium and annuity.

ALSO: That the House has on April 13, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 56, a bill for an act establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons and certain owner-occupied housing (S—3837).

ALSO: That the House has on April 18, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 199, a bill for an act relating to child day care by amending certain definitions and certain requirements for group day care homes (S—3836).

Senate File 371, a bill for an act relating to elections and election procedures (S—3838).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred April 19, 1989)

Senate File 531

The Senate resumed consideration of Senate File 531, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, state aviation fund, and abstract fee fund, providing for an exemption from reversion for certain funds, extending the effective period of the temporary authority for the operation of certain commercial vehicles, mandating reports of certain agency purchases, requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, and providing effective dates and retroactive application and amendments S—3821 and 3808, deferred April 19, 1989.

Senator Hultman asked and received unanimous consent that action on amendment S—3828 filed by Senator Lind on April 19, 1989, to page 14 of the bill be deferred.

Senator Drake moved the adoption of amendment S—3808 to page 14 of the bill, deferred April 19, 1989.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—3808 lost.

Senator Hultman moved the adoption of amendment S—3828 to page 14 of the bill, previously deferred.

Amendment S—3828 was adopted by a voice vote.

Senator Taylor offered amendment S—3839 filed by him from the floor to pages 15 and 17 of the bill.

Senator Coleman called for a division of amendment S—3839: lines 2 through 13 as division S—3839A and lines 14 through 22 as division S—3839B.

Senator Taylor moved adoption of division S—3839A, which motion lost by a voice vote.

Senator Hultman raised the point of order that division S—3839B was not germane.

The Chair ruled the point well taken and division S—3839B out of order.

The Senate resumed consideration of amendment S—3821 by Senators Jensen and Drake to page 19 of the bill, deferred April 19, 1989.

Senator Coleman raised the point of order that amendment S—3821 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3821 in order.

Senator Jensen moved the adoption of amendment S—3821 and requested a record roll call.

On the question “Shall amendment S—3821 be adopted?” (S.F. 531) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Rensink	Rife	Riordan	Scott
Soorholtz	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Peterson	Priebe	Running	Sturgeon
Varn	Welsh		

Absent or not voting, 2:

Dieleman Lind

Amendment S—3821 lost.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 531) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Drake Lind Rife Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 271 Ways and Means

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 531** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence were granted as follows:

Senator Miller for the morning on request of Senator Hutchins.

HOUSE AMENDMENT CONSIDERED

Senate File 426

Senator Riordan called up for consideration Senate File 426, a bill for an act relating to sexual abuse, including sexual abuse in the third degree and sexual abuse which constitutes a forcible felony, to release on appeal from a conviction of sexual abuse in the third degree, and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—3793 filed April 19, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 426) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Lind Miller

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1989)

House File 98

The Senate resumed consideration of House File 98, a bill for an act relating to the establishment of bank offices within a municipal corporation or urban complex in which the principal place of business of the bank is located, and division S—3569B by the committee on Commerce to page 1 and the title page of the bill, deferred April 12, 1989.

Senator Rife offered amendment S—3775 filed by Senators Rife, Priebe and Kinley on April 18, 1989, to division S—3569B and moved its adoption.

Amendment S—3775 was adopted by a voice vote.

Senator Kinley moved the adoption of division S—3569B as amended, which motion prevailed by a voice vote.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 98) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Nystrom
Palmer	Pate	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 14:

Doyle	Drake	Fuhrman	Hageria
Hannon	Hedge	Hester	Jensen
Mann	Murphy	Rensink	Rife
Soorholtz	Tieden		

Absent or not voting, 2:

Lind	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 98** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 223

Senator Bruner called up for consideration Senate File 223, a bill for an act relating to early childhood programs, amended by the House in House amendment S—3661 filed April 12, 1989.

Senator Bruner offered amendment S—3817 filed by him on April 19, 1989, to pages 1, 2, 3 and 5 of House amendment S—3661.

Senator Bruner asked and received unanimous consent that action on amendment S—3817 to House amendment S—3661, House amendment S—3661 and **Senate File 223** be **deferred**.

Senate File 508

Senator Welsh called up for consideration Senate File 508, a bill for an act relating to common liens on real or personal property and providing a remedy, amended by the House in House amendment S—3707 filed April 14, 1989.

Senator Welsh offered amendment S—3762 filed by him on April 18, 1989, to House amendment S—3707 and moved its adoption.

Amendment S—3762 was adopted by a voice vote.

President pro tempore Mann took the chair at 10:34 a.m.

Senator Welsh moved the adoption of House amendment S—3707 as amended, which motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 508) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymaniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Coleman	Lind	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

Senate File 361

The Senate resumed consideration of Senate File 361, a bill for an act relating to reverse annuity and graduated payment mortgages, by providing for their regulation by the administrators of the divisions of banking, savings and loan associations, and credit

unions, of the department of commerce, and imposing certain standards and restrictions, deferred April 6, 1989.

Senator Gronstal offered amendment S—3794 filed by him on April 19, 1989, to pages 1 through 4 of the bill and moved its adoption.

Amendment S—3794 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 361) the vote was:

Ayes, 45:

Boswell	Carr	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Bruner	Coleman	Drake	Lind
Miller			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 18, 1989)

House File 713

The Senate resumed consideration of House File 713, a bill for an act relating to the appointment of an environmental advocate

and the establishment of an environmental advocate advisory committee, and amendment S—3576 as amended by the committee on Environment and Energy Utilities to pages 1 and 2 of the bill, deferred April 18, 1989.

Senator Hutchins called up the motion to reconsider the vote by which amendment S—3670 to amendment S—3576 to House File 713 was adopted by the Senate on April 18, 1989, filed by him on April 19, 1989, found on page 1548 of the Senate Journal, moved its adoption and requested a non record roll call.

The ayes were 24, nays 19.

The motion prevailed and amendment S—3670 by Senator Rife to amendment S—3576 was taken up for reconsideration.

Senator Rife moved the adoption of amendment S—3670 to amendment S—3576 and requested a record roll call.

On the question "Shall amendment S—3670 to amendment S—3576 be adopted?" (H.F. 713) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Nystrom	Pate	Rensink
Rife	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 28:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Murphy	Palmer
Peterson	Priebe	Riordan	Scott
Sturgeon	Szymoniak	Varn	Welsh

Absent or not voting, 4:

Coleman	Lind	Miller	Running
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Amendment S—3670 lost.

Senator Carr moved adoption of amendment S—3576, which motion prevailed by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 713) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hannon	Horn	Hultman	Husak
Hutchins	Kibbie	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Szymoniak	Tieden	Varn
Welsh			

Nays, 13:

Corning	Fuhrman	Hagerla	Hedge
Jensen	Kinley	Pate	Rensink
Rife	Soorholtz	Taylor	Tinsman
Vande Hoef			

Absent or not voting, 4:

Coleman	Hester	Lind	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 508 and 361** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 703** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:15 a.m., until 2:00 p.m.

APPENDIX

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 19, 1989, when the final votes were taken on the following bills.

Had I been present, I would have voted "aye" on Senate File 520 and "nay" and Senate File 532.

PAUL PATE

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 713 passed the Senate on April 20, 1989.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 713 passed the Senate on April 20, 1989.

BOB CARR

SUBCOMMITTEE ASSIGNMENTS

House File 271

WAYS AND MEANS: Husak, Chair; Szymoniak and Fuhrman

House File 703

WAYS AND MEANS: Riordan, Chair; Husak and Soorholtz

SSB 375.1

WAYS AND MEANS: Bruner, Chair; Dieleman and Soorholtz

LSB 2724

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Varn and Pate

PRESENTATION OF VISITORS

Senator Jensen presented Rosa Flores from Honduras, exchange student attending Wartburg College, Waverly, Iowa.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty sixth grade students from Gilmore City Bradgate Elementary School, Gilmore City, Iowa, accompanied by Harold Troyer. Senator Priebe.

Sixteen high school students from Nevada High School, Nevada, Iowa. Senator Bruner.

Fifty-four fifth grade students, members of the Iowana Council of Camp Fire Girls, accompanied by Pat Van Sichel and Connie Rettkowski. Senator Hannon.

Thirty-eight twelfth grade students from GMG, Garwin, Iowa, accompanied by Sally Van Maanen. Senator Husak.

Forty-five sixth grade students from Britt-Kanawha Elementary School. Senator Priebe.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to Senate File 531, the following corrections were made:

1. Page 23, line 2, the words "Sections 3, 9, 27, and 30" were changed to the words "Sections 3, 9, 28, and 33".
2. Page 23, line 4, the words "Section 25" were changed to the words "Section 26".
3. Page 23, line 6, the words "Section 25" were changed to the words "Section 26".

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 20, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 120 — Relating to the allowable length of stinger-steered automobile transporters and certain semitrailers when operated on highways designated by the state transportation commission.

SENATE FILE 275 — Relating to the administration of an estate and changing certain notice provisions.

SENATE FILE 276 — Relating to the registration of federal liens.

SENATE FILE 397 — Relating to salaries of the clerks of the district court.

SENATE FILE 402 — Relating to the membership of the medical assistance advisory council.

SENATE FILE 435 — Relating to state licensing of asbestos professionals who perform work in schools.

SENATE FILE 500 — Relating to the powers and duties of certain local governmental bodies, by providing for the use of ordinances in certain instances, by changing procedures for certain city elections, by requiring written veto messages, by changing filing procedures for a special assessment, and by specifying the duties of city finance offices.

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 522, a bill for an act relating to radon testing and abatement, and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Deluhery, Gronstal, Pate, Carr, Hedge, Soorholtz, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Miller and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 529, a bill for an act creating the Iowa highway research board and providing for the board's compensation and expenses.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Dieleman, Doyle, Gettings, Jensen and Nystrom. Nays, none. Absent or not voting, 3: Drake, Goodwin and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3836	S.F.	199	House
S—3837	S.F.	56	House
S—3838	S.F.	371	House
S—3839	S.F.	531	Ray Taylor
S—3840	H.F.	140	Norman Goodwin
S—3841	H.F.	140	Richard Vande Hoef

AFTERNOON SESSION

The Senate reconvened at 2:11 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 124, a bill for an act relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Fuhrman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 3:28 p.m.

The vote revealed 38 present, 12 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 46

Senator Peterson called up for consideration Senate File 46, a bill for an act relating to the employment of inmates and prisoners, amended by the House, and moved that the Senate concur in House amendment S—3764 filed April 18, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Peterson moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 46) the vote was:

Ayes, 36:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Vande Hoef	Varn	Welsh

Nays, 9:

Drake	Fuhrman	Gentleman	Hedge
Hultman	Jensen	Pate	Rife
Tieden			

Absent or not voting, 5:

Boswell	Hester	Lind	Miller
Riordan			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 13, 1989)

House File 451

The Senate resumed consideration of House File 451, a bill for an act relating to audits, amending provisions governing audits of governmental subdivisions and revising the powers and duties of the auditor of state with respect to such audits, providing for payment to the auditor of state for certain advisory and consultative services, providing for filing fees, providing properly related matters, and providing an effective date, deferred April 13, 1989.

Senator Gronstal offered amendment S—3564 filed by the committee on State Government on April 5, 1989, to pages 1, 2, 3, 4 and 6 of the bill.

Senator Kibbie offered amendment S—3620 filed by Senators Kibbie, et al., on April 10, 1989, to amendment S—3564 and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 15.

Amendment S—3620 was adopted.

Senator Szymoniak offered amendment S—3640 filed by her on April 11, 1989, to amendment S—3564.

Senator Gronstal called for a division of amendment S—3640 as follows: lines 4 through 15 as division S—3640A and lines 16 through 29 as division S—3640B.

Senator Szymoniak moved the adoption of division S—3640A to amendment S—3564, which motion prevailed by a voice vote.

Senator Szymoniak moved the adoption of division S—3640B to amendment S—3564.

A non record roll call was requested.

The ayes were 11, nays 31.

Division S—3640B lost.

Senator Gronstal moved the adoption of amendment S—3564 as amended, which motion prevailed by a voice vote.

Senator Sturgeon offered amendment S—3843 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3843 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that action on **House File 451** be deferred.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 686

On motion of Senator Kibbie, House File 686, a bill for an act establishing a science and technology foundation and providing an effective date, was taken up for further consideration (substituted for Senate File 495 and deferred on April 6, 1989).

Senator Varn asked and received unanimous consent to withdraw amendment S—3738 filed by Senators Varn, Fuhrman and Kibbie on April 17, 1989, to pages 1, 2, 4 and 6 through 8 of the bill.

Senator Kibbie offered amendment S—3648 filed by Senators Kibbie, et al., on April 11, 1989, to pages 1 through 4, 6, 8 and 9 and the title page of the bill.

Senator Varn offered amendment S—3797 filed by Senators Varn, et al., on April 19, 1989, to amendment S—3648.

Senator Varn asked and received unanimous consent that action on amendment S—3797 to amendment S—3648, amendment S—3648 and **House File 686** be deferred.

UNFINISHED BUSINESS (Deferred April 13, 1989)

House File 448

The Senate resumed consideration of House File 448, a bill for an act relating to the coverage of real estate agents under the workers' compensation law, deferred April 13, 1989.

Senator Rensink called up the motion to reconsider the vote by which amendment S—3565 to House File 448 was adopted by the Senate on April 13, 1989, filed by him on April 13, 1989, found on page 1432 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3565 by the committee on Business and Labor Relations, to page 1 and the title page of the bill, was taken up for reconsideration.

Senator Peterson asked and received unanimous consent that action on amendment S—3565 and **House File 448** be deferred.

UNFINISHED BUSINESS

(Deferred April 14, 1989)

House File 674

The Senate resumed consideration of House File 674, a bill for an act relating to victim counseling and services, deferred April 14, 1989.

Senator Corning offered amendment S—3698 filed by Senators Corning and Sturgeon on April 13, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3698 was adopted by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 674) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Hannon

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 525, a bill for an act relating to excursion gambling boats, by providing licensing requirements, by providing for the allocation of revenue, by providing for the accounting of receipts, by providing restrictions on the operation of gambling games, and providing a penalty (S—3846).

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 25, by committee on Environment and Energy Utilities, a concurrent resolution relating to the establishment of an interim committee regarding energy efficiency.

Read first time and placed on calendar.

Senate Concurrent Resolution 26, by Coleman and Drake, a concurrent resolution relating to the single commercial driver license requirement for drivers of commercial motor vehicles under the Federal Commercial Motor Vehicle Safety Act of 1986.

Read first time and passed on file.

APPENDIX**STUDY BILL RECEIVED****SSB 375.1 Ways and Means**

Relating to the standard deduction for state individual income tax purposes, limiting the deduction for net capital gain to the transfer of certain capital assets, providing an earned income tax credit, and providing retroactive applicability and effective dates.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 13**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Resolution 15

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 22

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 23

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

COMMITTEE REPORT**ENVIRONMENT AND ENERGY UTILITIES**

Final Bill Action: SENATE CONCURRENT RESOLUTION 25, a concurrent resolution relating to the establishment of an interim committee regarding energy efficiency.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Deluhery, Gronstal, Pate, Carr, Hedge and Soorholtz. Nays, none. Absent or not voting, 4: Miller, Rife, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty fourth through ninth graders from Franklin Christian School, Leon, Iowa. Senator Boswell.

AMENDMENTS FILED

S—3842	H.F.	140	Richard Vande Hoef
S—3843	H.F.	451	Al Sturgeon
S—3844	S.F.	519	Bob Carr
S—3845	S.F.	514	Beverly Hannon
S—3846	S.F.	525	House amendment
S—3847	S.F.	392	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Friday, April 21, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 21, 1989

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Wilmer Rensink, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Thursday, April 20, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 266, a bill for an act requiring electric utilities to have in effect a comprehensive energy management program before new or changed rates, charges, schedules, and regulations may be approved by the utilities board (S—3848).

Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, and providing an effective date (S—3849).

Senate File 419, a bill for an act relating to energy efficiency and providing effective dates (S—3850).

ALSO: That the House has on April 19, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 174, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the Act and an effective date.

Senate File 373, a bill for an act relating to public utilities and their affiliates, with civil penalties applicable.

Senate File 389, a bill for an act relating to farm crisis relief, by extending the date of repeal of certain 1986 provisions, expanding participation in farm mediation, requiring borrowers to file a list of creditors, providing for review of farm mediation service decisions, expanding the confidentiality of mediation information, providing for mediation fees, and providing limitations on liability and immunity from certain judicial actions.

ALSO: That the House has on April 19, 1989, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 123, a bill for an act relating to the compensation of election boards.

House File 241, a bill for an act relating to the authority of fire chiefs and their officers at fire scenes and emergencies, and providing a penalty for violations.

House File 371, a bill for an act relating to emergency medical care providers, and providing penalties.

ALSO: That the House has on April 18, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 753, a bill for an act relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting the use of certain other products, requiring city or county solid waste management

programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, providing an effective date, and providing for other properly related matters.

House File 758, a bill for an act permitting forfeiture of the penal bond when a class "E" liquor licensee violates the bootlegging law; permitting claims against penal bonds for failure or refusal to pay an alcoholic beverage control tax when due, establishing an administrative appeals process for disputed tax assessments, permitting the administrator to compromise disputed tax assessments, and permitting imposition of civil penalties on wholesalers for violations of law and administrative rules; and relating to coupons or rebates as incentives to purchase wine.

ALSO: That the House has on April 19, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 755, a bill for an act relating to mobile home taxes and providing an effective date.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 533, by committee on Ways and Means, a bill for an act relating to tax increment financing and providing an effective date.

Read first time and placed on **Ways and Means Calendar**.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	26	Rules and Administration
H. F.	753	Ways and Means

H.F. 755 Ways and Means
 H.F. 758 Ways and Means

UNFINISHED BUSINESS
 (Deferred April 10, 1989)

House File 255

The Senate resumed consideration of House File 255, a bill for an act relating to forms for the registration of voters, deferred April 10, 1989.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 255) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Dieleman
Doyle	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Tieden	Varn	Welsh

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Nystrom	Pate
Rensink	Rife	Taylor	Tinsman
Vande Hoef			

Absent or not voting, 5:

Coleman	Deluhery	Fraise	Lind
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 11, 1989)

House File 71

The Senate resumed consideration of House File 71, a bill for an act establishing pilot projects for a peer review court as a diversion program for offenders ten through seventeen years of age, deferred April 11, 1989.

Senator Gronstal offered amendment S—3686 filed by him on April 13, 1989, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3686 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 71) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Fuhrman

Absent or not voting, 3:

Hester	Lind	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 10:27 a.m.

The vote revealed 40 present, 10 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 18, 1989)

House File 728

The Senate resumed consideration of House File 728, a bill for an act relating to official publications by amending rates for county publication of board proceedings, by reducing the specific information required in county care facility inventory publications, by permitting division of the delinquent tax list for publication, by establishing a minimum type size, by reducing publication fees when publication is not timely made, and by eliminating the requirement for publication of notice of textbook purchase and the motion to reconsider amendment S—3746 by Senator Rensink, deferred April 18, 1989.

Senator Rensink withdrew the motion to reconsider amendment S—3746.

Senator Miller offered amendment S—3819 filed by Senators Miller, et al., on April 19, 1989, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3819 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 728) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Doyle

Voting present, 1:

Dieleman

Absent or not voting, 2:

Lind Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 525

Senator Horn called up for consideration Senate File 525, a bill for an act relating to excursion gambling boats, by providing licensing requirements, by providing for the allocation of revenue, by providing for the accounting of receipts, by providing restrictions on the operation of gambling games, and providing a penalty, amended by the House in House amendment S—3846 filed April 20, 1989.¹

Senator Bruner offered amendment S—3851 filed by him from the floor to House amendment S—3846.

Senator Fraise raised the point of order that amendment S—3851 was not germane to House amendment S—3846.

The Chair ruled the point well taken and amendment S—3851 out of order.

Senator Hedge offered amendment S—3853 filed by Senators Hedge, Dieleman and Taylor from the floor to House amendment S—3846.

Senator Horn raised the point of order that amendment S—3853 was not germane to House amendment S—3846.

The Chair ruled the point well taken and amendment S—3853 out of order.

Senator Horn moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Horn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass"? (S.F. 525) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller	Murphy	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 6:

Boswell	Dieleman	Gentleman	Hester
Kibbie	Mann		

Absent or not voting, 4:

Lind

Lloyd-Jones

Nystrom

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Peterson and Deluhery for the remainder of the morning on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred April 11, 1989)

House File 313

The Senate resumed consideration of House File 313, a bill for an act relating to the common boundary for a voluntary annexation, and amendment S—3630 by Senator Hultman to page 1 and the title page of the bill, deferred April 11, 1989.

Senator Welsh offered amendment S—3743 filed by Senators Welsh, et al., on April 17, 1989, to amendment S—3630 and moved its adoption.

Amendment S—3743 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—3630 as amended, which motion prevailed by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 313) the vote was:

Ayes, 39:

Boswell
Drake
Goodwin
Hedge
Husak

Bruner
Fraise
Gronstal
Hester
Hutchins

Corning
Fuhrman
Hagerla
Horn
Jensen

Dieleman
Gentleman
Hannon
Hultman
Kibbie

Kinley	Lloyd-Jones	Mann	Miller
Palmer	Pate	Priebe	Rensink
Rife	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Varn	Welsh	

Nays, 7:

Carr	Coleman	Doyle	Gettings
Murphy	Riordan	Vande Hoef	

Absent or not voting, 4:

Deluhery	Lind	Nystrom	Peterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 255, 71 and 313** be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 25** be referred from the Regular Calendar to the committee on **Rules and Administration**.

Senator Hutchins asked and received unanimous consent that **Senate File 438** be referred from the Unfinished Business Calendar to the committee on **Transportation**.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date (S—3854).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 27, by Bruner, Hannon, Tinsman, Lloyd-Jones, Deluhery, Corning, Mann, Lind, Sturgeon, Varn, Riordan, Jensen, Welsh, Priebe, Carr, Horn, Gronstal, and Szymoniak, a concurrent resolution requiring an interim study of the cost, affordability, and availability of child day care in the state of Iowa.

