

State of Iowa

1993

JOURNAL OF THE SENATE

1993

REGULAR SESSION
SEVENTY-FIFTH
GENERAL ASSEMBLY

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Volume I
January 11 - April 21

LEONARD L. BOSWELL, President of the Senate
HAROLD G. VAN MAANEN, Speaker of the House

Published by the
STATE OF IOWA
Des Moines

SEVENTY-FIFTH GENERAL ASSEMBLY

1993 Regular Session

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WILLIAM D. PALMER, <i>President Pro Tempore</i>	Des Moines
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VICKI DAVIS, <i>Executive Sec'y to Minority Leader</i>	Des Moines
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ROBERT LANGBEHN, <i>Doorkeeper</i>	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i>	Des Moines
ANNIE ANTOLIK, <i>Switchboard Operator</i>	Iowa City
JEAN MURRAY, <i>Switchboard Operator</i>	Iowa City
ELEANOR HESSLING, <i>Postmaster</i>	Altoona

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

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

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

JUSTICES OF THE IOWA SUPREME COURT

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

IOWA COURT OF APPEALS JUDGES

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

**MEMBERS OF THE SENATE
SEVENTY-FIFTH GENERAL ASSEMBLY
1993 REGULAR SESSION**

BRAD BANKS

Address Westfield
 Age 40
 Occupation Farmer
 Senatorial District 2—Plymouth, Woodbury
 Former Legislative Service 73, 74, 74X, 74XX

MERLIN E. BARTZ

Address Grafton
 Age 31
 Occupation Farmer/Laborer
 Senatorial District 10—Worth, Cerro Gordo, Mitchell
 Former Legislative Service 74, 74X, 74XX

WAYNE D. BENNETT

Address Ida Grove
 Age 65
 Occupation Farmer
 Senatorial District 6—Ida, Crawford, Monona, Sac, Woodbury
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

TONY BISIGNANO

Address Des Moines
 Age 40
 Occupation Project Specialist, Polk Co. Bd. of Supervisors
 Senatorial District 34—Polk
 Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX

ALLEN BORLAUG

Address Protivin
 Age 51
 Occupation Farm Owner/Insurance Agent
 Senatorial District 15—Chickasaw, Floyd, Howard, Mitchell, Winneshiek
 Former Legislative Service 74, 74X, 74XX

LEONARD L. BOSWELL

Address Davis City
 Age 59
 Occupation Farmer/Small Businessman
 Senatorial District 45—Decatur, Page, Ringgold, Taylor, Union
 Former Legislative Service 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

FLORENCE BUHR

Address Des Moines
 Age 59
 Senatorial District 35—Polk
 Former Legislative Service 71, 72, 73, 74, 74X, 74XX

MIKE CONNOLLY

Address Dubuque
Age 47
Occupation Teacher/Legislator
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

PATRICK J. DELUHERY

Address Davenport
Age 50
Occupation College Teacher/Insurance Sales Rep.
Senatorial District 22—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

WM. W. (BILL) DIELEMAN

Address Sully
Age 61
Occupation Weekly Newspaper Publisher
Senatorial District 29—Jasper, Mahaska, Marshall, Poweshiek
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

RICHARD F. DRAKE

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

BILL FINK

Address Carlisle
Age 37
Occupation School Teacher
Senatorial District 45—Warren, Marion
Former Legislative Service none

EUGENE S. FRAISE

Address Fort Madison
Age 60
Occupation Farmer/Legislator
Senatorial District 50—Lee, Des Moines
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX

LINN FUHRMAN

Address Aurelia
Age 48
Occupation Farmer
Senatorial District 5—Buena Vista, Cherokee, Clay, O'Brien, Plymouth, Pocahontas
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX

MEMBERS OF THE SENATE—75th GENERAL ASSEMBLY
1993 REGULAR SESSION—Continued

DONALD E. GETTINGS

Address Ottumwa
Age 69
Occupation Retired—Deere & Co.
Senatorial District 47—Wapello, Jefferson, Van Buren
Former Legislative Service 67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

RANDAL J. GIANNETTO

Address Marshalltown
Age 35
Occupation Attorney
Senatorial District 32—Marshall, Story
Former Legislative Service none

MICHAEL E. GRONSTAL

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

H. KAY HEDGE

Address Fremont
Age 64
Occupation Farmer
Senatorial District 48—Mahaska, Keokuk, Marion, Wapello, Washington
Former Legislative Service 73, 74, 74X, 74XX

JACK W. HESTER

Address Honey Creek
Age 63
Occupation Retired farmer/legislator
Senatorial District 41—Pottawattamie, Audubon, Harrison, Shelby
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

WALLY E. HORN

Address Cedar Rapids
Age 59
Occupation Teacher/Education
Senatorial District 27—Linn
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

EMIL J. HUSAK

Address Toledo
Age 62
Occupation Farmer
Senatorial District 30—Tama, Benton, Black Hawk, Iowa
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

JOHN W. JENSEN

Address Plainfield
Age 66
Occupation Farmer
Senatorial District 11—~~Bremer~~, Black Hawk, Butler, Grundy
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

PATTY JUDGE

Address Albia
Age 49
Occupation Mediator
Senatorial District 46—~~Monroe~~, Appanoose, Clarke, Davis, Lucas, Van Buren, Wayne
Former Legislative Service none