Read first time and **passed on file**.

APPENDIX**STUDY BILL RECEIVED****SSB 379 Appropriations**

Relating to substance abuse treatment and narcotics law enforcement, by providing certain appropriations to the Iowa law enforcement academy for the training of drug enforcement officers, to the office of attorney general for training prosecuting attorneys, to the department of public safety for additional staff related to drug enforcement activities, to the department of corrections for substance abuse treatment programs within the correctional institutions and the community-based correctional programs; by providing for increased penalties for the manufacture, delivery, or selling of or offering to sell, a controlled substance, a counterfeit substance, or a simulated controlled substance as determined by the amount of the substance and whether or not a firearm or offensive weapon was involved; by providing for increased penalties for the distribution of a narcotic or cocaine in, on, or near a school; by providing for the placement of certain parole or probation violators in the county jail, requiring reimbursement to counties confining such violators, and authorizing the board of parole to assign parole violators to the county jail as part of a subsequent plan of parole or work release; by providing procedures and requirements for the issuance of court orders for the interception of certain communications relating to offenses involving controlled substances; providing for the development of certain programs targeted toward juveniles; providing a request for the legislative council to establish a study to examine the issue of drug enforcement and other related matters; and providing an effective date.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S. C. R. 27 Rules and Administration

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five fifth grade students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Sue Renaud and Diane Cronin. Senator Gentleman.

Seventeen twelfth grade students from Urbana High School, Urbana, Iowa, accompanied by Sharyl Stulken and Harlan Bell. Senator Husak.

Forty twelfth grade students from Eldora-New Providence High School, Eldora, Iowa, accompanied by Glenn Hinder, Kay Roelfsema and Gary Garvis. Senator Taylor.

Sixty-five fifth and sixth grade students from Harris-Lake Park Elementary School, Harris, Iowa, accompanied by John Nelson, Diane Iburg, Steve Andrews, Chris Andrews, Judy Brueggeman and Art Schumacher. Senators Vande Hoef and Kibbie.

Thirty fifth grade students from Cambridge Elementary School, Cambridge, Iowa, accompanied by Joann Larson. Senator Bruner.

Twenty-two twelfth grade students from Twin Rivers High School, Bode, Iowa, accompanied by Garvin Larson. Senator Priebe.

SUBCOMMITTEE ASSIGNMENTS

House File 753

WAYS AND MEANS: Riordan, Chair; Bruner and Soorholtz

House File 755

WAYS AND MEANS: Kibbie, Chair; Szymoniak and Hester

House File 758

WAYS AND MEANS: Fraise, Chair; Gentleman and Husak

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 728 passed the Senate on April 21, 1989.

RICHARD VARN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3843 to House File 451 was adopted by the Senate on April 20, 1989.

ELAINE SZYMONIAK

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 534 (SSB 378), a bill for an act relating to the adoption of rules by the department of inspections and appeals for intermediate care facilities for the mentally retarded and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Tieden, Bruner, Corning, Gettings, Goodwin, Gronstal, Lloyd-Jones, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 9: Boswell, Fraise, Husak, Jensen, Lind, Pate, Peterson, Rensink and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 535, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public safety.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Tieden, Bruner, Corning, Gettings, Goodwin, Gronstal, Lloyd-Jones, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 9: Boswell, Fraise, Husak, Jensen, Lind, Pate, Peterson, Rensink and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 536, a bill for an act relating to the compensation and benefits for public officials by specifying salary rates and ranges and related matters generally relating to the compensation of public officials and employees and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Tieden, Bruner, Corning, Gettings, Goodwin, Gronstal, Lloyd-Jones, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 9: Boswell, Fraise, Husak, Jensen, Lind, Pate, Peterson, Rensink and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 533 (SSB 377), a bill for an act relating to tax increment financing and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 534, by committee on Appropriations, a bill for an act relating to the adoption of rules by the department of inspections and appeals for intermediate care facilities for the mentally retarded and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 535, by committee on Appropriations, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public safety.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 536, by committee on Appropriations, a bill for an act relating to the compensation and benefits for public officials by specifying salary rates and ranges and related matters generally relating to the compensation of public officials and employees and providing an effective date.

Read first time under Rule 28 and placed on **Appropriations Calendar**.

AMENDMENTS FILED

S—3848	S. F.	266	House amendment
S—3849	S. F.	369	House amendment
S—3850	S. F.	419	House amendment
S—3851	S. F.	525	Charles Bruner
S—3852	S. F.	450	Wally Horn
S—3853	S. F.	525	H. Kay Hedge William Dieleman Ray Taylor
S—3854	S. F.	363	House amendment
S—3855	S. F.	223	Maggie Tinsman
S—3856	S. F.	157	Don E. Gettings John Kibbie Richard Vande Hoef Wilmer Rensink

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:23 a.m., until 10:00 a.m., Monday, April 24, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 24, 1989

The Senate met in regular session at 10:07 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable James R. Riordan, member of the Senate from Dallas County, Waukee, Iowa.

The Journal of Friday, April 21, 1989, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1989, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 729, a bill for an act relating to insurance coverage for health care services, requiring that coverage be made available for care provided by certain registered nurses, providing for direct payment, modifying provisions relating to preferred providers, and providing for data collection and utilization review.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the morning on request of Senator Hultman.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 15** and **Senate Resolution 14** be referred from the Regular Calendar to the committee on **Rules and Administration**.

CONSIDERATION OF BILL

(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 519.

Senate File 519

On motion of Senator Carr, Senate File 519, a bill for an act relating to the chairperson of the board of parole and the board of parole, with report of committee recommending passage, was taken up for consideration.

Senator Carr offered amendment S—3844 filed by him on April 20, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3844 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 519) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Peterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 24.

Senate Concurrent Resolution 24

On motion of Senator Rensink, Senate Concurrent Resolution 24, a concurrent resolution to petition the United States government to require that meat products produced outside the United States be labeled as foreign produced, was taken up for consideration.

Senator Rensink moved the adoption of Senate Concurrent Resolution 24, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 522 and 529.

Senate File 522

On motion of Senator Varn, Senate File 522, a bill for an act relating to radon testing and abatement, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 522) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Dieleman	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 529

On motion of Senator Coleman, Senate File 529, a bill for an act creating the Iowa highway research board and providing for the board's compensation and expenses, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 529** be deferred.

HOUSE AMENDMENT CONSIDERED
(Deferred April 20, 1989)

Senate File 223

The Senate resumed consideration of Senate File 223, a bill for an act relating to early childhood programs, House amendment S—3661 and amendment S—3817 by Senator Bruner to House amendment S—3661, deferred April 20, 1989.

Senator Bruner moved the adoption of amendment S—3817 to pages 1, 2, 3 and 5 of House amendment S—3661, which motion prevailed by a voice vote.

Senator Tinsman offered amendment S—3855 filed by her on April 21, 1989, to page 4 of House amendment S—3661 and moved its adoption.

Amendment S—3855 was adopted by a voice vote.

Senator Bruner moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Bruner moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 223) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Peterson
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Welsh

Nays, 4:

Hedge

Rensink

Tieden

Vande Hoef

Absent or not voting, 2:

Goodwin

Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 498

Senator Horn called up for consideration Senate File 498, a bill for an act relating to the appointment, terms, retention, and qualifications of magistrates, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3705 filed April 14, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Horn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 498) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Voting present, 1:

Doyle

Absent or not voting, 2:

Jensen

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 579

On motion of Senator Sturgeon, House File 579, a bill for an act relating to involuntary hospitalization procedures applicable to the mentally ill, was taken up for further consideration (substituted for Senate File 452 as amended and deferred April 6, 1989).

Senator Sturgeon offered amendment S—3745 filed by him on April 18, 1989, to pages 1 and 2 of the bill and called for a division: lines 3 through 7 as division S—3745A; lines 8 through 22 as division S—3745B and lines 23 through 47 as division S—3745C.

Senator Sturgeon withdrew division S—3745A.

Senator Sturgeon asked and received unanimous consent that action on divisions S—3745B, S—3745C and **House File 579** be **deferred**.

UNFINISHED BUSINESS (Deferred April 20, 1989)

House File 686

The Senate resumed consideration of House File 686, a bill for an act establishing a science and technology foundation and providing an effective date, amendment S—3648 by Senators Kibbie, et al., to pages 1 through 4, 6, 8, 9 and the title page

of the bill and amendment S—3797 by Senators Varn, et al., to amendment S—3648, deferred April 20, 1989,

Senator Varn moved the adoption of amendment S—3797 to amendment S—3648, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—3859 filed by him from the floor to amendment S—3648.

Senator Running raised the point of order that amendment S—3859 was not germane to amendment S—3648.

The Chair ruled the point well taken and amendment S—3859 out of order.

Senator Priebe asked and received unanimous consent that action on amendment S—3648 as amended and **House File 686** be **deferred**.

President pro tempore Mann took the chair at 10:29 a.m.

BUSINESS PENDING

House File 579

The Senate resumed consideration of House File 579, a bill for an act relating to involuntary hospitalization procedures applicable to the mentally ill, and divisions S—3745B and S—3745C by Senator Sturgeon to pages 1 and 2 of the bill, previously deferred.

Senator Hultman offered amendment S—3864 filed by him from the floor to division S—3745B, moved its adoption, and requested a record roll call.

On the question “Shall amendment S—3864 to division S—3745B be adopted?” (H.F. 579) the vote was:

Ayes, 40:

Boswell	Coleman	Corning	Deluhéry
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lind	Lloyd-Jones

Miller	Nystrom	Pate	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn

Nays, 9:

Bruner	Carr	Gronstal	Mann
Murphy	Palmer	Peterson	Sturgeon
Welsh			

Absent or not voting, 1:

Jensen

Amendment S—3864 was adopted.

With the adoption of amendment S—3864 to division S—3745B, the Chair ruled the following amendments out of order:

S—3811 filed by Senator Sturgeon on April 19, 1989, to division S—3745B.

S—3857 filed by Senator Hultman from the floor to division S—3745B.

A—3858 filed by Senator Sturgeon from the floor to division S—3745B.

Senator Sturgeon asked and received unanimous consent that action on division S—3745B as amended, division S—3745C and House File 579 be deferred.

INTRODUCTION OF BILL

Senate File 537, by committee on Ways and Means, a bill for an act relating to the standard deduction for state individual income tax purposes, limiting the deduction for net capital gain to the transfer of certain capital assets, providing an earned income tax credit, and providing retroactive applicability and effective dates.

Read first time and placed on Ways and Means calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:01 p.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 21, 1989, 11:30 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Lind and Peterson (both excused).

Committee Business: Approved SSB 378 and LSBs 4215 and 2077 as committee bills.

Adjourned: 12:45 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 20, 1989, 11:25 a.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Carr, Hedge, Soorholtz, Sturgeon and Varn.

Members Absent: Miller (excused) and Rife.

Committee Business: Assigned bills to subcommittees; approved LSB 2724 as a committee resolution; recommended passage of Senate File 522; discussed House File 753.

Adjourned: 12:05 p.m.

TRANSPORTATION

Convened: April 20, 1989, 1:30 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Dieleman, Doyle, Gettings, Goodwin, Jensen and Nystrom.

Members Absent: Lloyd-Jones.

Committee Business: Recommended passage of Senate File 529.

Adjourned: 2:00 p.m.

WAYS AND MEANS

Convened: April 20, 1989, 2:30 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 377 as a committee bill.

Adjourned: 3:30 p.m.

WAYS AND MEANS

Convened: April 21, 1989, 9:50 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan and Szymoniak.

Members Absent: Soorholtz.

Committee Business: Assigned bills to subcommittees; approved SSB 375.1 as a committee bill; House File 703 failed recommendation for passage.

Adjourned: 10:30 a.m.

PETITIONS

The following petitions opposing legislation increasing any tax on beer, wine or soft drinks were presented and placed on file by:

Senator Hester from four hundred twenty residents of Cass, Pottawattamie, Shelby and Harrison Counties.

Senator Kinley from seventeen residents of Polk County.

Senator Scott from fifty-five residents of Chickasaw County.

The following petitions was presented and placed on file by:

Senator Gettings from thirteen residents of Wapello County opposing the school finance bill unless it requires voters approval, in advance, for the instructional support tax.

Senator Kibbie from nineteen residents of Dickinson County opposing House File 683 (establishment of a law enforcement review board).

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 76, the following correction was made:

1. Page 1, line 17, the words "association of chiefs' of police" were changed to the words "association of chiefs of police".

ALSO:

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 317, the following correction was made:

1. Page 1, line 2, the words "as follow:" were changed to the words "as follows:".

JOHN F. DWYER
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of April, 1989:

Senate Files 52, 83, 110, 169, 176, 225, 229, 317, 339, 360, 410, 442, 444 and 482.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-eight fourth grade students from Sacred Heart School, West Des Moines, Iowa, accompanied by Sherry McShane. Senator Gentleman.

Twenty-eight fifth grade students from Cody Elementary School, LeClaire, Iowa, accompanied by Harold Hubbard. Senator Tinsman.

CONFERENCE COMMITTEE REPORT RECEIVED (House File 199)

A conference committee report signed by the following Senate and House members was filed April 24, 1989, on House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions:

On the Part of the Senate:

BERL E. PRIEBE, Chair
BEVERLY A. HANNON
JEAN LLOYD-JONES
MAGGIE TINSMAN

On the Part of the House:

JACK HOLVECK, Chair
TONY BISIGNANO
MINNETTE DODERER
JOSEPH M. KREMER
DON SHONING

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 537 (SSB 375.1), a bill for an act relating to the standard deduction for state individual income tax purposes, limiting the deduction for net capital gain to the transfer of certain capital assets, providing an earned income tax credit, and providing retroactive applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dieleman, Husak, Bruner, Fraise, Kibbie, Murphy, Palmer, Riordan and Szymoniak. Nays, 5: Hester, Drake, Fuhrman, Gentleman and Hultman. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3857	H.F.	579	Calvin Hultman
S—3858	H.F.	579	Al Sturgeon
S—3859	H.F.	686	Berl E. Priebe
S—3860	S.F.	527	Berl E. Priebe
S—3861	H.F.	690	Julia Gentleman
S—3862	H.F.	448	Calvin Hultman
S—3863	H.F.	585	Richard Varn
S—3864	H.F.	579	Calvin Hultman
S—3865	H.F.	459	Tom Mann, Jr.
			Richard Drake
			Richard Varn
			Donald Doyle
			Bob Carr
			Joe Welsh
S—3866	H.F.	459	Tom Mann, Jr.
S—3867	S.F.	369	Joe Welsh
S—3868	H.F.	690	Charles Bruner

AFTERNOON SESSION

The Senate reconvened at 2:08 p.m., President pro tempore Mann presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the remainder of the day on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred April 18, 1989)

House File 660

The Senate resumed consideration of House File 660, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources, deferred April 18, 1989.

Senator Fuhrman asked and received unanimous consent that action on **House File 660** be **deferred**.

UNFINISHED BUSINESS (Deferred April 14, 1989)

House File 178

The Senate resumed consideration of House File 178, a bill for an act relating to the department of inspections and appeals and its licensing, rulemaking, and enforcement authority with respect to health and human resources matters, and providing properly related matters, deferred April 14, 1989.

Senator Carr offered amendment S—3562 filed by the committee on State Government on April 5, 1989, to pages 2 through 5 of the bill and moved its adoption.

Amendment S—3562 was adopted by a voice vote.

Senator Carr offered amendment S—3649 filed by him on April 11, 1989, to pages 1, 8, 18 and 19 of the bill and moved its adoption.

Amendment S—3649 was adopted by a voice vote.

Senator Carr offered amendment S—3870 filed by Senators Carr, et al., from the floor to pages 1, and 6 through 8 of the bill.

Senator Carr asked and received unanimous consent that action on amendment S—3870 and **House File 178** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 369

Senator Welsh called up for consideration Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, requiring reimbursement for the auditor of state, and providing an effective date, amended by the House in House amendment S—3849 filed April 21, 1989.

Senator Welsh asked and received unanimous consent that action on House amendment S—3849 and **Senate File 369** be **deferred**.

BUSINESS PENDING

House File 178

The Senate resumed consideration of House File 178, a bill for an act relating to the maximum liability allowable for noneconomic damages, and amendment S—3870 by Senators Carr, et al., to pages 1 and 6 through 8 of the bill, previously deferred.

Senator Carr moved the adoption of amendment S—3870, which motion prevailed by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 178) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hannon	Hedge
Horn	Husak	Hutchins	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Varn
Welsh			

Nays, 6:

Fuhrman	Hagerla	Hester	Hultman
Pate	Vande Hoef		

Absent or not voting, 3:

Jensen	Murphy	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that the following bills be immediately messaged to the House:

Senate Files 522, 519 and 223; Senate Concurrent Resolution 24 and House File 178.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 523 and 220.

Senate File 523

On motion of Senator Carr, Senate File 523, a bill for an act relating to political campaigns, providing for a political contribution tax credit on the personal income tax under certain circumstances, providing for a political candidates fund to be used for partial public financing of certain political campaigns, revising provisions relating to the campaign finance income tax checkoff, restricting the use of campaign funds, prohibiting false representations concerning a candidate, providing additional requirements with respect to disclosures, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, appropriating funds, providing penalties, providing other properly related matters, and providing effective and applicability dates, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 523** be **deferred**.

Senate File 220

On motion of Senator Murphy, Senate File 220, a bill for an act relating to the unclaimed winnings from and the taxes imposed on pari-mutuel wagering at racetracks in the state and providing applicability and effective dates, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—3190 filed by the committee on Agriculture on March 9, 1989, to strike everything after the enacting clause and to the title page of the bill.

The Chair ruled amendment S—3190 out order because Senate File 220 had not been assigned to the committee on Agriculture.

President Zimmerman took the chair at 2:50 p.m.

Senator Priebe offered amendment S—3871 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Dieleman asked and received unanimous consent that action on amendment S—3871 and **Senate File 220** be **deferred**.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 3:33 p.m.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 514.

Senate File 514

On motion of Senator Husak, Senate File 514, a bill for an act providing a state sales and use tax exemption for certain facilities, was taken up for consideration.

Senator Husak offered amendment S—3673 filed by Senators Husak, et al., on April 12, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3673 was adopted by a voice vote.

Senator Hannon offered amendment S—3845 filed by her on April 20, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3845 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 514) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Palmer Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 220

The Senate resumed consideration of Senate File 220, a bill for an act relating to the unclaimed winnings from and the taxes imposed on pari-mutuel wagering at racetracks in the state and providing applicability and effective dates, and amendment S—3871, previously deferred.

The Chair ruled the following amendments to amendment S—3190 out of order:

S—3348 filed by Senator Murphy on March 20, 1989.

S—3451 filed by Senator Jensen on March 28, 1989.

S—3726 filed by Senator Dieleman on April 17, 1989.

S—3729 filed by Senator Dieleman on April 17, 1989.

S—3739 filed by Senator Lind on April 17, 1989.

S—3874 filed by Senator Kinley from the floor.

S—3875 filed by Senator Welsh from the floor.

Senator Kinley offered amendment S—3876 filed by him from the floor to page 1 of amendment S—3871.

Senator Murphy raised the point of order that amendment S—3876 to amendment S—3871 was not germane.

The Chair ruled the point not well taken and amendment S—3876 in order.

Senator Kinley moved the adoption of amendment S—3876 to amendment S—3871 and requested a record roll call.

On the question “Shall amendment S—3876 to amendment S—3871 be adopted?” (S.F. 220) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Carr	Coleman	Deluhery	Doyle
Drake	Fraise	Gentleman	Gettings
Gronstal	Hagerla	Horn	Hultman
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Nystrom
Palmer	Priebe	Rife	Running
Soorholtz	Sturgeon	Tinsman	Varn
Welsh			

Nays, 19:

Boswell	Bruner	Corning	Dieleman
Fuhrman	Goodwin	Hannon	Hedge
Hester	Jensen	Miller	Murphy
Peterson	Rensink	Riordan	Scott
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Pate	Szymoniak
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Amendment S—3876 was adopted.

Senator Jensen offered amendment S—3882 filed by him from the floor to pages 1 and 2 of amendment S—3871 and moved its adoption.

Amendment S—3882 lost by a voice vote.

Senator Welsh offered amendment S—3878 filed by him from the floor to page 2 of amendment S—3871 and moved its adoption.

Amendment S—3878 was adopted by a voice vote.

Senator Murphy offered amendment S—3881 filed by him from the floor to page 2 of amendment S—3871 and moved its adoption.

Amendment S—3881 was adopted by a voice vote.

Senator Dieleman offered amendment S—3880 filed by him from the floor to page 2 of amendment S—3871 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3880 to amendment S—3871 be adopted?” (S.F. 220) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hedge	Hultman	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Palmer	Peterson	Riordan	Running
Scott	Sturgeon	Vande Hoef	Varn
Welsh			

Nays, 18:

Boswell	Corning	Drake	Hannon
Hester	Horn	Husak	Jensen
Kinley	Lind	Murphy	Nystrom
Priebe	Rensink	Rife	Soorholtz
Tieden	Tinsman		

Absent or not voting, 3:

Pate

Szymoniak

Taylor

Amendment S—3880 was adopted.

Senator Lind offered amendment S—3883 filed by him from the floor to page 4 of amendment S—3871 and moved its adoption.

Amendment S—3883 was adopted by a voice vote.

Senator Dieleman offered amendment S—3879 filed by him from the floor to page 5 of amendment S—3871 and called for a division: line 3 as division S—3879A and line 4 as division S—3879B.

Senator Dieleman moved the adoption of division S—3879A to amendment S—3871 and requested a non record roll call.

The ayes were 20, nays 26.

Division S—3879A lost.

Senator Dieleman moved the adoption of division S—3879B to amendment S—3871, which motion lost by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—3871 as amended and **Senate File 220** be **deferred**.

BUSINESS PENDING

Senate File 523

The Senate resumed consideration of Senate File 523, a bill for an act relating to political campaigns, providing for a political contribution tax credit on the personal income tax under certain circumstances, providing for a political candidates fund to be used for partial public financing of certain political campaigns, revising provisions relating to the campaign finance income tax checkoff, restricting the use of campaign funds, prohibiting false representations concerning a candidate, providing additional requirements with respect to disclosures, providing that the lieutenant governor is not considered a separate candidate for campaign finance purposes, appropriating funds, providing

penalties, providing other properly related matters, and providing effective and applicability dates, previously deferred.

Senator Rife offered amendment S—3889 filed by Senators Rife and Lind from the floor to strike everything after the enacting clause of the bill.

Senator Carr raised the point of order that amendment S—3889 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3889 in order.

Senator Lind offered amendment S—3890 filed by him from the floor to amendment S—3889 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3890 to amendment S—3889 be adopted?” (S.F. 523) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bruner	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Palmer	Rensink	Rife
Running	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 24:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Peterson	Priebe
Riordan	Scott	Varn	Welsh

Absent or not voting, 3:

Gettings	Pate	Szymoniak
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Amendment S—3890 lost.

Senator Rife moved the adoption of amendment S—3889 and requested a record roll call.

On the question “Shall amendment S—3889 be adopted?” (S.F. 523) the vote was:

Ayes, 19:

Corning	Deluhery	Drake	Fuhrman
Gentleman	Goodwin	Hagerla	Hedge
Hester	Hultman	Jensen	Lind
Nystrom	Rensink	Rife	Soorholtz
Taylor	Tinsman	Vande Hoef	

Nays, 28:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Fraise	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Riordan	Running	Scott
Sturgeon	Tieden	Varn	Welsh

Absent or not voting, 3:

Gettings	Pate	Szymoniak
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Amendment S—3889 lost.

Senator Carr offered amendment S—3872 filed by him from the floor to pages 1 through 6, 9 through 11, 13, 14 and the title page of the bill and moved its adoption.

Amendment S—3872 was adopted by a voice vote.

Senator Gentleman offered amendment S—3835 filed by her on April 19, 1989, to pages 7 through 9 of the bill and moved its adoption.

Amendment S—3835 lost by a voice vote.

Senator Gentleman offered amendment S—3818 filed by her on April 19, 1989, to pages 11 through 13 and the title page of the bill and moved its adoption.

Amendment S—3818 lost by a voice vote.

Senator Murphy offered amendment S—3884 filed by him from the floor to page 14 and the title page of the bill.

Senator Hultman raised the point of order that amendment S—3884 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3884 in order.

Senator Murphy moved the adoption of amendment S—3884, which motion lost by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 523) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Sturgeon	Tinsman
Varn	Welsh		

Nays, 17:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Nystrom	Rensink
Rife	Soorholtz	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Gettings	Pate	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 523** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 762, a bill for an act relating to the designation, inventory, sale, taxation, and protection of protected wetlands, and providing a civil penalty for violations.

This bill was read first time and assigned to the committee on **Ways and Means**.

PETITION

The following petition was presented and placed on file by:

Senator Rensink from forty-eight residents of Sioux County opposing legislation increasing any tax on beer, wine or soft drinks.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of April, 1989:

Senate Files 76, 90, 124 and 129.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 124, the following correction was made:

1. Page 11, line 29, the words "thirty days notice" were changed to the words "thirty days' notice".

JOHN F. DWYER
Secretary of the Senate

STUDY BILL RECEIVED**SSB 380 Business and Labor Relations**

A resolution requesting the government of El Salvador to respect and accept internationally accepted rights of trade unions.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 14**

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 15

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 25

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 26

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 27

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

SSB 380

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Palmer and Taylor

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 514 passed the Senate on April 24, 1989.

LARRY MURPHY

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 514 passed the Senate on April 24, 1989.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3876 to amendment S—3871 to Senate File 220 was adopted by the Senate on April 24, 1989.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3880 to amendment S—3871 to Senate File 220 was adopted by the Senate on April 24, 1989.

CALVIN O. HULTMAN

AMENDMENTS FILED

S—3869	H.F.	459	Tom Mann, Jr.
S—3870	H.F.	178	Bob Carr Berl Priebe Donald Doyle Dale Tieden
S—3871	S.F.	220	Berl E. Priebe
S—3872	S.F.	523	Bob Carr
S—3873	H.F.	660	Jack Rife
S—3874	S.F.	220	George Kinley
S—3875	S.F.	220	Joe Welsh
S—3876	S.F.	220	George Kinley
S—3877	S.F.	419	Jack Rife
S—3878	S.F.	220	Joe Welsh
S—3879	S.F.	220	William Dieleman
S—3880	S.F.	220	William Dieleman
S—3881	S.F.	220	Larry Murphy
S—3882	S.F.	220	John W. Jensen
S—3883	S.F.	220	Jim Lind
S—3884	S.F.	523	Larry Murphy
S—3885	S.F.	363	Eugene Fraise
S—3886	H.F.	686	Patrick Deluhery John Kibbie
S—3887	S.F.	529	John Jensen Bill Hutchins
S—3888	S.F.	514	Jim Lind Larry Murphy
S—3889	S.F.	523	Jack Rife Jim Lind
S—3890	S.F.	523	Jim Lind
S—3891	H.F.	728	Richard Varn Berl Priebe Alvin Miller

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:05 p.m., until 10:00 a.m., Tuesday, April 25, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 25, 1989

The Senate met in regular session at 10:17 a.m., President pro tempore Mann presiding.

Prayer was offered by the Reverend Daird Korth, pastor of the Redeemer Lutheran Church, Ventura, Iowa.

The Journal of Monday, April 24, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Running for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1989, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 196, a bill for an act relating to the collection of certain adoption information according to federal regulations.

House File 533, a bill for an act relating to the regulation of grain management, by providing for licensing and regulation of grain dealers and warehouse operators and the administration of licensing and regulation within the department of agriculture and land stewardship and by the Iowa grain indemnity board.

ALSO: That the House has on April 21, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 141, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities (S—3892).

ALSO: That the House has on April 21, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 757, a bill for an act relating to programs to increase opportunity for minorities in postsecondary education and women and minorities in postsecondary faculty positions.

This bill was read first time and **passed on file**.

House File 765, a bill for an act exempting certain deeds transferring real estate from declarations of value and the tax on transfers.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 24, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 764, a bill for an act relating to the establishment of real estate education programs and making an appropriation.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 28, by Vande Hoef, a concurrent resolution requesting the United States Congress to raise the permissible income level for eligibility for federal Farmers Home Administration loans and to expand the residential mortgage program to include guarantees for qualifying mortgage loans originated by local lending institutions.

Read first time and **passed on file**.

UNFINISHED BUSINESS
(Deferred April 24, 1989)

Senate File 529

The Senate resumed consideration of Senate File 529, a bill for an act creating the Iowa highway research board and providing for the board's compensation and expenses, deferred April 24, 1989.

Senator Jensen offered amendment S—3887 filed by Senators Jensen and Hutchins on April 24, 1989, to page 2 of the bill and moved its adoption.

Amendment S—3887 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 529) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Szymoniak	Vande Hoef
Varn	Welsh		

Nays, 10:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Nystrom	Sturgeon	Taylor
Tieden	Tinsman		

Absent or not voting, 2:

Pate	Running
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 199

Senator Lloyd-Jones called up for consideration Senate File 199, a bill for an act relating to child day care by amending certain definitions and certain requirements for group day care homes, amended by the House, and moved that the Senate concur in House amendment S—3836 filed April 20, 1989.

A non record roll call was requested.

The ayes were 9, nays 26.

The motion lost and the Senate **refused to concur** in the House amendment.

Senate File 371

Senator Gronstal called up for consideration Senate File 371, a bill for an act relating to elections and election procedures, amended by the House, and moved that the Senate concur in House amendment S—3838 filed April 20, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 371) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz

Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Pate	Running
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 766, a bill for an act relating to claims against the state regarding certain forfeitable real property.

This bill was read first time and **passed on file**.

House File 772, a bill for an act relating to and making appropriations to the justice system.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 24, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 71, a bill for an act authorizing a special land use district to designate an area for preservation as an area of historical significance.

Senate File 213, a bill for an act exempting from the sales, services, and use tax the sale of certain films, tapes, discs, and records to a person engaged in the business of leasing or renting these items and providing effective and retroactive effective dates.

ALSO: That the House has on April 24, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 272, a bill for an act relating to insurance by providing for notice and review of contracts between insurers and managing general agents and providing for regulation of third-party administrators (S—3896).

Senate File 502, a bill for an act relating to business corporations, and related matters including the elimination of filing of corporate documents with the county recorder for all forms of corporate entities, and providing a special effective date (S—3900).

ALSO: That the House has on April 24, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bills in which the concurrence of the Senate is asked:

House File 373, a bill for an act relating to the registration, regulation, and inspection of swimming pools and spas, and providing penalties (S—3899 to H—4131).

House File 477, a bill for an act relating to certain motor vehicles, by providing for the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, the operation of certain motor vehicles, subjecting violators to a penalty (S—3897 to H—4038).

House File 522, a bill for an act relating to the filling of a vacancy on the county board of supervisors (S—3898 to H—4046).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 16, by committee on Judiciary, a resolution requesting the Legislative Council to provide funds for a study of medical malpractice and tort liability claims.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 29, by committee on Judiciary, a concurrent resolution relating to the establishment of an interim study committee to study family and marriage law in Iowa concerning property rights between spouses in comparison with the Uniform Marital Property Act, rights of spouses after a dissolution of marriage, and other related issues.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:41 p.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: April 24, 1989, 1:30 p.m.

Members Present: Doyle, Chair; Gentleman, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Taylor and Varn.

Members Absent: Mann, Vice Chair; Hester, Horn and Welsh (all excused).

Committee Business: Approved LSBs 2723 and 2729 as committee resolutions.

Adjourned: 1:45 p.m.

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 300, the following correction was made:

1. Page 1, line 17, the paragraph indentation was taken out and the sentence was moved to page 1, line 16, to follow the word "APPLICABILITY."

ALSO:

I report that in enrolling Senate File 88, the following corrections were made:

1. Title Page, line 5, the words "children, youth, and families" were changed to the words "children, youth and families".

2. Page 1, line 23, the word "workforce" was changed to the words "work force".

3. Page 1, line 25, the words "youth, and families" were changed to the words "youth and families".

4. Page 2, line 2, the word "workforce" was changed to the words "work force".

ALSO:

I report that in enrolling Senate File 201, the following corrections were made:

1. Page 1, line 11, the words "chapters 148, 148C," were changed to the words "chapter 148, 148C,".

2. Page 1, line 16, the sentence was made into a paragraph.

ALSO:

I report that in enrolling Senate File 490, the following correction was made:

1. Page 1, line 2, the words "subparagraph 1, Code 1989," were changed to the words "subparagraph (1), Code 1989."

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy fifth grade students from Lohrville Elementary School, Lohrville, Iowa, accompanied by Sue Sorenson, Brad Worth and Richard Caldwell. Senator Fuhrman.

Eleven sixth grade students from Grand River Elementary School, Grand River, Iowa, accompanied by Janice Stevenson. Senator Boswell.

Twenty-seven sixth grade students from Central Decatur Elementary School, Leon, Iowa, accompanied by Michelle Griffieon. Senator Boswell.

SUBCOMMITTEE ASSIGNMENTS

House File 762

WAYS AND MEANS: Husak, Chair; Riordan and Soorholtz

SSB 370

APPROPRIATIONS: Welsh, Chair; Tieden and Gronstal

SSB 379

APPROPRIATIONS: Welsh, Chair; Jensen, Gronstal, Tieden and Gettings

SSB 381

WAYS AND MEANS: Dieleman, Chair; Husak and Soorholtz

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE RESOLUTION 16, a resolution requesting the Legislative Council to provide funds for a study of medical malpractice and tort liability claims.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Doyle, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Taylor and Varn. Nays, none. Absent or not voting, 4: Mann, Hester, Horn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 29, a concurrent resolution relating to the establishment of an interim study committee to study family and marriage law in Iowa concerning property rights between spouses in comparison with the Uniform Marital Property Act, rights of spouses after a dissolution of marriage, and other related issues.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Gentleman, Carr, Coleman, Deluhery, Drake, Fuhrman, Gronstal, Hagerla, Taylor and Varn. Nays, none. Absent or not voting, 4: Mann, Hester, Horn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3892	S.F.	141	House amendment
S—3893	H.F.	459	Tom Mann, Jr.
S—3894	S.F.	149	Patrick Deluhery Larry Murphy
S—3895	S.F.	363	Calvin Hultman
S—3896	S.F.	272	House amendment
S—3897	H.F.	477	House amendment
S—3898	H.F.	522	House amendment
S—3899	H.F.	373	House amendment
S—3900	S.F.	502	House amendment

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., Senator Coleman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1989, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 570, a bill for an act relating to the registration of aircraft.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 534.

Senate File 534

On motion of Senator Welsh, Senate File 534, a bill for an act relating to the adoption of rules by the department of inspections and appeals for intermediate care facilities for the mentally retarded and providing an effective date, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 534) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 2:

Gentleman	Mann
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Absent or not voting, 2:

Murphy	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 24, 1989)

House File 660

The Senate resumed consideration of House File 660, a bill for an act requiring the performance of monthly fuel surveys by the department of natural resources, deferred April 24, 1989.

Senator Rife offered amendment S—3873 filed by him on April 24, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3873 lost by a voice vote.

President Zimmerman took the chair at 4:18 p.m.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 660) the vote was:

Ayes, 29:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Peterson	Running
Soorholtz	Sturgeon	Szymoniak	Varn
Welsh			

Nays, 19:

Boswell	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Murphy	Priebe	Rensink
Rife	Riordan	Scott	Taylor
Tieden	Tinsman	Vande Hoef	

Absent or not voting, 2:

Corning	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 6, 1989)

House File 585

On motion of Senator Varn, House File 585, a bill for an act relating to guardians and conservators, by providing for notice to proposed wards, formation of state and local emergency medical boards, immunity from liability, waiver of filing fees and costs, training of guardians and conservators, and implementation of a representative payee project, was taken up for further consideration (substituted for Senate File 309 and deferred on April 6, 1989).

Senator Varn offered amendment S—3863 filed by him on April 24, 1989, to pages 1 through 7 of the bill and moved its adoption.

Amendment S—3863 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 585) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Varn asked and received unanimous consent that **Senate File 309** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 419

Senator Varn called up for consideration Senate File 419, a bill for an act relating to energy efficiency and providing effective dates, amended by the House in House amendment S—3850 filed April 21, 1989.

Senator Rife offered amendment S—3877 filed by him on April 24, 1989, to House amendment S—3850, moved its adoption and requested a non record roll call.

The ayes were 35, nays 9.

Amendment S—3877 was adopted.

Senator Varn moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Varn moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 419) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Murphy Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED
(Deferred April 24, 1989)

Senate File 369

The Senate resumed consideration of Senate File 369, a bill

for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, requiring reimbursement for the auditor of state, and providing an effective date, and House amendment S—3849, deferred April 24, 1989.

Senator Welsh offered amendment S—3867 filed by him on April 24, 1989, to House amendment S—3849 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3867 to House amendment S—3849 be adopted?" (S.F. 369) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Miller	Murphy	Nystrom
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 22:

Bruner	Carr	Corning	Deluhery
Dieleman	Gentleman	Gronstal	Hagerla
Hannon	Horn	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Palmer
Riordan	Running	Sturgeon	Szymoniak
Varn	Welsh		

Absent or not voting, 2:

Coleman	Pate
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Amendment S—3867 was adopted.

Senator Welsh moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 369) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Coleman	Palmer	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 266

Senator Varn called for consideration Senate File 266, a bill for an act requiring electric utilities to have in effect a comprehensive energy management program before new or changed rates, charges, schedules, and regulations may be approved by the utilities board, amended by the House, and moved that the Senate concur in House amendment S—3848 filed April 21, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 266) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Coleman	Hannon	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 529, 199, 534, 419, 266** and **House Files 660** and **585** be **immediately messaged** to the House.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	28	Agriculture
H. F.	757	Appropriations
H. F.	764	Appropriations
H. F.	765	Ways and Means
H. F.	766	Appropriations
H. F.	772	Appropriations

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 538, by committee on Appropriations, a bill for an act relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act and providing for the collection and analysis of information; health care access; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing

a health care cost containment task force; making appropriations to certain state agencies; and providing for other properly related matters.

Read first time and placed on Appropriations calendar.

Senate File 539, by committee on Ways and Means, a bill for an act relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of the state individual income tax and providing a retroactive applicability date.

Read first time and placed on Ways and Means calendar.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 30, by Horn, a concurrent resolution relating to the establishment of an interim study committee to study Iowa law concerning parental and visitation rights with minor children following separation of the parents or dissolution of marriage, possible improvements in said laws, and related issues.

Read first time and assigned to the committee on Rules and Administration.

HOUSE AMENDMENT CONSIDERED

Senate File 363

Senator Welsh called up for consideration Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, amended by the House in House amendment S—3854 filed April 21, 1989.

Senator Welsh withdrew amendment S—3905 filed by him from the floor to pages 2 and 4 through 7 of House amendment S—3854.

Senator Welsh offered amendment S—3908 filed by him from the floor to pages 2 and 4 through 7 of House amendment S—3854 and called for a division: lines 4 and 6 through 20 as division S—3908A and line 5 as division S—3908B.

Senator Welsh withdrew division S—3908B to House amendment S—3854.

Senator Bruner called for a further division of amendment S—3908: line 4 as division S—3908A and lines 6 through 20 as division S—3908C.

Senator Welsh moved the adoption of division S—3908A to House amendment S—3854.

A non record roll call was requested.

The ayes were 33, nays 9.

Division S—3908A was adopted.

Senator Welsh moved the adoption of division S—3908C to House amendment S—3854, which motion prevailed by a voice vote.

Senator Varn offered amendment S—3903 filed by Senators Varn, Doyle and Carr from the floor to page 4 of House amendment S—3854 and moved its adoption.

Amendment S—3903 was adopted by a voice vote.

With the adoption of division S—3908C, the Chair ruled amendment S—3895 filed by Senator Hultman from the floor to pages 4 and 5 of House amendment S—3854 out of order.

Senator Carr offered amendment S—3911 filed by Senators Carr, et al., from the floor to page 4 of House amendment S—3854 and moved its adoption.

Amendment S—3911 was adopted by a voice vote.

Senator Fraise offered amendment S—3912 filed by him from the floor to page 5 of House amendment S—3854 and moved its adoption.

Amendment S—3912 was adopted by a voice vote.

Senator Fraise offered amendment S—3885 filed by him on April 24, 1989, to page 5 of House amendment S—3854 and moved its adoption.

Amendment S—3885 was adopted by a voice vote.

Senator Varn offered amendment S—3914 filed by him from the floor to page 6 of House amendment S—3854 and moved its adoption.

Amendment S—3914 was adopted by a voice vote.

Senator Riordan offered amendment S—3904 filed by Senators Riordan and Priebe from the floor to page 6 of House amendment S—3854 and moved its adoption.

Amendment S—3904 was adopted by a voice vote.

Senator Running offered amendment S—3901 filed by him from the floor to page 11 of House amendment S—3854.

Senator Hultman raised the point of order that amendment S—3901 to House amendment S—3854 was not germane.

The Chair ruled the point well taken and amendment S—3901 out of order.

Senator Lind offered amendment S—3915 filed by Senators Lind, et al., from the floor to page 6 of House amendment S—3854 and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 39, nays 3.

Amendment S—3915 was adopted.

Senator Welsh moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 363) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kibbie	Kinley
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Varn	Welsh		

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Rensink
Rife	Taylor	Tieden	Tinsman
Vande Hoef			

Absent or not voting, 3:

Mann	Nystrom	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 363** be immediately messaged to the House.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 25, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 83 — Relating to the prohibition of plastic beverage cans, and providing a penalty.

SENATE FILE 317 — Relating to the sale of milk products, by providing for the issuance of permits.

SENATE FILE 339 — Providing for delivering of deceased inmate's property to a designated person by the department of corrections.

SENATE FILE 360 — Prohibiting the theft of a veteran's grave marker, and providing a penalty.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 369 passed the Senate on April 25, 1989.

BEVERLY A. HANNON

MADAM PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3849 as amended to Senate File 369 on April 25, 1989.

LARRY MURPHY

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3867 to House amendment S—3849 to Senate File 369 was adopted by the Senate on April 25, 1989.

LARRY MURPHY

CONFERENCE COMMITTEE REPORT RECEIVED (House File 535)

A conference committee report signed by the following Senate and House members was filed April 25, 1989, on House File 535, a bill for an act relating to the financing of education programs of school districts and area education agencies including the

establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates:

On the Part of the Senate:

LARRY MURPHY, Chair
JOY CORNING
WILLIAM W. DIELEMAN
WALLY E. HORN

On the Part of the House:

C. ARTHUR OLLIE, Chair
KAY CHAPMAN
DELWYN D. STROMER
PHILIP L. WISE

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 538, a bill for an act relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act and providing for the collection and analysis of information; health care access; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; making appropriations to certain state agencies; and providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Pate and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 540, a bill for an act relating to human services statutes providing for or regarding substance abuse commitment of juveniles, psychiatric medical institutions for children, the council on human services, mentally ill juveniles, child abuse, payment for a child's expenses, the costs of a child's care in a state juvenile institution, child support recovery, and certain

administrative rules, properly related matters, providing for effective dates, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Lloyd-Jones and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 541, a bill for an act relating to human services and making appropriations to the department of human services, other properly related matters, providing for retroactive applicability, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Lloyd-Jones and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 542 (SSB 370), a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 2: Lloyd-Jones and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 10, a resolution honoring Dr. James Van Allen for being awarded the 1989 Crafoord Prize by the Royal Swedish Academy of Science.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 16, a resolution to urge and petition the United States Department of Defense to establish an all-services museum located at Fort Des Moines, Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 539 (SSB 381), a bill for an act relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of the state individual income tax and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 703, a bill for an act relating to the financing for the rural community 2000 program and authorizing the issuance of bonds and notes by the Iowa finance authority for the program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3910.

Final Vote: Ayes, 15: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 753, a bill for an act relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting the use of certain other products, requiring city or county solid waste management programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, providing an effective date, and providing for other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3909.

Final Vote: Ayes, 8: Dieleman, Bruner, Fraise, Gentleman, Kibbie, Murphy, Riordan and Szymoniak. Nays, 2: Husak and Fuhrman. Absent or not voting, 5: Drake, Hester, Hultman, Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 755, a bill for an act relating to mobile home taxes and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 758, a bill for an act permitting forfeiture of the penal bond when a class "E" liquor licensee violates the bootlegging law; permitting claims against penal bonds for failure or refusal to pay an alcoholic beverage control tax when due, establishing an administrative appeals process for disputed tax assessments, permitting the administrator to compromise disputed tax assessments, and permitting imposition of civil penalties on wholesalers for violations of law and administrative rules; and relating to coupons or rebates as incentives to purchase wine.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3906.

Final Vote: Ayes, 13: Dieleman, Husak, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Kibbie, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Hultman and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 540, by committee on Appropriations, a bill for an act relating to human services statutes providing for or regarding substance abuse commitment of juveniles, psychiatric medical institutions for children, the council on human services, mentally ill juveniles, child abuse, payment for a child's expenses, the costs of a child's care in a state juvenile institution, child support recovery, and certain administrative rules, properly related matters, providing for effective dates, and providing penalties.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 541, by committee on Appropriations, a bill for an act relating to human services and making appropriations to the department of human services, other properly related matters, providing for retroactive applicability, and providing an effective date.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

Senate File 542, by committee on Appropriations, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

AMENDMENTS FILED

S—3901	S.F.	363	Richard Running
S—3902	S.F.	535	Richard Running
S—3903	S.F.	363	Richard Varn Donald Doyle Bob Carr
S—3904	S.F.	363	Jim Riordan Berl E. Priebe

S—3905	S. F.	363	Joe Welsh
S—3906	H. F.	758	Ways and Means
S—3907	H. F.	620	Beverly Hannon
S—3908	S. F.	363	Joe Welsh
S—3909	H. F.	753	Ways and Means
S—3910	H. F.	703	Ways and Means
S—3911	S. F.	363	Bob Carr
			Joe Welsh
			Donald Doyle
			Eugene Fraise
S—3912	S. F.	363	Eugene Fraise
S—3913	S. F.	449	Ray Taylor
S—3914	S. F.	363	Richard Varn
S—3915	S. F.	363	Jim Lind
			Dale Tieden
			Julia Gentleman
			Michael E. Gronstal
S—3916	S. F.	539	Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:05 p.m., until 8:00 a.m., Wednesday, April 26, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 26, 1989

The Senate met in regular session at 8:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Tuesday, April 25, 1989, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has, on April 25, 1989, adopted the **conference committee report** and passed **House File 535**, a bill for an act relating to the financing of education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

RESOLUTIONS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Resolution 16** and **Senate Concurrent Resolution 29** be referred from the Regular Calendar to the committee on **Rules and Administration**.

**CONSIDERATION OF BILL
(Ways and Means Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 539.

Senate File 539

On motion of Senator Dieleman, Senate File 539, a bill for an act relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of the state individual income tax and providing a retroactive applicability date, was taken up for consideration.

Senator Bruner offered amendment S—3916 filed by him on April 25, 1989, to page 3 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—3916 and **Senate File 539** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Hultman.

**HOUSE AMENDMENTS TO
SENATE AMENDMENTS CONSIDERED**

House File 522

Senator Priebe called up for consideration House File 522, a bill for an act relating to the filling of a vacancy on the county board of supervisors, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3898 to Senate amendment H—4046 filed April 25, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Priebe moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which

motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 522) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Kinley Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 477

Senator Doyle called up for consideration House File 477, a bill for an act relating to certain motor vehicles, by providing for the ownership, operation, and regulation of snowmobiles and all-terrain vehicles, imposing fees, the operation of certain motor vehicles, subjecting violators to a penalty, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3897 to Senate amendment H—4038 filed April 25, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Doyle moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which

motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 477) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Hutchins	Kinley	Pate
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 56

Senator Hannon called up for consideration Senate File 56, a bill for an act establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons and certain owner-occupied housing, amended by the House, and moved that the Senate concur in House amendment S—3837 filed April 20, 1989.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

Senate File 31

Senator Sturgeon called up for consideration Senate File 31, 1989, a bill for an act relating to the violation of a law or rule

of a health care facility and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—3753 filed April 18, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Sturgeon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 31) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bruner	Carr	Corning	Deluhery
Gentleman	Goodwin	Gronstal	Hannon
Horn	Hutchins	Kibbie	Lind
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Peterson	Riordan
Running	Szymoniak	Varn	Welsh

Nays, 24:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Priebe	Rensink
Rife	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Tinsman	Vande Hoef

Absent or not voting, 2:

Kinley	Pate
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

CONFERENCE COMMITTEE REPORT ADOPTED (House File 535)

Senator Murphy called up the conference committee report on House File 535, a bill for an act relating to the financing of

education programs of school districts and area education agencies including the establishment of a school foundation formula, the provision of property tax levies, allocation of educational excellence program moneys, provision for payment of programs for certain at-risk children, making appropriations, and providing effective dates, filed on April 25, 1989, and moved its adoption.

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (H.F. 535) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Gentleman	Goodwin
Gronstal	Hannon	Horn	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Riordan	Running
Szymoniak	Tinsman	Varn	Welsh

Nays, 22:

Boswell	Coleman	Doyle	Fraise
Fuhrman	Gettings	Hagerla	Hedge
Hester	Hultman	Husak	Lind
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef		

The motion prevailed and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 535) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 31:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Gentleman	Goodwin
Gronstal	Hannon	Horn	Hultman
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Palmer	Pate	Riordan
Running	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 19:

Boswell	Coleman	Doyle	Fraise
Fuhrman	Gettings	Hagerla	Hedge
Hester	Husak	Lind	Peterson
Priebe	Rensink	Rife	Scott
Soorholtz	Tieden	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 535** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 539

The Senate resumed consideration of Senate File 539, a bill for an act relating to the taxation of certain pensions, annuities, and retirement allowances received for purposes of the state individual income tax and providing a retroactive applicability date, and amendment S—3916 by Senator Bruner to page 3 of the bill, previously deferred.

Senator Gentleman offered amendment S—3918 filed by her from the floor to page 1 of the bill.

President pro tempore Mann took the chair at 10:47 a.m.

Senator Gentleman moved the adoption of amendment S—3918 and requested a record roll call.

On the question “Shall amendment S—3918 be adopted?” (S.F. 539) the vote was:

Ayes, 19:

Corning	Fuhrman	Gentleman	Hagerla
Hedge	Hultman	Jensen	Lind
Palmer	Pate	Peterson	Rensink
Rife	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 31:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Priebe	Riordan	Running	Scott
Szymoniak	Varn	Welsh	

Amendment S—3918 lost.

Senator Gentleman offered amendment S—3924 filed by her from the floor to page 1 of the bill, moved its adoption, and requested a non record roll call.

The ayes were 16, nays 26.

Amendment S—3924 lost.

Senator Bruner moved the adoption of amendment S—3916 to page 3 of the bill.

Amendment S—3916 was adopted by a voice vote.

Senator Lind offered amendment S—3920 filed by him from the floor to page 3 and the title page of the bill, moved its adoption, and requested a record roll call.

On the question “Shall amendment S—3920 be adopted?” (S.F. 539) the vote was:

Ayes, 19:

Corning	Deluhery	Fuhrman	Gentleman
Hagerla	Hedge	Hultman	Lind
Palmer	Pate	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 30:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Jensen	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Peterson	Riordan	Running	Szymoniak
Varn	Welsh		

Absent or not voting, 1:

Priebe

Amendment S—3920 lost.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 539) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Goodwin	Gronstal	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Nystrom	Peterson	Priebe	Scott
Szymoniak	Taylor	Tinsman	Vande Hoef
Welsh			

Nays, 16:

Corning	Gentleman	Gettings	Hagerla
Hedge	Lind	Palmer	Pate
Rensink	Rife	Riordan	Running
Soorholtz	Sturgeon	Tieden	Varn

Absent or not voting, 1:

Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 539** be immediately messaged to the House.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 16.

Senate Concurrent Resolution 16

On motion of Senator Kinley, Senate Concurrent Resolution 16, a concurrent resolution to urge and petition the United States Department of Defense to establish an all-services museum located at Fort Des Moines, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved the adoption of Senate Concurrent Resolution 16, which motion prevailed by a voice vote.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1989, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 20, a bill for an act relating to dissolution of marriage and related proceedings by providing for a pilot program of mandatory mediation of contested issues of child custody and visitation.

House File 59, a bill for an act relating to the purchase and sale of grain by providing for the offering of a special quality grains electronic bulletin board service through the department of agriculture and land stewardship and providing for an advisory committee study of grain marketing to draft proposed legislation to develop the market for special quality grains.

House File 272, a bill for an act relating to the Iowa logo program by providing for the use of a label or trademark to identify Iowa products and services, authorizing the establishment of guidelines, and providing an effective date.

House File 343, a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.

House File 692, a bill for an act requiring the department of inspections and appeals to develop a special classification of residential care facilities.

House File 723, a bill for an act relating to the implementation of a program for integrated roadside vegetation management and weed control, including the crediting of moneys to the living roadway trust fund, and providing an effective date.

ALSO: That the House has on April 25, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 769, a bill for an act creating an Iowa resources enhancement and protection fund, providing for the allocation of fund revenue and making appropriations, authorizing a state-sponsored credit card, providing for properly related matters, subjecting violators to penalties, and providing an effective date.

This bill was read first time and **passed on file**.

House File 775, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:15 a.m., until 2:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 25, 1989, 8:00 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Sturgeon, Tinsman and Varn.

Members Absent: Pate and Running (both excused).

Committee Business: Approved LSB 1850 as a committee bill; discussed LSBs 2190 and 2666 and ordered redrafted for final approval as committee bills.

Recessed: 10:10 a.m.

Reconvened: April 25, 1989, 7:00 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Lloyd-Jones and Pate (both excused).

Committee Business: Approved LSBs 2190 and 2666 and SSB 370 as committee bills.

Adjourned: 7:15 p.m.

BUSINESS AND LABOR RELATIONS

Convened: April 25, 1989, 1:42 p.m.

Members Present: Peterson, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Gettings, Mann (arrived 1:52), Palmer, Taylor and Vande Hoef.

Members Absent: Hultman and Running (excused).

Committee Business: Approved SSB 380 as a committee bill.

Adjourned: 1:55 p.m.

RULES AND ADMINISTRATION

Convened: April 25, 1989, 3:45 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 16 and Senate Resolution 10.

Adjourned: 3:50 p.m.

WAYS AND MEANS

Convened: April 25, 1989, 2:25 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Palmer, Riordan, Soorholtz and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 381 as a committee bill; recommended passage of House File 755; recommended passage of House Files 753, 758 and 703 as amended.

Adjourned: 3:40 p.m.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 31 failed to pass the Senate on April 26, 1989.

AL STURGEON

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five fourth grade students from Roosevelt Elementary School, Ames, Iowa, accompanied by Marie Sunderman and Esther Hollenbach. Senator Bruner.

Forty eleventh grade students from Notre Dame High School, Cresco, Iowa, accompanied by Jim Zajacek. Senator Scott.

Eighty second and third grade students from Lamoni Elementary School, Lamoni, Iowa, accompanied by Mrs. Boswell. Senator Boswell.

Thirty-three twelfth grade students from North Kossuth High School, Swea City, Iowa. Senator Priebe.

The following visitors were present in the Senate gallery:

Thirty twelfth grade students from Aurelia High School, Aurelia, Iowa, accompanied by Garry DeWall and Jack Johnson. Senator Vande Hoef.

COMMITTEE REPORT

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE RESOLUTION 17 (SSB 380), a resolution requesting the government of El Salvador to respect and accept internationally accepted rights of trade unions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Peterson, Sturgeon, Gettings, Mann, Palmer and Taylor. Nays, 2: Fuhrman and Vande Hoef. Absent or not voting, 2: Hultman and Running.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3917	S. F.	538	Jean Lloyd-Jones
S—3918	S. F.	539	Julia Gentleman
S—3919	S. F.	542	Joe Welsh
S—3920	S. F.	539	Jim Lind
S—3921	H. F.	459	Tom Mann, Jr.
S—3922	S. F.	535	Joe Welsh
S—3923	H. F.	772	Ray Taylor
S—3924	S. F.	539	Julia Gentleman
S—3925	S. F.	540	Charles Bruner
S—3926	H. F.	745	Jack Hester
S—3927	S. F.	541	Don Gettings

			Richard Running
			Charles Bruner
			Joe Welsh
S—3928	S. F.	541	Charles Bruner
S—3929	S. F.	537	Calvin Hultman
			Richard Drake
			Jack Hester
			Linn Fuhrman
			Jack Rife
			Richard Vande Hoef
			John Soorholtz
			Jim Lind
			John Jensen
			Julia Gentleman
			Wilmer Rensink
			Mark R. Hagerla
			Dale Tieden
			Ray Taylor
			Maggie Tinsman
S—3930	S. F.	537	Charles Bruner
S—3931	S. F.	537	Berl Priebe
			Kenneth Scott
			Emil Husak
			John Peterson
			Eugene Fraise
			John Soorholtz
			Jack Rife
			Leonard Boswell
			Dale Tieden
			H. Kay Hedge
			John Jensen
			Richard Vande Hoef
S—3932	S. F.	538	Michael E. Gronstal
S—3933	S. F.	537	Calvin Hultman
			Richard Drake
			Linn Fuhrman
			Norman Goodwin
			Jim Lind
			Paul Pate
			Jack Rife
			Richard Vande Hoef
			John Soorholtz

Jack Hester
John Jensen
Julia Gentleman
Wilmer Rensink
Mark Hagerla
Dale Tieden
Ray Taylor
Maggie Tinsman

AFTERNOON SESSION

The Senate reconvened at 2:03 p.m., Senator Welsh presiding.

President Zimmerman took the chair at 2:04 p.m.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 1989, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date.

ALSO: That the House has on April 25, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 774, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state, and providing effective dates.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 17, by committee on Business and Labor Relations, a resolution requesting the government of El Salvador to respect and accept internationally accepted rights of trade unions.

Read first time and **placed on calendar**.

SENATE INSISTS

Senate File 363

Senator Welsh called up for consideration Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, amended by the House, further amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 363** on the part of the Senate: Senators Welsh, Chair; Gronstal, Boswell, Tieden and Jensen.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 538.

Senate File 538

On motion of Senator Bruner, Senate File 538, a bill for an act relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act and providing for the collection and analysis of information; health care access; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; making appropriations to certain state agencies; and providing for other properly related matters, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3917 filed by her from the floor to pages 12 and 26 of the bill.

Senator Lloyd-Jones asked and received unanimous consent that action on amendment S—3917 be deferred.

Senator Welsh offered amendment S—3934 filed by him from the floor to pages 26 and 28 of the bill and moved its adoption.

Amendment S—3934 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on amendment S—3932 filed by him from the floor to page 26 of the bill be deferred.

(Action on Senate File 538 was deferred.)

UNFINISHED BUSINESS
(Deferred April 12, 1989)

House File 250

The Senate resumed consideration of House File 250, a bill for

an act relating to violations of an individual's civil rights, by prohibiting interference with the contractual or business relations of another citizen, by prohibiting acts of assault and criminal mischief, providing victims actionable civil relief against offenders, establishing a program to monitor civil rights violations, and providing a penalty, deferred April 12, 1989.

Senator Taylor offered amendment S—3634 filed by Senators Taylor and Running on April 11, 1989, to strike everything after the enacting clause and to the title page of the bill.

Senator Taylor offered amendment S—3830 filed by Senators Taylor and Running on April 19, 1989, to amendment S—3634.

Senator Sturgeon took the chair at 3:08 p.m.

President Zimmerman took the chair at 3:24 p.m.

Senator Taylor moved the adoption of amendment S—3830 to amendment S—3634 and requested a record roll call.

On the question "Shall amendment S—3830 to amendment S—3634 be adopted?" (H.F. 250) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Coleman	Dieleman	Drake
Fraise	Gentleman	Gettings	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Kinley	Miller
Palmer	Priebe	Rensink	Rife
Running	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Nays, 19:

Bruner	Deluhery	Doyle	Fuhrman
Gronstal	Hannon	Horn	Hutchins
Kibbie	Lind	Lloyd-Jones	Mann
Murphy	Pate	Peterson	Sturgeon
Szymoniak	Tinsman	Varn	

Absent or not voting, 4:

Carr	Corning	Nystrom	Riordan
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Amendment S—3830 was adopted.

With the adoption of amendment S—3830 to amendment S—3634, the Chair ruled the following amendments to amendment S—3634 out of order:

S—3662 filed by Senators Taylor and Running on April 12, 1989.

S—3740 filed by Senator Vande Hoef on April 17, 1989.

S—3761 filed by Senators Running and Taylor on April 18, 1989.

S—3777 filed by Senator Mann on April 18, 1989.

Senator Hutchins asked and received unanimous consent that action on amendment S—3634 as amended and **House File 250** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Corning for the afternoon and Senator Nystrom for the remainder of the week on request of Senator Fuhrman; Senator Carr for the remainder of the week on request of Senator Hutchins.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send an immediate message to the House on **Senate File 363**.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 10.

Senate Resolution 10

On motion of Senator Lloyd-Jones, Senate Resolution 10, a resolution honoring Dr. James Van Allen for being awarded the 1989 Crafoord Prize by the Royal Swedish Academy of Sciences, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Resolution 10, which motion prevailed by a voice vote.

Senator Lloyd-Jones presented Dr. Van Allen, Professor at the University of Iowa, and his wife Abigail to the Senate.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Kinley presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates (S—3945 to H—3498).

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 447

Senator Gronstal called up for consideration House File 447, a bill for an act relating to petroleum underground storage tanks, by creating a state fund and an administrative board and

procedures for the fund, authorizing the fund to expend moneys for remedial action, tank improvement loan guarantees, and the offering of insurance to satisfy federal proof of financial responsibility requirements, imposing an environmental protection charge on petroleum diminution and providing for the collection of the charge, increasing the storage tank management fee, authorizing revenue bond issues and the creation of capital reserve funds to assure and facilitate timely payment of revenue bond obligations, authorizing a local option remedial action property tax credit, providing civil and criminal penalties, providing future automatic repeals, and providing effective dates, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3945 to Senate amendment H—3498 filed April 26, 1989.

President Zimmerman took the chair at 4:28 p.m.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Gronstal moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 447) the vote was:

Ayes, 44:

Boswell	Bruner	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Lind
Mann	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 2:

Coleman	Running
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Absent or not voting, 4:

Carr

Corning

Lloyd-Jones

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 447** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 537.

Senate File 537

On motion of Senator Bruner, Senate File 537, a bill for an act relating to the standard deduction for state individual income tax purposes, limiting the deduction for net capital gain to the transfer of certain capital assets, providing an earned income tax credit, and providing retroactive applicability and effective dates, was taken up for consideration.

Senator Hultman offered amendment S—3929 filed by Senators Hultman, et al., from the floor to pages 1, 2 and 6 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3929 be adopted?” (S.F. 537) the vote was:

Ayes, 20:

Boswell
Goodwin
Hultman
Priebe
Taylor

Drake
Hagerla
Jensen
Rensink
Tieden

Fuhrman
Hedge
Lind
Rife
Tinsman

Gentleman
Hester
Pate
Soorholtz
Vande Hoef

Nays, 27:

Bruner
Doyle
Hannon
Kibbie
Miller

Coleman
Fraise
Horn
Kinley
Murphy

Deluhery
Gettings
Husak
Lloyd-Jones
Palmer

Dieleman
Gronstal
Hutchins
Mann
Peterson

Riordan Szymoniak	Running Varn	Scott Welsh	Sturgeon
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Absent or not voting, 3:

Carr	Corning	Nystrom
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Amendment S—3929 lost.

Senator Bruner offered amendment S—3930 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3930 was adopted by a voice vote.

Senator Priebe offered amendment S—3931 filed by Senators Priebe, et al., from the floor to pages 2, 3 and 6 of the bill.

Senator Pate raised the point of order that amendment S—3931 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3931 in order.

Senator Priebe moved the adoption of amendment S—3931.

A record roll call was requested.

On the question “Shall amendment S—3931 be adopted?” (S.F. 537) the vote was:

Ayes, 34:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Hagerla	Hannon	Hedge
Hester	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Miller
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 13:

Bruner	Deluhery	Gentleman	Gronstal
Horn	Lind	Lloyd-Jones	Mann
Pate	Running	Sturgeon	Szymoniak
Tinsman			

Absent or not voting, 3:

Carr Corning Nystrom

Amendment S—3931 was adopted.

Senator Hultman offered amendment S—3933 filed by Senators Hultman, et al., from the floor to pages 2 through 6 and the title page of the bill and called for a division: page 1 and page 2, lines 1 through 4 and 15 through 17 as division S—3933A; page 2, lines 5 through 14 and 18 through 20 as division S—3933B.

Senator Hultman moved the adoption of division S—3933B and requested a record roll call.

On the question “Shall division S—3933B be adopted?” (S.F. 537) the vote was:

Ayes, 20:

Drake	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Lind	Pate
Rensink	Rife	Soorholtz	Taylor
Tieden	Tinsman	Vande Hoef	Welsh

Nays, 26:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Hannon	Horn	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Priebe
Riordan	Running	Scott	Sturgeon
Szymoniak	Varn		

Absent or not voting, 4:

Carr Corning Husak Nystrom

Division S—3933B lost.

Senator Hultman moved the adoption of division S—3933A and requested a record roll call.

On the question “Shall division S—3933A be adopted?” (S.F. 537) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Deluhery	Drake	Fuhrman	Gentleman
Goodwin	Hagerla	Hedge	Hester
Hultman	Jensen	Kinley	Lind
Pate	Priebe	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Tinsman	Vande Hoef		

Nays, 25:

Boswell	Bruner	Coleman	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kibbie	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Peterson	Riordan
Running	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 3:

Carr	Corning	Nystrom
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Division S—3933A lost.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 537) the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 10:

Fuhrman	Gentleman	Goodwin	Hagerla
Hedge	Hultman	Jensen	Lind
Rife	Tinsman		

Absent or not voting, 3:

Carr	Corning	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 537** be **immediately messaged** to the House.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	769	Ways and Means
H.F.	774	Appropriations

BUSINESS PENDING

Senate File 538

The Senate resumed consideration of Senate File 538, a bill for an act relating to medical and health care, including matters relating to the maternal and child health program; the expansion of medical assistance eligibility for certain persons; physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act and providing for the collection and analysis of information; health care access; the requirement of the department of human services to collect certain data relating to usage of health maintenance organization services by recipients of medical assistance; the state individual income tax by requiring an evaluation of the medical and health insurance deduction; rural health systems delivery and rural occupational health; requiring the department of human services to adopt rules to conduct studies regarding health care providers which are reimbursed under the medical assistance program; establishing a health care cost containment task force; making appropriations to certain state agencies; and providing for other properly related

matters, and amendments S—3917 and S—3932, previously deferred.

Senator Bruner offered amendment S—3944 filed by Senators Bruner, Lloyd-Jones and Priebe from the floor to pages 15, 16 and 26 of the bill and moved its adoption.

Amendment S—3944 was adopted by a voice vote.

With the adoption of amendment S—3944, the Chair ruled the following amendments out of order:

S—3917 by Senator Lloyd-Jones to pages 12 and 26 of the bill, previously deferred.

S—3932 by Senator Gronstal to page 26 of the bill, previously deferred.

S—3937 filed by Senator Priebe from the floor to page 26 of the bill.

Senator Bruner offered amendment S—3943 filed by him from the floor to page 22 of the bill and moved its adoption.

Amendment S—3943 was adopted by a voice vote.

Senator Riordan offered amendment S—3939 filed Senators Riordan, Welsh and Lind from the floor to pages 24 and 25 of the bill and moved its adoption.

Amendment S—3939 was adopted by a voice vote.

President pro tempore Mann took the chair at 5:42 p.m.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 538) the vote was:

Ayes, 45:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen

Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Carr	Corning	Drake	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 538 and 56, Senate Concurrent Resolution 16 and House Files 477 and 522** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 541.

Senate File 541

On motion of Senator Bruner, Senate File 541, a bill for an act relating to human services and making appropriations to the department of human services, other properly related matters, providing for retroactive applicability, and providing an effective date, was taken up for consideration.

Senator Welsh offered amendment S—3942 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3942 was adopted by a voice vote.

Senator Varn offered amendment S—3940 filed by Senators Varn, et al., from the floor to pages 4, 40, 42 and 43 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3940 be adopted?” (S.F. 541) the vote was:

Ayes, 31:

Coleman	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hagerla	Hedge
Hester	Hultman	Husak	Jensen
Kinley	Lloyd-Jones	Palmer	Pate
Priebe	Rensink	Rife	Running
Scott	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	

Nays, 16:

Boswell	Bruner	Gronstal	Hannon
Horn	Hutchins	Kibbie	Lind
Mann	Miller	Murphy	Peterson
Riordan	Soorholtz	Sturgeon	Welsh

Absent or not voting, 3:

Carr	Corning	Nystrom
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Amendment S—3940 was adopted.

Senator Bruner offered amendment S—3928 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3928 was adopted by a voice vote.

Senator Lind asked and received unanimous consent to withdraw amendment S—3935 filed by Senators Lind and Bruner from the floor to page 8 of the bill.

Senator Lind offered amendment S—3947 filed by Senators Lind and Bruner from the floor to page 8 of the bill and moved its adoption.

Amendment S—3947 was adopted by a voice vote.

Senator Bruner offered amendment S—3948 filed by him from the floor to pages 14 and 15 of the bill and moved its adoption.

Amendment S—3948 was adopted by a voice vote.

Senator Bruner offered amendment S—3941 filed by him from the floor to page 31 of the bill and moved its adoption.

Amendment S—3941 was adopted by a voice vote.

Senator Gettings offered amendment S—3927 filed by Senators Gettings, et al., from the floor to page 45 of the bill and moved its adoption.

Amendment S—3927 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 541) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Carr	Corning	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 541** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the members of the **conference committee**, appointed April 26, 1989, on **Senate File 363**, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Bremer, Mr. Lageschulte, the Representative from Carroll, Mr. Peterson, the Representative from Polk, Mr. Sherzan, and the Representative from Mahaska, Mr. Van Maanen.

APPENDIX

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate:

DEPARTMENT OF EMPLOYMENT SERVICES

1988 Annual Status Report of the Unemployment Compensation Trust Fund, pursuant to Chapter 96 Iowa Employment Security and Division of Job Service law Section 96.35.

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 475, the following correction was made:

1. Page 27, line 2, the words "clearing house, sends" were changed to the words "clearinghouse, sends".

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to Senate File 537, the following correction was made:

1. Page 6, line 31, the words "Sections 30, 4, 5, and 6" were changed to the words "Sections 4, 5, 6, and 7".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Sherry Murphy. Senator Gettings.

Sixth grade students from Van Allen Elementary School, Chariton, Iowa, accompanied by Marcia Fenton. Senator Peterson.

Eighteen sixth grade students from Pomeroy Elementary School, Pomeroy, Iowa, accompanied by Robert Charleston. Senator Fuhrman.

SUBCOMMITTEE ASSIGNMENTS

House File 757

APPROPRIATIONS: Welsh, Chair; Jensen and Peterson

House File 764

APPROPRIATIONS: Gronstal, Chair; Husak and Pate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3830 to amendment S—3634 to House File 250 was adopted by the Senate on April 26, 1989.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3830 to amendment S—3634 to House File 250 was adopted by the Senate on April 26, 1989.

RAY TAYLOR

AMENDMENTS FILED

S—3934	S. F.	538	Joe Welsh
S—3935	S. F.	541	Jim Lind Charles Bruner
S—3936	H. F.	459	Tom Mann, Jr.
S—3937	S. F.	538	Berl Priebe
S—3938	S. F.	535	Al Sturgeon
S—3939	S. F.	538	Jim Riordan Joe Welsh Jim Lind
S—3940	S. F.	541	Richard Varn Richard Drake Richard Running Tom Mann, Jr. Jean Lloyd-Jones Linn Fuhrman
S—3941	S. F.	541	Charles Bruner
S—3942	S. F.	541	Joe Welsh
S—3943	S. F.	538	Charles Bruner

S—3944	S. F.	538	Charles Bruner Jean Lloyd-Jones Berl E. Priebe
S—3945	H. F.	447	House amendment
S—3946	S. F.	542	Tom Mann, Jr.
S—3947	S. F.	541	Jim Lind Charles Bruner
S—3948	S. F.	541	Charles Bruner
S—3949	S. F.	472	William Dieleman
S—3950	S. F.	542	Joe Welsh
S—3951	H. F.	644	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:48 p.m., until 9:00 a.m., Thursday, April 27, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 27, 1989

The Senate met in regular session at 9:02 a.m. President pro tempore Mann presiding.

Prayer was offered by the Reverend David Parsch, pastor of the Gloria Dei Lutheran Church, Des Moines, Iowa.

The Journal of Wednesday, April 26, 1989, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bills in which the concurrence of the Senate is asked:

House File 643, a bill for an act relating to the filing of a bond by out-of-state contractors (S—3953 to H—4050).

House File 722, a bill for an act relating to infectious waste management (S—3952 to H—4000).

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1989, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 163, a bill for an act relating to the duties of the department of inspections and appeals in the appeal and hearing processes of the state department of transportation.

House File 198, a bill for an act relating to the issuance and possession of commercial fishing operators' licenses.

House File 234, a bill for an act relating to entities and subject matter regulated by the department of commerce, division of banking, including banks, regulated loans, and industrial loan companies.

House File 273, a bill for an act relating to economic development corporations in Iowa.

House File 344, a bill for an act relating to the substance abuse law.

House File 402, a bill for an act relating to foster care by establishing certain provisions regarding voluntary foster care placements.

House File 551, a bill for an act to modify the requirements for establishing an aviation authority.

House File 663, a bill for an act requiring motorized bicycles to be equipped with bicycle safety flags and providing a penalty.

House File 669, a bill for an act prohibiting the sale or distribution of purple loosestrife (*lythrum salicaria*) and multiflora rose (*rosa multiflora*), and subjecting violators to a penalty.

ALSO: That the House has on April 25, 1989, passed the following bills in which the concurrence of the House was asked:

Senate File 167, a bill for an act specifying that under certain circumstances a city is not contiguous to another for purposes of a local option sales and services tax.

Senate File 386, a bill for an act eliminating refunds from excise taxes on egg sales.

ALSO: That the House has on April 26, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 778, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, to the department of natural resources, to an environmental fund, providing for environmental protection, and the control of certain vegetation, and providing effective dates.

This bill was read first time and **passed on file**.

Absent or not voting, 7:

Carr	Kinley	Lind	Nystrom
Pate	Peterson	Varn	

The motion lost.

The motion to reconsider the vote by which House File 713 passed the Senate on April 20, 1989, filed by Senator Carr on April 20, 1989, and found on page 1582 of the Senate Journal, was out of order.

Senator Hutchins asked and received unanimous consent that **House File 713** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 535 and 540.

Senate File 535

On motion of Senator Sturgeon, Senate File 535, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public safety, was taken up for consideration.

Senator Sturgeon offered amendment S—3938 filed by him on April 26, 1989, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3938 was adopted by a voice vote.

Amendments S—3902 filed by Senator Running on April 25, 1989, to page 19 of the bill and S—3922 filed by Senator Welsh on April 26, 1989, to page 2 of the bill, were out of order.

Senator Sturgeon asked and received unanimous consent that **House File 775** be **substituted** for **Senate File 535** as amended.

Senator Sturgeon asked and received unanimous consent that action on **House File 775** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 540

On motion of Senator Bruner, Senate File 540, a bill for an act relating to human services statutes providing for or regarding substance abuse commitment of juveniles, psychiatric medical institutions for children, the council on human services, mentally ill juveniles, child abuse, payment for a child's expenses, the costs of a child's care in a state juvenile institution, child support recovery, and certain administrative rules, properly related matters, providing for effective dates, and providing penalties, was taken up for consideration.

Senator Bruner offered amendment S—3925 filed by him on April 26, 1989, to pages 2 and 9 of the bill and moved its adoption.

Amendment S—3925 was adopted by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 540) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Carr	Mann	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 540** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 449

Senator Dieleman called up for consideration Senate File 449, a bill for an act relating to vocational education and requesting a study, amended by the House in House amendment S—3754 filed April 18, 1989.

Senator Murphy withdrew amendment S—3796 filed by him on April 19, 1989, to House amendment S—3754.

Senator Taylor offered amendment S—3913 filed by him on April 25, 1989, to House amendment S—3754 and moved its adoption.

Amendment S—3913 lost by a voice vote.

Senator Dieleman moved that the Senate concur in the House amendment, which motion prevailed by a voice vote.

Senator Dieleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Carr Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman presented Sophie Falcon, Queen of the Fifty-fourth Annual Pella Tulip Time Festival, who in turn introduced the members of her court: Angie Dieleman, Tricia Steenhoek, Julie Vander Ploeg and Heather Wegter. They were accompanied by Burgemeester Bob Wegter.

Queen Sophie and Burgemeester Wegter invited the members of the Senate to attend the Tulip Time Festival in Pella May 11, 12 and 13, 1989.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

HOUSE AMENDMENT CONSIDERED

Senate File 224

Senator Varn called up for consideration Senate File 224, a bill for an act relating to student exercise of free expression in the public schools, amended by the House, and moved that the Senate concur in House amendment S—3792 filed April 19, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 224) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 5:

Fuhrman	Hagerla	Jensen	Tieden
Vande Hoef			

Voting present, 1:

Dieleman

Absent or not voting, 5:

Carr	Gronstal	Kibbie	Murphy
Nystrom			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lloyd-Jones asked unanimous consent that any senator desiring to remove their suitcoat be allowed to do so because the air conditioning was temporarily out of service in the Senate chamber.

Objection was raised by Senator Coleman.

UNFINISHED BUSINESS (Deferred April 24, 1989)

House File 686

The Senate resumed consideration of House File 686, a bill for an act establishing a science and technology foundation and providing an effective date, and amendment S—3648 as amended by Senators Kibbie, et al., to pages 1 through 4, 6, 8, 9 and to the title page of the bill, deferred April 24, 1989.

Senator Deluhery offered amendment S—3886 filed by Senators Deluhery and Kibbie on April 24, 1989, to amendment S—3648 and moved its adoption.

Amendment S—3886 was adopted by a voice vote.

Senator Kibbie moved the adoption of amendment S—3648 as amended, which motion prevailed by a voice vote.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 686) the vote was:

Ayes, 48:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Carr Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Kibbie asked and received unanimous consent that **Senate File 495** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 686** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 11, 1989)**House File 662**

The Senate resumed consideration of House File 662, a bill for an act relating to court proceedings involving child support orders where the dependent child resides in another state, deferred April 11, 1989.

Senator Mann offered amendment S—3602 filed by the committee on Judiciary on April 7, 1989, to page 1 of the bill.

Senator Mann offered amendment S—3644 filed by him on April 11, 1989, to amendment S—3602 and moved its adoption.

Amendment S—3644 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—3602 as amended, which motion prevailed by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 662) the vote was:

Ayes, 47:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Carr

Murphy

Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1989)

House File 140

The Senate resumed consideration of House File 140, a bill for an act relating to the linked deposit program and providing an effective date, and amendment S—3496 by the committee on Small Business and Economic Development to pages 2, 5 and the title page of the bill, deferred April 12, 1989.

Senator Boswell offered amendment S—3495 filed by the committee on Small Business and Economic Development on March 30, 1989, to pages 1 and 2 of the bill.

Senator Goodwin withdrew amendment S—3840 filed by him on April 20, 1989, to amendment S—3495.

Senator Hester raised the point of order that amendment S—3495 was not germane to the bill.

The Chair stated that she would take the point under advisement and render a ruling after all amendments to amendment S—3495 had been considered by the Senate.

Senator Vande Hoef asked and received unanimous consent that action on amendments S—3660 filed by him on April 12, 1989, to amendment S—3495 and S—3841 filed by him on April 20, 1989 to amendment S—3495 be deferred.

Senator Vande Hoef offered amendment S—3842 filed by him on April 20, 1989, to amendment S—3495, moved its adoption and requested a non record roll call.

The ayes were 13, nays 22.

Amendment S—3842 lost.

Senator Vande Hoef withdrew amendments S—3660 and S—3841 to amendment S—3495, previously deferred.

Senator Riordan offered amendment S—3659 filed by Senators Riordan, et al., on April 12, 1989, to amendment S—3495.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the remainder of the morning on request of Senator Hutchins.

BUSINESS PENDING

House File 140

The Senate resumed consideration of House File 140.

Senator Riordan moved the adoption of amendment S—3659 to amendment S—3495, which motion prevailed by a voice vote.

Senator Hester withdrew his point of order on the germaneness of amendment S—3495 to the bill.

Senator Hutchins asked and received unanimous consent that action on amendments S—3495 as amended and S—3496 and **House File 140** be deferred.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has, on April 27, 1989, adopted the **conference committee report** and passed **House File 199**, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions.

ALSO: That the House has, on April 27, 1989, **insisted on** its amendment to **Senate File 199**, a bill for an act relating to child day care by amending certain definitions and certain requirements for group day care homes, and the members of the **conference committee**, on the part of the House, are: The Representative

from Black Hawk, Mrs. Teaford, Chair; the Representative from Polk, Mrs. Buhr, the Representative from Polk, Mrs. Carpenter, the Representative from Story, Mrs. Hammond, and the Representative from Jefferson, Mr. Kistler.

ALSO: That the House has on April 27, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 771, a bill for an act relating to eligibility for reimbursement for rent constituting property tax paid and providing for a retroactive applicability date.

This bill was read first time and **passed on file**.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	771	Ways and Means
H.F.	778	Appropriations

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 753** be referred from the Ways and Means Calendar to the committee on **Environment and Energy Utilities** and returned to the Senate Calendar by 12:00 noon, Friday, April 28, 1989.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:46 a.m., until 2:15 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to Senate File 538, the following correction was made:

1. Title, line 17, the word "certian" was changed to the word "certain".

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 26, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 169 — Relating to the rate filing requirements of common carriers.

SENATE FILE 225 — Allowing the utilities board to reject an application for new or changed rates, charges, schedules, or regulations by a public utility without a hearing in certain circumstances.

SENATE FILE 229 — Allowing a complainant or public utility to petition the utilities board to initiate a formal proceeding.

SENATE FILE 444 — Relating to the industrial services division of the department of employment services, revising provisions governing deputy industrial commissioners, expanding provisions governing settlements in workers' compensation cases, and providing properly related matters.

SENATE FILE 482 — Relating to the appeal process for bidders aggrieved by awards of the purchasing division of the department of general services, and providing properly related matters.

SUBCOMMITTEE ASSIGNMENTS

House File 765

WAYS AND MEANS: Palmer, Chair; Szymoniak and Gentleman

House File 769

WAYS AND MEANS: Riordan, Chair; Kibbie, Fraise, Soorholtz and Hester

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five eighth grade students from West Harrison Community School, Mondamin, Iowa, accompanied by Darlene Hymes. Senator Hester.

Thirty student council members from Belmond High School, Belmond, Iowa. Senator Taylor.

Forty-five fourth grade students from Fairview Elementary School, Grinnell, Iowa, accompanied by Ken Conner and Linda Shultz. Senator Varn.

Twenty-five fifth through eighth grade students from All Saints School, Des Moines, Iowa, accompanied by Becky Post. Senator Mann.

Senator Jensen presented the following American Field Service exchange students, who were present in the Senate chamber:

Ingi Hauksson from Iceland, attending Aplington High School; Claudia Diaz of Guatemala and Patricia Gonzales from Colombia, attending Ackley-Geneva High School; Julie Simon of Germany, attending Eldora-New Providence High School and Sandra Miguel from Brazil, attending Wellsburg-Steamboat Rock High School.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of April, 1989:

Senate Files 82, 112, 121, 130, 155, 174, 216 and 203.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—3952	H.F.	722	House amendment
S—3953	H.F.	643	House amendment
S—3954	H.F.	775	Richard Running

AFTERNOON SESSION

The Senate reconvened at 2:20 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 5, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits (S—3955 to H—3604).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 199

Senator Priebe called up the conference committee report on House File 199, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating inclusion of minimum mammography examination coverage under certain conditions, filed on April 24, 1989, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 199) the vote was:

Ayes, 38:

Boswell	Bruner	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Palmer	Pate
Peterson	Priebe	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 8:

Dieleman	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Rensink	Rife

Absent or not voting, 4:

Carr	Hultman	Hutchins	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **House File 199** be immediately messaged to the House.

UNFINISHED BUSINESS (Deferred April 13, 1989)

House File 529

The Senate resumed consideration of House File 529, a bill for an act relating to the exemption from civil and criminal liability arising from the donation of food, deferred April 13, 1989.

Senator Varn offered amendment S—3730 filed by him on April 17, 1989, to page 1 of the bill and moved its adoption.

Amendment S—3730 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 529) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Hester	Horn	Husak
Jensen	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Running	Scott	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn		

Nays, 3:

Mann	Peterson	Welsh
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Absent or not voting, 5:

Carr	Hultman	Hutchins	Nystrom
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **House File 529** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

Senator Hannon called up the motion to reconsider Senate File 369 filed by her on April 25, 1989, found on page 1663 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 369) the vote was:

Ayes, 28:

Bruner	Corning	Deluhery	Doyle
Drake	Fraise	Gettings	Goodwin

Gronstal	Hagerla	Hannon	Horn
Husak	Lind	Lloyd-Jones	Mann
Miller	Murphy	Pate	Riordan
Running	Scott	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Welsh

Nays, 16:

Boswell	Coleman	Dieleman	Fuhrman
Hedge	Hester	Jensen	Kinley
Palmer	Peterson	Priebe	Rensink
Rife	Soorholtz	Tieden	Vande Hoef

Absent or not voting, 6:

Carr	Gentleman	Hultman	Hutchins
Kibbie	Nystrom		

The motion prevailed.

Senator Hannon moved to reconsider the vote by which Senate File 369 went to its last reading, which motion prevailed by a voice vote.

Senate File 369

On motion of Senator Welsh, Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, requiring reimbursement for the auditor of state, and providing an effective date, was taken up for reconsideration.

Senator Murphy called up the motion to reconsider the vote by which the Senate concurred in House amendment S—3849 as amended to Senate File 369 on April 25, 1989, filed by him on April 25, 1989, and found on page 1663 of the Senate Journal.

Senator Husak asked unanimous consent that action on the motion to reconsider and Senate File 369 be deferred.

Objection was raised by Senator Hannon.

Senator Hannon withdrew her objection and action on the motion to reconsider House amendment S—3849 and **Senate File 369** was **deferred**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 199** on the part of the Senate: Senators Lloyd-Jones, Chair; Hannon, Murphy, Lind and Tinsman.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

UNFINISHED BUSINESS

House File 775

On motion of Senator Sturgeon, House File 775, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department of public health, was taken up for further consideration (substituted for Senate File 535 as amended and deferred on April 27, 1989).

Senator Sturgeon offered amendment S—3962 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3962 was adopted by a voice vote.

Senator Welsh offered amendment S—3961 filed by him from the floor to pages 2, 5 through 7, 9 through 11, 13 and 17 of the bill and called for a division: lines 2 through 11, 21, 22 and 25 through 35 as division S—3961A; lines 23 and 24 as division S—3961B; lines 12 through 20 as division S—3961C.

Senator Welsh moved adoption of division S—3961A, which motion prevailed by a voice vote.

Senator Welsh asked and received unanimous consent that action on divisions S—3961B and S—3961C be deferred.

Senator Welsh withdrew amendment S—3960 filed by him from the floor to page 2 of the bill.

Senator Sturgeon offered amendment S—3964 filed by him from the floor to pages 5, 7 and 10 of the bill.

Senator Tinsman called for a division of amendment S—3964: lines 3 through 5 and 8 through 13 as division S—3964A; lines 6 and 7 as division S—3964B.

Senator Sturgeon moved adoption of division S—3964A, which motion prevailed by a voice vote.

Senator Tinsman asked and received unanimous consent that action on division S—3964B be deferred.

With the adoption of division S—3964A, the Chair ruled amendment S—3965 filed by Senator Sturgeon from the floor to page 5 of the bill, out of order.

Senator Hultman asked and received unanimous consent that action on amendment S—3956 filed by Senators Hultman and Tinsman from the floor to page 7 of the bill be deferred.

Senator Hultman offered amendment S—3968 filed by Senators Hultman and Tinsman from the floor to page 7 of the bill.

Senator Sturgeon asked and received unanimous consent that action on amendment S—3968 be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Horn.

BUSINESS PENDING

House File 775

The Senate resumed consideration of House File 775.

Senator Hannon offered amendment S—3966 filed by Senators Hannon, Mann and Lloyd-Jones from the floor to page 7 of the bill and moved its adoption.

Amendment S—3966 was adopted by a voice vote.

With the adoption of amendment S—3966, the Chair ruled division S—3961B by Senator Welsh, previously deferred, out of order.

Senator Running offered amendment S—3954 filed by him from the floor to page 20 of the bill.

Senator Hultman raised the point of order that amendment S—3954 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3954 in order.

Senator Running moved the adoption of amendment S—3954 and requested a record roll call.

On the question “Shall amendment S—3954 be adopted?” (H.F. 775) the vote was:

Ayes, 15:

Boswell	Doyle	Fraise	Gettings
Hannon	Horn	Husak	Kibbie
Pate	Priebe	Rensink	Riordan
Running	Scott	Sturgeon	

Nays, 30:

Bruner	Corning	Deluhery	Dieleman
Drake	Fuhrman	Gentleman	Goodwin
Grönstal	Hagerla	Hedge	Hester
Hultman	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller	Palmer
Peterson	Rife	Soorholtz	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Absent or not voting, 5:

Carr	Coleman	Mann	Murphy
Nystrom			

Amendment S—3954 lost.

With the adoption of division S—3964A, the Chair ruled the following amendments out of order:

Division S—3961C by Senator Welsh, previously deferred.

S—3970 filed by Senator Sturgeon from the floor to division S—3961C.

Senator Sturgeon offered amendment S—3963 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—3963 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3968 by Senators Hultman and Tinsman to page 7 of the bill, previously deferred.

Senator Sturgeon offered amendment S—3969 filed by Senators Sturgeon and Varn from the floor to amendment S—3968.

Senator Hultman called for a division of amendment S—3969 to amendment S—3968.

The Chair stated that amendment S—3969 was indivisible.

Senator Sturgeon asked and received unanimous consent that action on amendment S—3969 to amendment S—3968 and amendment S—3968 be deferred.

The Chair ruled amendment S—3971 filed by Senator Sturgeon from the floor to division S—3961C out of order.

Senator Sturgeon offered amendment S—3972 filed by him from the floor to page 5 of the bill, moved its adoption and requested a non record roll call.

The ayes were 25, nays 15.

Amendment S—3972 was adopted.

Action on division S—3964B, amendments S—3956, S—3969 to S—3968, S—3968, and House File 775 was deferred.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 5

Senator Sturgeon called up for consideration House File 5, a bill for an act allowing employees to choose the care given under workers' compensation benefits, amended by the Senate, further amended by the House and moved that the Senate concur in House

amendment S—3955 to Senate amendment H—3604 filed April 27, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Sturgeon moved that the bill as amended by the Senate, further amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 5) the vote was:

Ayes, 32:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kibbie	Kinley	Lind
Lloyd-Jones	Miller	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 14:

Corning	Drake	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Pate	Rensink	Taylor
Tieden	Vande Hoef		

Absent or not voting, 4:

Carr	Fuhrman	Mann	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 662 and 5** and **Senate Files 224 and 449** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 450

Senator Horn called up for consideration Senate File 450, a bill for an act relating to educational standards, including flexible scheduling within a school year, waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team, and making technical changes, amended by the House in House amendment S—3713 filed April 17, 1989.

Senator Horn offered amendment S—3852 filed by him on April 21, 1989, to House amendment S—3713.

Senator Murphy offered amendment S—3958 filed by him from the floor to amendment S—3852 to House amendment S—3713 and moved its adoption.

Amendment S—3958 was adopted by a voice vote.

Senator Horn moved the adoption of amendment S—3852 as amended, which motion prevailed by a voice vote.

Senator Horn moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Horn moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 450) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Lloyd-Jones
Miller	Murphy	Pate	Peterson

Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Carr	Fuhrman	Hannon	Kinley
Mann	Nystrom	Palmer	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 755.

House File 755

On motion of Senator Kibbie, House File 755, a bill for an act relating to mobile home taxes and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 755) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Lind	Lloyd-Jones	Miller
Murphy	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Carr	Fuhrman	Hutchins	Kinley
Mann	Nystrom	Palmer	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 450** and **House File 755** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 527.

Senate File 527

On motion of Senator Fraise, Senate File 527, a bill for an act authorizing the imposition of an additional county hospital levy consisting of a combination individual income surtax and property tax levy, was taken up for consideration.

Senator Priebe offered amendment S—3860 filed by him on April 24, 1989, to page 4 and the title page of the bill and moved its adoption.

Amendment S—3860 was adopted by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 527) the vote was:

Ayes, 31:

Bruner	Coleman	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Hagerla	Hannon	Hester	Horn
Husak	Hutchins	Kibbie	Lloyd-Jones
Miller	Murphy	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Vande Hoef	Varn	

Nays, 6:

Corning Lind	Gentleman Tinsman	Hedge	Hultman
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Absent or not voting, 13:

Boswell	Carr	Drake	Fuhrman
Gronstal	Jensen	Kinley	Mann
Nystrom	Palmer	Pate	Tieden
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Murphy called up motion to reconsider Senate File 514 filed by him on April 24, 1989, found on page 1638 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 514) the vote was:

Ayes, 32:

Bruner	Coleman	Deluhery	Drake
Fraise	Gentleman	Gettings	Goodwin
Hagerla	Hedge	Hester	Horn
Hultman	Hutchins	Kibbie	Lind
Miller	Murphy	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Vande Hoef
Varn			

Nays, 7:

Dieleman Taylor	Doyle	Husak	Lloyd-Jones
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Absent or not voting, 11:

Boswell	Carr	Corning	Fuhrman
Gronstal	Hannon	Jensen	Kinley
Mann	Nystrom	Palmer	Pate
Peterson	Tieden	Tinsman	Welsh

The motion prevailed.

Senator Murphy moved to reconsider the vote by which Senate File 514 went to its last reading, which motion prevailed by a voice vote.

Senate File 514

On motion of Senator Husak, Senate File 514, a bill for an act providing a state sales and use tax exemption for certain facilities, was taken up for reconsideration.

Senator Lind offered amendment S—3957 filed by Senators Lind and Murphy from the floor to page 1 and the title page of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the remainder of the week on request of Senator Hutchins.

BUSINESS PENDING

Senate File 514

The Senate resumed consideration of Senate File 514 and amendment S—3957.

Senator Hutchins raised the point of order that amendment S—3957 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3957 out of order.

The Chair ruled amendment S—3888 filed by Senators Lind and Murphy on April 24, 1989, to page 1 and the title page of the bill, out of order.

The motion to reconsider the vote by which Senate File 514 passed the Senate on April 24, 1989, filed by Senator Husak on April 24, 1989, and found on page 1638 of the Senate Journal, was out of order.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 514) the vote was:

Ayes, 43:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Lloyd-Jones
Miller	Murphy	Pate	Peterson
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Carr	Fuhrman	Kinley
Mann	Nystrom	Palmer	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 18, by Palmer, a resolution requesting the Legislative Council to establish an interim study committee for the purpose of studying the taxation of resident shareholders of S corporations which carry on business within and without the state.

Read first time and assigned to the committee on **Rules and Administration**.

Senate Concurrent Resolution 31, by Szymoniak, Lloyd-Jones and Hannon, a concurrent resolution relating to the establishment of an interim study committee regarding sexual exploitation of patients by counselors and therapists.

Read first time and assigned to the committee on **Rules and Administration**.

HOUSE AMENDMENT CONSIDERED

Senate File 157

Senator Gettings called up for consideration Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, amended by the House in House amendment S—3791 filed April 19, 1989.

Senator Gettings offered amendment S—3856 filed by Senators Gettings, et al., on April 21, 1989, to House amendment S—3791 and moved its adoption.

Amendment S—3856 was adopted by a voice vote.

Senator Gettings moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Gettings moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 157) the vote was:

Ayes, 29:

Coleman	Deluhery	Dieleman	Doyle
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Lind	Lloyd-Jones	Miller	Peterson
Priebe	Rensink	Running	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn			

Nays, 12:

Boswell	Corning	Drake	Gentleman
Hultman	Pate	Rife	Riordan
Szymoniak	Tieden	Tinsman	Welsh

Absent or not voting, 9:

Bruner
Kinley
Palmer

Carr
Mann

Fraise
Murphy

Fuhrman
Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 514, 157 and 527** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Resolution 19, by Hannon, Gronstal, Lloyd-Jones, Mann, Murphy, Riordan, Running, Sturgeon and Szymoniak, a resolution relating to the Exxon oil spill.

Read first time and **passed on file**.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to the House amendment to Senate File 450, the following correction was made:

1. In amendment S—3958 to S—3852 to S—3713 the operational language on lines 5 and 6 has been deleted.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

House File 703

APPROPRIATIONS: Welsh, Chair; Gronstal and Tieden

House File 753

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Miller and Soorholtz

House File 771

WAYS AND MEANS: Bruner, Chair; Fraise and Gentleman

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3819 to House File 728 was adopted by the Senate on April 21, 1989.

RICHARD VARN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3966 to House File 775 was adopted by the Senate on April 27, 1989.

JOE WELSH

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 27, 1989, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 52 — Prohibiting the use of corporal punishment in accredited schools.

SENATE FILE 76 — Providing for jailer training programs to be administered by the Iowa law enforcement academy.

SENATE FILE 90 — Relating to the regulation of the practice of dentistry by providing that students of dental hygiene are not engaged in the practice of dentistry.

SENATE FILE 110 — Relating to foster care review by establishing certain reporting requirements.

SENATE FILE 124 — Relating to gambling and the regulation of gambling devices and systems, by authorizing limited gambling on excursion boats, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing fees on admissions, by allocating revenue, by requiring licenses and imposing fees, by making corresponding amendments to the Code, and by providing penalties for violations.

SENATE FILE 129 — Relating to the release of child abuse information to certain individuals.

SENATE FILE 176 — Relating to service of notice of expiration of the right of redemption from tax sales.

SENATE FILE 410 — Relating to the conducting of an epidemiological blinded study to determine the prevalence of the human immunodeficiency virus infection and providing an effective date.

SENATE FILE 442 — Relating to rules adopted under section 321.450 as they relate to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce and to retail dealers and their employees delivering fertilizers and pesticides to farm customers and providing an effective date.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 764, a bill for an act relating to the establishment of real estate education programs and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 19: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, 1: Peterson. Absent or not voting, 1: Bruner.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 774, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3978.

Final Vote: Ayes, 17: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 4: Bruner, Jensen, Sturgeon and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 23, a concurrent resolution to urge and petition the Postmaster General of the United States to issue a first-class commemorative postage stamp in honor of the Grant Wood centennial.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Jensen, Kinley and Lloyd-Jones. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3955	H.F.	5	House amendment
S—3956	H.F.	775	Calvin Hultman Maggie Tinsman
S—3957	S.F.	514	Jim Lind Larry Murphy
S—3958	S.F.	450	Larry Murphy
S—3959	H.F.	250	Tom Mann, Jr.
S—3960	H.F.	775	Joe Welsh
S—3961	H.F.	775	Joe Welsh
S—3962	H.F.	775	Al Sturgeon
S—3963	H.F.	775	Al Sturgeon
S—3964	H.F.	775	Al Sturgeon

S—3965	H.F.	775	Al Sturgeon
S—3966	H.F.	775	Beverly Hannon Tom Mann, Jr. Jean Lloyd-Jones
S—3967	S. F.	369	Emil J. Husak Berl Priebe
S—3968	H.F.	775	Calvin Hultman Maggie Tinsman
S—3969	H.F.	775	Al Sturgeon Richard Varn
S—3970	H.F.	775	Al Sturgeon
S—3971	H.F.	775	Al Sturgeon
S—3972	H.F.	775	Al Sturgeon
S—3973	H.F.	775	Charles Bruner
S—3974	H.F.	775	Al Sturgeon Richard Varn Calvin Hultman Maggie Tinsman
S—3975	H.F.	644	Richard Varn
S—3976	H.F.	600	Richard Varn Patrick Deluhery Alvin Miller
S—3977	H.F.	778	Richard Varn
S—3978	H.F.	774	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:06 p.m., until 9:00 a.m., Friday, April 28, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SEVENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 28, 1989

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Leonard L. Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Thursday, April 27, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 1989, passed the following bills in which the concurrence of the Senate is asked:

House File 756, a bill for an act relating to weights and measures and other technical standards by permitting pitless electronic scales to be installed in certain circumstances and by providing for reference to the most current standards as adopted by the United States national institute of standards and technology, formerly the national bureau of standards, and by revising references to the national bureau of standards to reflect its change of name.

This bill was read first time and **passed on file**.

House File 770, a bill for an act relating to the sales and use tax and providing an exemption from taxation for consumer rental purchases.

This bill was read first time and assigned to committee on **Ways and Means**.

House File 779, a bill for an act relating to and making appropriations, subject to certain conditions, to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing commission, among others, and effecting the laws enforced by and procedures utilized by such regulatory bodies, determining the ownership and control of certain property in the possession of the office of the state public defender, and imposing penalties.

This bill was read first time and assigned to committee on **Appropriations**.

ALSO: That the House has on April 26, 1989, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 141, a bill for an act relating to the approval of the natural resource commission of county conservation board acquisitions or developments.

House File 572, a bill for an act relating to the payment for uniform citation and complaint forms.

House File 735, a bill for an act relating to enhanced 911 emergency telephone communications systems, and providing for the Act's applicability, and providing a special effective date.

ALSO: That the House has on April 26, 1989, concurred in the Senate amendment to the House amendment, and passed the following bill in which the concurrence of the House was asked:

Senate File 508, a bill for an act relating to common liens on real or personal property and providing a remedy.

ALSO: That the House has on April 26, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 153, a bill for an act relating to the department of inspections and appeals by providing for income tax refund and rebate setoff procedures by the investigations division, and exempting certain nonprofit intermediate care facilities from the sales, service, and use tax (S—3981).

Senate File 186, a bill for an act relating to the updating of the reference to the Internal Revenue Code, and providing refund provisions for certain income and inheritance tax payments, and providing applicability and effective dates (S—3980).

Senate File 519, a bill for an act relating to the chairperson of the board of parole and the board of parole (S—3983).

ALSO: That the House has on April 26, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 71, a bill for an act establishing pilot projects for a peer review court as a diversion program for offenders ten through seventeen years of age (S—3982 to H—4155).

ALSO: That the House has on April 27, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 780, a bill for an act relating to substance abuse treatment and narcotics law enforcement and creating a new department of drug control, making certain appropriations, providing penalties, and providing an effective date.

This bill was read first time and assigned to the committee on **Appropriations**.

RESOLUTION ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following resolution to committee:

S. R. 19 Environment and Energy Utilities

HOUSE AMENDMENTS CONSIDERED

Senate File 466

Senator Scott called up for consideration Senate File 466, a bill

for an act allowing a speculative industrial building built by a local community development organization in a rural community to be eligible under the community and rural development loan program as a new infrastructure, amended by the House, and moved that the Senate concur in House amendment S—3714 filed April 17, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Scott moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 466) the vote was:

Ayes, 41:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Carr	Fraise	Hutchins
Murphy	Nystrom	Peterson	Tinsman
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 272

Senator Pate called up for consideration Senate File 272, a bill for an act relating to insurance by providing for notice and review

of contracts between insurers and managing general agents and providing for regulation of third-party administrators, amended by the House, and moved that the Senate concur in House amendment S—3896 filed April 25, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Pate moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 272) the vote was:

Ayes, 42:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Bruner	Carr	Fraise	Hutchins
Murphy	Nystrom	Peterson	Tinsman

UNFINISHED BUSINESS (Deferred April 27, 1989)

House File 775

The Senate resumed consideration of House File 775, a bill for an act relating to and making appropriations to the civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the Iowa department

of public health, division S—3964B, amendments S—3956, S—3968 and S—3969 to S—3968, deferred April 27, 1989.

Senator Sturgeon offered amendment S—3973 filed by Senator Bruner on April 27, 1989, to page 18 of the bill and moved its adoption.

Amendment S—3973 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3968 by Senators Hultman and Tinsman to page 7 of the bill, deferred April 27, 1989.

Senator Sturgeon offered amendment S—3974 filed by Senators Sturgeon, et al., on April 27, 1989, to amendment S—3968 and moved its adoption.

Amendment S—3974 was adopted by a voice vote.

With the adoption of amendment S—3974 to amendment S—3968, the Chair ruled amendment S—3969 to amendment S—3968 by Senators Sturgeon and Varn, deferred April 27, 1989, out of order.

Senator Hultman moved the adoption of amendment S—3968 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3968 as amended, the Chair ruled amendment S—3956 by Senators Hultman and Tinsman to page 7 of the bill, deferred on April 27, out of order.

Senator Welsh called up the motion to reconsider the vote by which amendment S—3966 to House File 775 was adopted by the Senate on April 27, 1989, filed by him on April 27, 1989, found on page 1739 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3966 by Senators Hannon, Mann and Lloyd-Jones to page 7 of the bill, was taken up for reconsideration.

Senator Welsh offered amendment S—3984 filed by him from the floor to amendment S—3966 and moved its adoption.

Amendment S—3984 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—3966 as amended, which motion prevailed by a voice vote.

The Chair ruled division S—3964B by Senator Sturgeon to page 7 of the bill, deferred on April 27, 1989, out of order.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 775) the vote was:

Ayes, 45:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hagerla	Hannon	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 5:

Bruner	Carr	Murphy	Nystrom
Peterson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 775** be **immediately messaged** to the House.

WITHDRAWN

Senator Sturgeon asked and received unanimous consent that **Senate File 535** be **withdrawn** from further consideration of the Senate.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 10:21 a.m.

The vote revealed 41 present, 9 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 524, a bill for an act relating to funding available for roads including appropriations of moneys to the affected jurisdictions (S-3991).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 30 present, 20 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 27, 1989)

Senate File 369

The Senate resumed consideration of Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and

requiring the release and allocation of previously appropriated funds, requiring reimbursement for the auditor of state, and providing an effective date, and the motion to reconsider by Senator Murphy the vote by which the Senate concurred in House amendment S—3849 as amended, deferred April 27, 1989.

Senator Murphy moved the adoption of the motion to reconsider House amendment S—3849 as amended.

The motion prevailed by a voice vote and House amendment S—3849 as amended, was taken up for reconsideration.

Senator Murphy called up the motion to reconsider the vote by which amendment S—3867 to House amendment S—3849 to Senate File 369 was adopted by the Senate on April 25, 1989, found on page 1663 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3867 by Senator Welsh to House amendment S—3849, was taken up for reconsideration.

Senator Welsh asked and received unanimous consent that action on amendment S—3867 to House amendment S—3849 be deferred.

Senator Husak offered amendment S—3967 filed by Senators Husak and Priebe on April 27, 1989, to House amendment S—3849.

Senator Hannon asked and received unanimous consent that action on amendment S—3967 to House amendment S—3849, House amendment S—3849 and **Senate File 369** be deferred.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 363)

A conference committee report signed by the following Senate and House members was filed April 28, 1989, on Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship,

department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date:

On the Part of the Senate:

JOE J. WELSH, Chair
MICHAEL GRONSTAL
LEONARD BOSWELL
JOHN JENSEN

On the Part of the House:

THOMAS J. JOCHUM, Chair
RAY LAGESCHULTE
MICHAEL PETERSON
GARY SHERZAN

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 363

Senator Welsh called up the conference committee report on Senate File 363, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents, Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date, filed on April 28, 1989, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 363) the vote was:

Ayes, 32:

Boswell	Corning	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Gronstal	Hannon	Horn	Husak
Hutchins	Jensen	Kibbie	Kinley
Lloyd-Jones	Mann	Miller	Murphy
Palmer	Peterson	Priebe	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Varn	Welsh

Nays, 14:

Drake	Fuhrman	Gentleman	Hagerla
Hedge	Hester	Hultman	Lind
Pate	Rensink	Rife	Tieden
Tinsman	Vande Hoef		

Absent or not voting, 4:

Bruner	Carr	Coleman	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 363** be immediately messaged to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:04 p.m., until 1:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 27, 1989, 12:00 noon.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running and Varn.

Members Absent: Bruner, (excused), Jensen, Sturgeon (excused) and Tinsman.

Committee Business: Recommended passage of House File 774 as amended.

Recessed: 1:05 p.m.

Reconvened: April 27, 1989, 6:15 p.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn.

Members Absent: Bruner (excused).

Committee Business: Recommended passage of House File 764.

Adjourned: 7:05 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 27, 1989, 1:50 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Pate, Ranking Member; Hedge, Miller, Rife, Sturgeon and Varn.

Members Absent: Carr (excused) and Soorholtz.

Committee Business: Assigned bill to a subcommittee; recommended passage of House File 753 as amended.

Adjourned: 2:15 p.m.

RULES AND ADMINISTRATION

Convened: April 27, 1989, 4:05 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Jensen, Kinley and Lloyd-Jones.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 23.

Adjourned: 4:10 p.m.

WAYS AND MEANS

Convened: April 27, 1989, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Hester, Ranking Member; Bruner, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Palmer, Soorholtz and Szymoniak.

Members Absent: Drake, Murphy and Riordan.

Committee Business: Assigned bills to subcommittees and recommended passage of House File 271 as amended.

Adjourned: 12:00 noon.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 779, a bill for an act relating to and making appropriations, subject to certain conditions, to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing commission, among others, and effecting the laws enforced by and procedures utilized by such regulatory bodies, determining the ownership and control of certain property in the possession of the office of the state public defender, and imposing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3988.

Final Vote: Ayes, 18: Welsh, Boswell, Tieden, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Tinsman and Varn. Nays, none. Absent or not voting, 3: Bruner, Pate and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 753, a bill for an act relating to the establishment of a waste volume reduction and recycling network, prohibiting the disposal of certain products at sanitary landfills, promoting the use of certain recyclable products and certain recycling or reprocessing equipment, prohibiting the use of certain other products, requiring city or county solid waste management programs and plans, establishing fees and taxes, providing for appropriation and expenditure of the fee receipts and certain other moneys, providing penalties, providing an effective date, and providing for other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3995.

Final Vote: Ayes, 7: Deluhery, Gronstal, Pate, Hedge, Miller, Sturgeon and Varn. Nays, 1: Rife. Absent or not voting, 2: Carr and Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-seven sixth grade students from Boyden-Hull Elementary School, Boyden, Iowa, accompanied by Marcene Cox, Wayne Vander Schaaf, Dean Hoogeveen, and Karen and Neal Hanson. Senators Rensink and Vande Hoef.

Fifty eighth grade students from St. Edward's School, Waterloo, Iowa, accompanied by Donald Sullivan. Senators Corning and Lind.

Thirty-seven fifth grade students from Lincoln Elementary School, Mechanicsville, Iowa, accompanied by Gladys Rife. Senator Hannon.

Twenty sixth grade students from Floyd Valley Hospers Center, Hospers, Iowa, accompanied by Mrs. Bohr. Senator Rensink.

The following visitors were present in the Senate gallery:

Seventy eighth grade students from Sumner Junior High School, Sumner, Iowa, accompanied by Brian Stead. Senator Jensen.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 28th day of April, 1989:

Senate File 218, 231, 253, 260, 300, 343, 346, 364, 367 and 373.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S-3979	H.F.	774	Ray Taylor
S-3980	S.F.	186	House amendment
S-3981	S.F.	153	House amendment
S-3982	H.F.	71	House amendment
S-3983	S.F.	519	House amendment
S-3984	H.F.	775	Joe Welsh
S-3985	H.F.	774	Wilmer Rensink John Kibbie Richard Vande Hoef Dale Tieden Wally Horn C. Joseph Coleman
S-3986	H.F.	774	Richard Varn
S-3987	H.F.	774	William Dieleman
S-3988	H.F.	779	Appropriations
S-3989	H.F.	753	Michael Gronstal
S-3990	H.F.	774	Richard Varn
S-3991	S.F.	524	House amendment
S-3992	H.F.	774	Beverly Hannon Jim Riordan Tom Mann, Jr.
S-3993	H.F.	774	Larry Murphy Joy Corning
S-3994	H.F.	753	Michael Gronstal Patrick Deluhery
S-3995	H.F.	753	Environment & Energy Utilities

AFTERNOON SESSION

The Senate reconvened at 1:07 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Corning and Hedge for the afternoon session on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 578, a bill for an act excluding from income for purposes of state and local government benefit or entitlement programs and the state individual income tax proceeds received for damages resulting from exposure to certain herbicides and providing a retroactive applicability date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 26, 1989, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 313, a bill for an act relating to the common boundary for a voluntary annexation.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 756 Agriculture

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration House File 774.

House File 774

On motion of Senator Varn, House File 774, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—3978 filed by the committee on Appropriations on April 27, 1989, to pages 1, 2, 4 through 7, 9, 11, 13, 14, 16, 23, 37 through 39, 49 and 50 of the bill.

Senator Hannon offered amendment S—3992 filed by Senators Hannon, Riordan and Mann from the floor to page 1 of amendment S—3978 and moved its adoption.

Amendment S—3992 lost by a voice vote.

Senator Varn offered amendment S—3986 filed by him from the floor to pages 2 and 3 of amendment S—3978 and moved its adoption.

Amendment S—3986 was adopted by a voice vote.

Senator Dieleman asked and received unanimous consent that action on amendment S—3987 filed by him from the floor to page 2 of amendment S—3978 be deferred.

Senator Varn offered amendment S—4004 filed by Senators Hutchins, et al., from the floor to pages 2 and 3 of amendment S—3978 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—4004 to amendment S—3978 be adopted?” (H.F. 774) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 34:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Hagerla	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 11:

Fuhrman	Gentleman	Goodwin	Gronstal
Hannon	Hester	Lloyd-Jones	Mann
Rife	Riordan	Tinsman	

Absent or not voting, 5:

Bruner	Carr	Corning	Hedge
Nystrom			

Amendment S—4004 was adopted.

With the adoption of amendment S—4004 to amendment S—3978, the Chair ruled amendment S—3987 by Senator Dieleman to amendment S—3978, previously deferred, out of order.

Senator Boswell offered amendment S—4003 filed by him from the floor to pages 3 and 9 of amendment S—3978 and called for a division: lines 4 through 21 as division S—4003A and lines 22 through 30 as division S—4003B.

Senator Boswell withdrew division S—4003B to amendment S—3978.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Scott for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

House File 774

The Senate resumed consideration of House File 774.

Senator Boswell moved the adoption of division S—4003A to amendment S—3978.

A record roll call was requested.

On the question “Shall division S—4003A to amendment S—3978 be adopted?” (H.F. 774) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Hagerla	Hester	Horn
Hultman	Husak	Jensen	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Pate	Peterson	Rensink	Rife
Running	Soorholtz	Szymoniak	Tinsman
Vande Hoef	Welsh		

Nays, 14:

Gentleman	Goodwin	Gronstal	Hannon
Hutchins	Lind	Murphy	Palmer
Priebe	Riordan	Sturgeon	Taylor
Tieden	Varn		

Absent or not voting, 6:

Bruner	Carr	Corning	Hedge
Nystrom	Scott		

Division S—4003A was adopted.

Senator Sturgeon offered amendment S—4005 filed by Senators Corning and Sturgeon from the floor to page 8 of amendment S—3978 and moved its adoption.

Amendment S—4005 lost by a voice vote.

Senator Murphy offered amendment S—4000 filed by Senators Murphy and Varn from the floor to page 8 of amendment S—3978 and moved its adoption.

Amendment S—4000 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

House File 774

The Senate resumed consideration of House File 774.

Senator Varn offered amendment S—4009 filed by him from the floor to page 2 of amendment S—3978 and moved its adoption.

Amendment S—4009 was adopted by a voice vote.

Senator Gentleman offered amendment S—4011 filed by her from the floor to page 2 of amendment S—3978 and moved its adoption.

Amendment S—4011 lost by a voice vote.

Senator Fuhman offered amendment S—4010 filed by him from the floor to pages 6 and 7 of amendment S—3978 and moved its adoption.

Amendment S—4010 lost by a voice vote.

Senator Running called for a division of amendment S—3978 as amended:

Division S—3978A: Page 3, lines 24 through 50 and page 4, lines 1 through 10.

Division S—3978B: Page 1, lines 3 through 50; page 2; page 3, lines 1 through 23, page 4, lines 11 through 50, pages 5, 6, 7, 8 and 9.

Senator Running raised the point of order that division S—3978A was not germane to the bill.

The Chair ruled the point not well taken and division S—3978A in order.

Senator Running asked and received unanimous consent that action on division S—3978A be deferred.

Senator Varn moved the adoption of division S—3978B, as amended.

Amendment S—3978B was adopted by a voice vote.

Senator Varn offered amendment S—3990 filed by him from the floor to pages 5, 27, 31, 32, 37 and 50 of the bill and moved its adoption.

Amendment S—3990 was adopted by a voice vote.

Senator Taylor offered amendment S—3979 filed by him from the floor to pages 6, 13, 28 and 29 of the bill.

Senator Lloyd-Jones raised the point of order that amendment S—3979 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3979 out of order.

Senator Murphy offered amendment S—3999 filed by him from the floor to page 7 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3999 be adopted?” (H.F. 774) the vote was:

Ayes, 17:

Boswell
Hagerla
Lloyd-Jones
Pate
Tinsman

Deluhery
Hannon
Mann
Peterson

Gentleman
Horn
Miller
Riordan

Gronstal
Hultman
Murphy
Szymoniak

Nays, 26:

Coleman	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Hester	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Palmer
Priebe	Rensink	Rife	Running
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Absent or not voting, 7:

Bruner	Carr	Corning	Hedge
Nystrom	Scott	Sturgeon	

Amendment S—3999 lost.

Senator Murphy offered amendment S—3993 filed by Senators Murphy and Corning from the floor to page 12 of the bill and moved its adoption.

Amendment S—3993 was adopted by a voice vote.

With the adoption of amendment S—3993, the Chair ruled amendment S—4008 filed by Senator Priebe from the floor to page 12 of the bill, out of order.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 1989, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license.

ALSO: That the House has, on April 28, 1989, adopted the conference committee report and passed **Senate File 363**, a bill for an act relating to and making supplemental appropriations to the auditor of state, department of general services, department of human services, college aid commission, state board of regents,

Iowa department of public health, department of commerce, department of corrections, judicial department, department of cultural affairs, Iowa state fair authority, department of agriculture and land stewardship, department of natural resources, department of public defense, state department of transportation, and council of state governments for the remainder of the fiscal year ending June 30, 1989, and providing an effective date.

BUSINESS PENDING

House File 774

The Senate resumed consideration of House File 774.

Senator Szymoniak offered amendment S—4006 filed by her from the floor to page 18 of the bill and moved its adoption.

Amendment S—4006 lost by a voice vote.

Senator Hultman offered amendment S—3998 filed by Senators Hultman and Horn from the floor to page 24 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3998 be adopted?” (H.F. 774) the vote was:

Ayes, 27:

Boswell	Doyle	Drake	Fraise
Fuhrman	Goodwin	Gronstal	Hageria
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Mann
Miller	Pate	Rensink	Rife
Running	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	

Nays, 16:

Coleman	Deluhery	Dieleman	Gentleman
Gettings	Hannon	Kinley	Lind
Lloyd-Jones	Murphy	Palmer	Peterson
Priebe	Riordan	Varn	Welsh

Absent or not voting, 7:

Bruner	Carr	Corning	Hedge
Nystrom	Scott	Sturgeon	

Amendment S—3998 was adopted.

President pro tempore Mann took the chair at 3:37 p.m.

Senator Fuhrman offered amendment S—4001 filed by Senators Fuhrman, et al., from the floor to pages 26, 30 and 33 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—4001 be adopted?" (H.F. 774) the vote was:

Ayes, 19:

Boswell	Drake	Fuhrman	Goodwin
Hagerla	Hedge	Hester	Horn
Hultman	Jensen	Kinley	Murphy
Pate	Priebe	Rensink	Rife
Running	Soorholtz	Taylor	

Nays, 23:

Coleman	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hannon	Husak	Hutchins	Kibbie
Lind	Lloyd-Jones	Mann	Miller
Palmer	Peterson	Riordan	Szymoniak
Tinsman	Varn	Welsh	

Absent or not voting, 8:

Bruner	Carr	Corning	Nystrom
Scott	Sturgeon	Tieden	Vande Hoef

Amendment S—4001 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vande Hoef for the remainder of the day on request of Senator Fuhrman.

BUSINESS PENDING

House File 774

The Senate resumed consideration of House File 774.

Senator Murphy offered amendment S—4007 filed by Senators Murphy and Welsh from the floor to page 26 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 20.

Amendment S—4007 lost.

Senator Rensink offered amendment S—3985 filed by Senators Rensink, et al., from the floor to page 49 of the bill.

Senator Varn raised the point of order that amendment S—3985 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3985 out of order.

Senator Taylor offered amendment S—4013 filed by him from the floor to pages 6, 13 and 28 of the bill.

President Zimmerman took the chair at 3:59 p.m.

Senator Varn raised the point of order that amendment S—4013 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4013 out of order.

Senator Varn moved the adoption of division S—3978A by the committee on Appropriations, previously deferred, and requested a record roll call.

On the question “Shall division S—3978A be adopted?” (H.F. 774) the vote was:

Ayes, 11:

Dieleman	Doyle	Gronstal	Hannon
Lind	Lloyd-Jones	Murphy	Peterson
Rensink	Varn	Welsh	

Nays, 31:

Boswell	Coleman	Deluhery	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hagerla	Hedge	Hester

Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Kinley	Mann
Miller	Palmer	Pate	Priebe
Rife	Riordan	Running	Soorholtz
Szymoniak	Taylor	Tinsman	

Absent or not voting, 8:

Bruner	Carr	Corning	Nystrom
Scott	Sturgeon	Tieden	Vande Hoef

Division S—3978A lost.

Senator Welsh filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3978B as amended to House File 774 was adopted by the Senate on April 28, 1989.

The motion prevailed by a voice vote and division S—3978B by the committee on Appropriations, was taken up for reconsideration.

Senator Welsh offered amendment S—4014 filed by him from the floor to page 9 of division S—3978B and moved its adoption.

Amendment S—4014 was adopted by a voice vote.

Senator Varn moved the adoption of division S—3978B as amended, which motion prevailed by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 774) the vote was:

Ayes, 39:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hedge	Hester	Horn
Husak	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Miller
Murphy	Palmer	Pate	Peterson
Priebe	Rensink	Rife	Riordan

Running	Soorholtz	Szymoniak	Taylor
Tinsman	Varn	Welsh	

Nays, 2:

Hannon	Mann
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Absent or not voting, 9:

Bruner	Carr	Corning	Hultman
Nystrom	Scott	Sturgeon	Tieden
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 774** be **immediately messaged** to the House.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced that **House File 578** was assigned to the committee on **Ways and Means**.

BUSINESS PENDING

Senate File 369

The Senate resumed consideration of Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, requiring reimbursement for the auditor of state, and providing an effective date, House amendment S—3849 and amendments S—3967 by Senators Husak and Priebe and S-3867 by Senator Welsh to House amendment S—3849, previously deferred.

Senator Husak asked and received unanimous consent that action on amendment S—3967 to House amendment S—3849 continue to be deferred.

Senator Welsh moved the adoption of amendment S—3867 to House amendment S—3849, which motion prevailed by a voice vote.

With the adoption of amendment S—3867 to House amendment S—3849, the Chair ruled amendment S—3967 to House amendment S—3849 by Senators Husak and Priebe previously deferred, out of order.

Senator Welsh moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 369) the vote was:

Ayes, 39:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kibbie	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Szymoniak
Tinsman	Varn	Welsh	

Nays, none.

Absent or not voting, 11:

Bruner	Carr	Corning	Kinley
Nystrom	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 1989, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 517, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date (S—4015).

APPENDIX

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 498, the following correction was made:

1. In House amendment S—3705, page 3, line 32, a comma was inserted before the word “district”.

ALSO:

I report that in enrolling Senate File 363, the following correction was made:

1. Page 20, line 20, the numbers “15 through 21” were changed to the numbers “25 through 31”.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

House File 770

WAYS AND MEANS: Kibbie, Chair; Murphy and Hultman

House File 780

APPROPRIATIONS: Welsh, Chair; Jensen, Gronstal, Tieden and Gettings.

COMMUNICATION RECEIVED

The following communication was received and placed on file in the office of the Secretary of the Senate:

DEPARTMENT OF HUMAN SERVICES

Proposed Social Services Block Grant Pre-Expenditure Report, for the 1990 Iowa fiscal year, pursuant to the Iowa Administrative Code, Section 441, Chapters 130 and 153; Chapter 17A and 234, Code of Iowa.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 271, a bill for an act relating to the repeal of a local option sales and services tax and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-4016.

Final Vote: Ayes, 12: Dieleman, Husak, Hester, Bruner, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Palmer, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 3: Drake, Murphy and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3996	H.F.	778	Paul Pate
S-3997	H.F.	779	Joe Welsh
			Calvin Hultman
S-3998	H.F.	774	Calvin Hultman
			Wally Horn
S-3999	H.F.	774	Larry Murphy
S-4000	H.F.	774	Larry Murphy
			Richard Varn
S-4001	H.F.	774	Linn Fuhrman
			Wally Horn
			Calvin Hultman
			Joe Welsh
S-4002	H.F.	779	Richard Running
S-4003	H.F.	774	Leonard Boswell
S-4004	H.F.	774	Bill Hutchins
			Jim Lind
			Joe Welsh
			Richard Varn
			Larry Murphy
			Richard Running
S-4005	H.F.	774	Joy Corning
			Al Sturgeon
S-4006	H.F.	774	Elaine Szymoniak
S-4007	H.F.	774	Larry Murphy
			Joe Welsh

S-4008	H.F.	774	Berl E. Priebe
S-4009	H.F.	774	Richard Varn
S-4010	H.F.	774	Linn Fuhrman
S-4011	H.F.	774	Julia Gentleman
S-4012	H.F.	745	C. Joseph Coleman
S-4013	H.F.	774	Ray Taylor
S-4014	H.F.	774	Joe Welsh
S-4015	S.F.	517	House amendment
S-4016	H.F.	271	Ways and Means
S-4017	H.F.	779	Richard Running
S-4018	H.F.	779	Richard Running

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 10:00 a.m., Monday, May 1, 1989.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH CALENDAR DAY
SEVENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 1, 1989

The Senate met in regular session at 10:03 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Maggie Tinsman, member of the Senate from Scott County, Bettendorf, Iowa.

The Journal of Friday, April 28, 1989, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Husak for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 86, a bill for an act relating to the authority of a city to levy a tax for the support of municipal bands and other musical groups and support of certain tax exempt artistic and cultural organizations.

ALSO: That the House has on April 28, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 776, a bill for an act relating to the operation and dissolution of a benefited fire district including a city, and authorizing the levy of a property tax.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 28, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 98, a bill for an act relating to the establishment of bank offices within a municipal corporation or urban complex in which the principal place of business of the bank is located (S—4022 to H—4141).

ALSO: That the House has on April 28, 1989, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 185, a bill for an act relating to the hotel and motel tax and providing an exemption (S—4021).

Senate File 520, a bill for an act relating to and making appropriations to the department of economic development (S—4020).

Senate File 521, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants (S—4023).

Senate File 531, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, state aviation fund, and abstract fee fund, providing for an exemption from reversion for certain funds, extending the effective period of the temporary authority for the operation of certain commercial vehicles, mandating reports of certain agency purchases, requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, and providing effective dates and retroactive application (S—4024).

Senate File 532, a bill for an act relating to the compensation and benefits for legislators, and other public officials and employees by specifying salary levels, by providing adjustments for salaries, by specifying properly related matters, by making

appropriations, and by specifying effective dates for certain provisions (S—4019).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent and a quorum present.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced that **House File 776** was assigned to the committee on **Ways and Means**.

SENATE INSISTS

Senate File 157

Senator Gettings called up for consideration Senate File 157, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, amended by the House, further amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 643

Senator Running called up for consideration House File 643, a bill for an act relating to the filing of a bond by out-of-state contractors, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3953 to Senate amendment H—4050 filed April 27, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Running moved that the bill as amended by the Senate, futher amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 643) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Husak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 157** on the part of the Senate: Senators Coleman, Chair; Kibbie, Murphy, Vande Hoef and Nystrom.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 722

Senator Deluhery called up for consideration House File 722, a bill for an act relating to infectious waste management, amended

by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3952 to Senate amendment H—4000 filed April 27, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Deluhery moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 722) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Hutchins	Jensen	Kibbie
Kinley	Lind	Lloyd-Jones	Mann
Miller	Murphy	Nystrom	Palmer
Pate	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Husak

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 524

Senator Dieleman called up for consideration Senate File 524, a bill for an act relating to funding available for roads including appropriations of moneys to the affected jurisdictions, amended

by the House, and moved that the Senate concur in House amendment S—3991 filed April 28, 1989.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 157, 524 and House Files 643 and 722** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Mann presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:02 p.m., until 2:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 28, 1989, 10:15 a.m.

Members Present: Welsh, Chair; Boswell, Vice Chair; Tieden, Ranking Member; Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Jensen, Lind, Lloyd-Jones, Peterson, Rensink, Riordan, Running, Tinsman and Varn.

Members Absent: Bruner (excused), Pate and Sturgeon (excused).

Committee Business: Recommended passage of House File 779 as amended.

Adjourned: 10:25 a.m.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on Friday, April 28, 1989, when the final vote was taken on House File 774.

Had I been present, I would have voted "aye".

RICHARD VANDE HOEF

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-six fourth grade students from Northwest Elementary School, Ankeny, Iowa, accompanied by Elaine Bailey. Senator Palmer.

PETITIONS

The following petitions opposing legislation increasing any tax on beer, wine or soft drinks were presented and placed on file by:

Senator Fraise from thirty-seven residents of Lee County.
Senator Kinley from fifty-five residents of Polk County.

Senator Priebe from fifty-five residents of Kossuth and Hancock Counties.

SUBCOMMITTEE ASSIGNMENTS

House File 578

WAYS AND MEANS: Husak, Chair; Fraise and Drake

House File 776

WAYS AND MEANS: Szymoniak, Chair; Palmer and Gentleman

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 1st day of May, 1989:

Senate Files 117, 201, 318, 363, 365, 389, 395, 406, 412, 416, 475 and 498.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S-4019	S. F.	532	House amendment
S-4020	S. F.	520	House amendment
S-4021	S. F.	185	House amendment
S-4022	H. F.	98	House amendment
S-4023	S. F.	521	House amendment
S-4024	S. F.	531	House amendment
S-4025	S. F.	149	William Dieleman
S-4026	S. F.	517	Calvin Hultman
S-4027	H. F.	779	Al Sturgeon
			Bob Carr
			Jean Lloyd-Jones
			Michael E. Gronstal
			Tom Mann
			Wally Horn
			Jim Lind

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 1989, adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 10, a joint resolution to nullify administrative rules of the department of inspections and appeals relating to intermediate care facilities for the mentally retarded and providing an effective date.

ALSO: That the House has on May 1, 1989, concurred in the Senate amendment to the House amendment, and passed the following bill in which the concurrence of the House was asked:

Senate File 369, a bill for an act making a supplemental appropriation to complete the GAAP implementation schedule for the merged area schools' general operations and to continue the ethanol truck project, and requiring the release and allocation of previously appropriated funds, requiring reimbursement for the auditor of state, and providing an effective date.

ALSO: That the House has on May 1, 1989, passed the following bill in which the concurrence of the House was asked:

Senate File 534, a bill for an act relating to the adoption of rules by the department of inspections and appeals for intermediate care facilities for the mentally retarded and providing an effective date.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 502

Senator Varn called up for consideration Senate File 502, a bill for an act relating to business corporations, and related matters including the elimination of filing of corporate documents with the county recorder for all forms of corporate entities, and providing a special effective date, amended by the House, and moved that the Senate concur in House amendment S—3900 filed April 25, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 502) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hagerla	Hannon
Hedge	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 186

Senator Szymoniak called up for consideration Senate File 186, a bill for an act relating to the updating of the reference to the Internal Revenue Code, and providing refund provisions for certain income and inheritance tax payments, and providing applicability and effective dates, amended by the House, and moved that the Senate concur in House amendment S—3980 filed April 28, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Szymoniak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 186) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Drake	Fraise
Goodwin	Gronstal	Hagerla	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Riordan
Running	Scott	Soorholtz	Sturgeon
Szymoniak	Taylor	Tieden	Tinsman
Varn	Welsh		

Nays, 7:

Coleman	Doyle	Fuhrman	Gentleman
Gettings	Hedge	Vande Hoef	

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 517

Senator Gronstal called up for consideration Senate File 517, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date, amended by the House in House amendment S—4015 filed April 28, 1989.

Senator Hultman offered amendment S—4026 filed by him from the floor to House amendment S—4015 and moved its adoption.

Amendment S—4026 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on House amendment S—4015 as amended and **Senate File 517** be deferred.

Senate File 521

Senator Welsh called up for consideration Senate File 521, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, amended by the House, and moved that the Senate concur in House amendment S—4023 filed May 1, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Welsh moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 521) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Running	Scott
Soorholtz	Sturgeon	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, none.

Absent or not voting, 1:

Pate

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up for consideration House File 779.

House File 779

On motion of Senator Running, House File 779, a bill for an act relating to and making appropriations, subject to certain conditions, to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the office of the state public defender, the department of inspections and appeals, the department of commerce, and the racing commission, among

others, and effecting the laws enforced by and procedures utilized by such regulatory bodies, determining the ownership and control of certain property in the possession of the office of the state public defender, and imposing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Running offered amendment S—3988 filed by the committee on Appropriations on April 28, 1989, to pages 2, 7, 8, 11, 16, 20 and 25 of the bill.

Senator Running withdrew amendment S—4002 filed by him on April 28, 1989, to amendment S—3988.

Senator Running offered amendment S—4018 filed by him on April 28, 1989, to amendment S—3988 and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 31, nays 19.

Amendment S—4018 was adopted.

Senator Running withdrew amendment S—4017 filed by him on April 28, 1989, to amendment S—3988.

Senator Running moved the adoption of amendment S—3988 as amended, which motion prevailed by a voice vote.

Senator Sturgeon offered amendment S—4027 filed by Senators Sturgeon, et al., from the floor to pages 8 and 20 of the bill and called for a division of the amendment: lines 3 and 4 as division S—4027A; lines 5 through 14 as division S—4027B.

Senator Sturgeon moved the adoption of division S—4027A.

A record roll call was requested.

On the question "Shall division S—4027A be adopted?" (H.F. 779) the vote was:

Ayes, 23:

Bruner	Carr	Corning	Deluhery
Dieleman	Gettings	Gronstal	Hannon
Horn	Kibbie	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Riordan	Scott	Sturgeon	Szymoniak
Tinsman	Varn	Welsh	

Nays, 27:

Boswell	Coleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Husak	Hutchins	Jensen	Kinley
Nystrom	Pate	Peterson	Priebe
Rensink	Rife	Running	Soorholtz
Taylor	Tieden	Vande Hoef	

Division S—4027A lost.

Senator Sturgeon asked and received unanimous consent to withdraw division S—4027B.

Senator Hultman offered amendment S—3997 filed by Senators Welsh and Hultman on April 28, 1989, to page 16 of the bill.

Senator Lind offered amendment S—4034 filed by him from the floor to amendment S—3997 and moved its adoption.

Amendment S—4034 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—3997 as amended, which motion prevailed by a voice vote.

Senator Running moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 779) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hagerla	Hedge
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kibbie	Kinley

Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Priebe	Rensink	Rife
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Taylor	Tieden
Tinsman	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Coleman Hannon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 186, 521 and House File 779** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 24, 1989)

Senate File 220

The Senate resumed consideration of Senate File 220, a bill for an act relating to the unclaimed winnings from and the taxes imposed on pari-mutuel wagering at racetracks in the state and providing applicability and effective dates, and amendment S—3871 as amended by Senator Priebe to strike everything after the enacting clause and to the title page of the bill, deferred April 24, 1989.

Senator Gronstal withdrew the motion to reconsider the vote by which amendment S—3876 to amendment S—3871 to Senate File 220 was adopted by the Senate on April 24, 1989, filed by him on April 24, 1989, found on page 1638 of the Senate Journal.

Senator Hultman called up the motion to reconsider the vote by which amendment S—3880 to amendment S—3871 to Senate File 220 was adopted by the Senate on April 24, 1989, filed by

him on April 24, 1989, found on page 1638 of the Senate Journal, moved its adoption and requested a record roll call.

On the question "Shall the motion to reconsider be adopted?" (S.F. 220) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Corning	Deluhery	Drake	Fraise
Gentleman	Gettings	Goodwin	Hagerla
Hedge	Hester	Horn	Hultman
Hutchins	Jensen	Kibbie	Lind
Murphy	Nystrom	Pate	Rensink
Szymoniak	Taylor	Tinsman	Vande Hoef
Welsh			

Nays, 24:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Fuhrman	Gronstal
Hannon	Husak	Kinley	Lloyd-Jones
Mann	Miller	Palmer	Peterson
Priebe	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Varn

Absent or not voting, 1:

Tieden

The motion prevailed and amendment S—3880 by Senator Dieleman to page 2 of amendment S—3871 was taken up for reconsideration.

Senator Gronstal asked and received unanimous consent that action on amendment S—3880 to amendment S—3871, amendment S—3871 and **Senate File 220** be deferred.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1989, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 403, a bill for an act relating to child support awards by requiring the application of uniform support guidelines by the courts and the department of human services and providing an effective date.

House File 496, a bill for an act relating to credit services organizations, by requiring their registration, imposing regulation, and providing penalties.

ALSO: That the House has on April 27, 1989, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 573, a bill for an act relating to city and county civil service, by providing for meetings of civil service commissions, by providing for civil service medical examinations, and by providing an effective date.

ALSO: That the House has on May 1, 1989, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 450, a bill for an act relating to educational standards, including flexible scheduling within a school year, waivers of student participation in physical education if the school has flexible scheduling and the student is participating on an athletic team, and making technical changes.

ALSO: That the House has on May 1, 1989, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 774, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state, and providing effective dates.

ALSO: That the members of the **conference committee**, appointed May 1, 1989, on **Senate File 157**, a bill for an act relating to driving privileges of fourteen-year-old drivers, permitting attendance at approved driver education courses, requiring completion of driver education before issuance of a school license, and removing time limits on use of a school license, are: The Representative from Palo Alto, Mr. Fogarty, Chair; the Representative from Dickinson, Mrs. Gruhn, the Representative from Louisa, Mr. Shearer, the Representative from Clarke, Mr. Beaman, and the Representative from Page, Mr. Royer.

ALSO: That the House has on May 1, 1989, **insisted on** its amendments to **Senate File 524**, a bill for an act relating to funding available for roads including appropriations of moneys to the affected jurisdictions, and the members of the **conference committee**, on the part of the House, are: The Representative from Dubuque, Mr. Connolly, Chair; the Representative from Mitchell, Mr. Koenigs, the Representative from Crawford, Mr. Muhlbauer, the Representative from Henry, Mr. Spenner, and the Representative from Lyon, Mr. DeGroot.

HOUSE AMENDMENT CONSIDERED

Senate File 532

Senator Welsh called up for consideration Senate File 532, a bill for an act relating to the compensation and benefits for legislators, and other public officials and employees by specifying salary levels, by providing adjustments for salaries, by specifying properly related matters, by making appropriations, and by specifying effective dates for certain provisions, amended by the House in House amendment S—4019 filed May 1, 1989.

Senator Welsh offered amendment S—4032 filed by Senators Welsh and Hutchins from the floor to House amendment S—4019 and moved its adoption.

Amendment S—4032 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that action on House amendment S—4019 as amended and **Senate File 532** be **deferred**.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 98

Senator Kinley called up for consideration House File 98, a bill for an act relating to the establishment of bank offices within a municipal corporation or urban complex in which the principal place of business of the bank is located, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4022 to Senate amendment H—4141 filed May 1, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Kinley moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 98) the vote was:

Ayes, 31:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Horn
Hultman	Kibbie	Kinley	Lind
Lloyd-Jones	Mann	Miller	Nystrom
Palmer	Pate	Peterson	Running
Soorholtz	Szymoniak	Taylor	Tinsman
Vande Hoef	Varn	Welsh	

Nays, 12:

Doyle	Fuhrman	Hagerla	Hannon
Hedge	Hester	Jensen	Murphy
Rensink	Rife	Scott	Tieden

Absent or not voting, 7:

Boswell	Coleman	Husak	Hutchins
Priebe	Riordan	Sturgeon	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Lloyd-Jones asked and received unanimous consent to take up out of order Senate Concurrent Resolution 23.

Senate Concurrent Resolution 23

On motion of Senator Deluhery, Senate Concurrent Resolution 23, a concurrent resolution to urge and petition the Postmaster General of the United States to issue a first-class commemorative postage stamp in honor of the Grant Wood centennial, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved the adoption of Senate Concurrent Resolution 23, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred April 11, 1989)

House File 739

The Senate resumed consideration of House File 739, a bill for an act regarding the application process for federal airport funds and mandating that governmental subdivisions, commissions, and authorities submit the applications to the state department of transportation for approval, deferred April 11, 1989.

Senator Pate offered amendment S—3683 filed by Senators Pate, et al., on April 12, 1989, to page 1 and the title page of the bill.

Senator Pate offered amendment S—3700 filed by Senators Pate and Lloyd-Jones on April 13, 1989, to amendment S—3683 and moved its adoption.

Amendment S—3700 was adopted by a voice vote.

Senator Welsh raised the point of order that amendment S—3683 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3683 as amended in order.

Senator Pate moved the adoption of amendment S—3683 as amended, which motion prevailed by a voice vote.

Senator Welsh asked and received unanimous consent that action on **House File 739** be deferred.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 502, House File 98** and **Senate Concurrent Resolution 23** be immediately messaged to the House.

BUSINESS PENDING

Senate File 532

The Senate resumed consideration of Senate File 532, a bill for an act relating to the compensation and benefits for legislators, and other public officials and employees by specifying salary levels, by providing adjustments for salaries, by specifying properly related matters, by making appropriations, and by specifying effective dates for certain provisions, and House amendment S—4019 as amended, previously deferred.

Senator Welsh offered amendment S—4041 filed by him from the floor to House amendment S—4019 and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 37, nays 11.

Amendment S—4041 was adopted.

Senator Welsh moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 532) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kibbie
Kinley	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Riordan	Soorholtz
Szymoniak	Tinsman	Varn	Welsh

Nays, 18:

Drake	Fuhrman	Gentleman	Goodwin
Hagerla	Hedge	Hester	Hultman
Jensen	Lind	Pate	Rife
Running	Scott	Sturgeon	Taylor
Tieden	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 532** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 517

The Senate resumed consideration of Senate File 517, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date, and House amendment S—4015 as amended, previously deferred.

Senator Nystrom offered amendment S—4040 filed by Senators Nystrom and Gronstal from the floor to House amendment S—4015 and moved its adoption.

Amendment S—4040 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that action on House amendment S—4015 as amended and **Senate File 517** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 153

Senator Kibbie called up for consideration Senate File 153, a bill for an act relating to the department of inspections and appeals by providing for income tax refund and rebate setoff procedures by the investigations division, and exempting certain nonprofit intermediate care facilities from the sales, service, and use tax, amended by the House, and moved that the Senate concur in House amendment S—3981 filed April 28, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Kibbie moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 153) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hagerla
Hannon	Hedge	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Pate	Peterson	Priebe
Rensink	Rife	Riordan	Running
Scott	Soorholtz	Sturgeon	Szymoniak
Taylor	Tieden	Tinsman	Vande Hoef
Varn	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Sturgeon called up the motion to reconsider Senate File 31 filed by him on April 26, 1989, found on page 1682 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 31) the vote was:

Ayes, 29:

Bruner	Carr	Corning	Deluhery
Gentleman	Goodwin	Gronstal	Hannon
Horn	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Murphy	Nystrom	Palmer	Pate
Peterson	Riordan	Running	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 21:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Priebe	Rensink
Rife	Scott	Taylor	Tieden
Vande Hoef			

The motion prevailed.

Senator Sturgeon moved to reconsider the vote by which Senate File 31 went to its last reading, which motion prevailed by a voice vote.

Senate File 31

On motion of Senator Sturgeon, Senate File 31, a bill for an act relating to the violation of a law or rule of a health care facility and providing penalties, was taken up for reconsideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 31) the vote was:

Ayes, 28:

Bruner	Carr	Corning	Deluhery
Gentleman	Goodwin	Gronstal	Hannon
Horn	Hutchins	Kibbie	Kinley
Lind	Lloyd-Jones	Mann	Miller
Nystrom	Palmer	Pate	Peterson
Riordan	Running	Soorholtz	Sturgeon
Szymoniak	Tinsman	Varn	Welsh

Nays, 21:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Hagerla	Hedge	Hester	Hultman
Husak	Jensen	Priebe	Rensink
Rife	Scott	Taylor	Tieden
Vande Hoef			

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 524** on the part of the Senate: Senators Gettings, Chair; Szymoniak, Coleman, Jensen and Drake.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate Files 153 and 31** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 520

Senator Boswell called up for consideration Senate File 520, a bill for an act relating to and making appropriations to the department of economic development, amended by the House in House amendment S—4020 filed May 1, 1989.

Senator Welsh withdrew amendment S—4033 filed by him from the floor to House amendment S—4020.

Senator Welsh offered amendment S—4043 filed by him from the floor to House amendment S—4020 and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 21.

Amendment S—4043 was adopted.

Senator Boswell moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Boswell moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 520) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hagerla	Hannon	Hedge	Hester
Horn	Hultman	Husak	Hutchins
Kibbie	Kinley	Lloyd-Jones	Miller
Nystrom	Palmer	Pate	Peterson
Priebe	Rensink	Riordan	Running
Scott	Soorholtz	Szymoniak	Taylor
Tieden	Tinsman	Vande Hoef	Varn
Welsh			

Nays, 9:

Bruner	Drake	Gronstal	Jensen
Lind	Mann	Murphy	Rife
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 774

Senator Varn called up for consideration House File 774, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state, and providing effective dates, amended by the Senate, and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate insisted on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 774 on the part of the Senate: Senators Varn, Chair; Welsh, Murphy, Rensink and Tieden.

HOUSE AMENDMENT CONSIDERED

Senate File 531

Senator Gettings called up for consideration Senate File 531, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund, state aviation fund, and abstract fee fund, providing for an exemption from reversion for certain funds, extending the effective period of the temporary authority for the operation of certain commercial vehicles, mandating reports of certain agency purchases, requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, and providing effective dates and retroactive application, amended by the House in House amendment S—4024 filed May 1, 1989.

Senator Welsh withdrew amendment S—4035 filed by him from the floor to House amendment S—4024.

Senator Gettings moved that the Senate concur in the House amendment.

A non record roll call was requested.

The ayes were 17, nays 29.

The motion lost and the Senate **refused to concur** in the House amendment.

BUSINESS PENDING

Senate File 517

The Senate resumed consideration of Senate File 517, a bill for an act relating to and making appropriations to various state agencies including certain state elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management, appropriating certain membership fees, restricting the expenditure of moneys from the disaster aid contingent fund, revising provisions relating to life cycle cost analyses of public facilities, transferring moneys in the Iowa economic emergency fund to the general fund of the state, and providing an effective date, and House amendment S—4015 as amended, previously deferred.

Senator Lind offered amendment S—4042 filed by him from the floor to House amendment S—4015.

President pro tempore Mann took the chair at 6:48 p.m.

Senator Lind moved the adoption of amendment S—4042 to House amendment S—4015, which motion lost by a voice vote.

Senator Gronstal moved that the Senate concur in the House amendment as amended, which motion prevailed by a voice vote.

Senator Gronstal moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 517) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kibbie	Kinley	Lloyd-Jones
Mann	Miller	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 13:

Drake	Fuhrman	Goodwin	Hagerla
Hedge	Hultman	Jensen	Lind
Pate	Rife	Taylor	Tieden
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **House File 774** and **Senate Files 531** and **517** be **immediately messaged** to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 520

Senator Boswell withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 520 passed the Senate on May 1, 1989.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 373

Senator Riordan called up for consideration House File 373, a bill for an act relating to the registration, regulation, and

inspection of swimming pools and spas, and providing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3899 to Senate amendment H—4131 filed April 25, 1989.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Riordan moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 373) the vote was:

Ayes, 38:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hannon
Hedge	Horn	Hutchins	Jensen
Kibbie	Kinley	Lind	Lloyd-Jones
Mann	Miller	Murphy	Palmer
Pate	Peterson	Priebe	Rensink
Riordan	Running	Scott	Soorholtz
Sturgeon	Szymoniak	Tieden	Tinsman
Varn	Welsh		

Nays, 12:

Boswell	Drake	Fuhrman	Gentleman
Hagerla	Hester	Hultman	Husak
Nystrom	Rife	Taylor	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senate File 520

Senator Welsh withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 520 passed the Senate on May 1, 1989.

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 520 passed the Senate on May 1, 1989.

IMMEDIATELY MESSAGED

Senator Lloyd-Jones asked and received unanimous consent that **Senate File 520** and **House File 373** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 1989, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 490, a bill for an act relating to the department of inspections and appeals, revising provisions governing the structure and allocation of duties within the department, changing the structure for racing and gaming regulation, providing changes in certain statutory requirements relating to bingo and other games and raffles, revising the responsibilities of the department, and providing other properly related matters (S—4044 to H—4045).

ALSO: That the House has on May 1, 1989, passed the following bill in which the concurrence of the Senate is asked:

House File 781, a bill for an act relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters.

This bill was read first time and **passed on file**.

APPENDIX

PETITION

The following petition was presented and placed on file by:

Senator Scott from thirty-five residents of Mitchell County opposing legislation increasing any tax on beer, wine or soft drinks.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 778, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship, to the department of natural resources, to an environmental fund, providing for environmental protection, and the control of certain vegetation, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4045.

Final Vote: Ayes, 20: Welsh, Boswell, Tieden, Bruner, Corning, Fraise, Gettings, Goodwin, Gronstal, Husak, Lind, Lloyd-Jones, Pate, Peterson, Rensink, Riordan, Running, Sturgeon, Tinsman and Varn. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 751, a bill for an act relating to the remittance of the local option tax to local governments.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Dieleman, Hester, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 3: Husak, Bruner and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 769, a bill for an act creating an Iowa resources enhancement and protection fund, providing for the allocation of fund revenue and making appropriations, authorizing a state-sponsored credit card, providing

for properly related matters, subjecting violators to penalties, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4029.

Final Vote: Ayes, 13: Dieleman, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Murphy, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Husak and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 770, a bill for an act relating to the sales and use tax and providing an exemption from taxation for consumer rental purchases.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Hester, Bruner, Drake, Fraise, Fuhrman, Gentleman, Hultman, Kibbie, Palmer, Riordan, Soorholtz and Szymoniak. Nays, none. Absent or not voting, 2: Husak and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 16

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Resolution 18

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 29

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 30

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

Senate Concurrent Resolution 31

RULES AND ADMINISTRATION: Lloyd-Jones, Chair; Hultman and Hutchins

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3876 to Senate File 220 was adopted by the Senate on April 24, 1989.

CALVIN HULTMAN

AMENDMENTS FILED

S—4028	H.F.	780	Donald V. Doyle
S—4029	H.F.	769	Ways and Means
S—4030	S. C. R.	15	Joy Corning Bob Carr Larry Murphy Calvin Hultman
S—4031	H.F.	690	Julia Gentleman Tom Mann, Jr. Donald Doyle
S—4032	S. F.	532	Joe Welsh Bill Hutchins
S—4033	S. F.	520	Joe Welsh
S—4034	H.F.	779	Jim Lind
S—4035	S. F.	531	Joe Welsh
S—4036	H.F.	690	Tom Mann, Jr.
S—4037	H.F.	769	John Kibbie John Soorholtz
S—4038	S. F.	220	Al Sturgeon
S—4039	S. F.	220	Al Sturgeon
S—4040	S. F.	517	Jack Nystrom Michael Gronstal
S—4041	S. F.	532	Joe Welsh
S—4042	S. F.	517	Jim Lind
S—4043	S. F.	520	Joe Welsh
S—4044	H.F.	490	House amendment
S—4045	H.F.	778	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:04 p.m., until 9:00 a.m., Tuesday, May 2, 1989.