JAMES B. KERSTEN

Address Fort Dodge
Age 32
Occupation Financial Investment Officer
Senatorial District 7—~~Webster~~, Boone, Calhoun, Hamilton
Former Legislative Service 74, 74X, 74XX

JOHN P. KIBBIE

Address Emmetsburg
Age 63
Occupation Farmer
Senatorial District 4—~~Palo Alto~~, Clay, Dickinson, Emmet, Kossuth
Former Legislative Service 59, 60, 60X, 61, 62, 73, 74, 74X, 74XX

MARY E. KRAMER

Address West Des Moines
Age 57
Occupation Vice Pres.-Hum. Res., Blue Cross/Blue Shield
Senatorial District 37—Polk
Former Legislative Service 74, 74X, 74XX

JIM LIND

Address Waterloo
Age 37
Occupation Service Station Owner/Operator
Senatorial District 13—Black Hawk
Former Legislature Service 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX

JEAN LLOYD-JONES

Address Iowa City
Age 63
Occupation Legislator
Senatorial District 23—Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

x MEMBERS OF THE SENATE—75th GENERAL ASSEMBLY
1993 REGULAR SESSION—Continued

O. GENE MADDOX

Address Clive
Age 54
Occupation Attorney
Senatorial District 38—Polk, Dallas
Former Legislative Service none

ANDY McKEAN

Address Anamosa
Age 43
Occupation Lawyer
Senatorial District 28—Jones, Linn
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

DERRYL McLAREN

Address Farragut
Age 43
Occupation Farmer
Senatorial District 43—Fremont, Cass, Mills, Montgomery, Pottawattamie
Former Legislative Service 74, 74X, 74XX

LARRY MURPHY

Address Oelwein
Age 40
Occupation Adjunct College Instructor
Senatorial District 14—Fayette, Black Hawk, Buchanan, Delaware
Former Legislative Service 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

WILLIAM D. PALMER

Address Des Moines
Age 57
Occupation Sales/Insurance
Senatorial District 33—Polk
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

PAUL D. PATE

Address Marion
Age 34
Occupation President/CEO-PM Systems Corp.
Senatorial District 26—Linn
Former Legislative Service 73, 74, 74X, 74XX

BERL E. PRIEBE

Address Algona
Age 74
Occupation Farmer
Senatorial District 8—Kossuth, Hancock, Humboldt, Winnebago, Wright
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

WILMER RENSINK

AddressSioux Center
Age59
OccupationFarmer
Senatorial District3—Sioux, Lyon, O'Brien, Osceola
Former Legislative Service70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

JACK RIFE

AddressDurant
Age49
OccupationFarmer
Senatorial District20—Cedar, Clinton, Jones, Scott
Former Legislative Service70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

JAMES R. RIORDAN

AddressWaukee
Age43
Senatorial District39—Dallas, Adair, Guthrie, Madison
Former Legislative Service71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX

SHELDON RITTMER

AddressDeWitt
Age64
OccupationFarmer
Senatorial District19—Clinton, Cedar
Former Legislative Service74, 74X, 74XX

RALPH ROSENBERG

AddressAmes
Age43
OccupationAttorney
Senatorial District31—Story
Former Legislative Service69 (2nd), 70, 71, 72, 73, 74, 74X, 74XX

HARRY SLIFE

AddressCedar Falls
Age69
OccupationRetired
Senatorial District12—Black Hawk
Former Legislative Service74, 74X, 74XX

ALBERT G. SORENSEN

AddressBoone
Age61
OccupationOwner/Operator Bed & Breakfast/Consultant
Senatorial District40—Boone, Carroll, Greene
Former Legislative Service74 (2nd), 74X, 74XX

xii MEMBERS OF THE SENATE—75th GENERAL ASSEMBLY
1993 REGULAR SESSION—Continued

AL STURGEON

Address.....Sioux City
Age.....36
Occupation.....Legislator/Lawyer
Senatorial District.....1—Woodbury
Former Legislative Service.....69, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

ELAINE SZYMONIAK

Address.....Des Moines
Age.....72
Occupation.....Retired
Senatorial District.....36—Polk
Former Legislative Service.....73, 74, 74X, 74XX

RAY TAYLOR

Address.....Steamboat Rock
Age.....69
Occupation.....Farm Business
Senatorial District.....9—Hardin, Franklin, Hamilton, Wright
Former Legislative Service.....65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

MAGGIE TINSMAN

Address.....Davenport
Age.....56
Occupation.....Legislator
Senatorial District.....21—Scott
Former Legislative Service.....73, 74, 74X, 74XX

RICHARD J. VARN

Address.....Solon
Age.....34
Occupation.....Lawyer, Exec. Dir., Construction Alliance
Senatorial District.....25—Johnson, Linn
Former Legislative Service.....70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

TOM VILSACK

Address.....Mt. Pleasant
Age.....41
Occupation.....Lawyer
Senatorial District.....49—Henry, Des Moines, Lee, Washington
Former Legislative Service.....none

JOE J. WELSH

Address.....Dubuque
Age.....37
Occupation.....Businessman
Senatorial District.....17—Dubuque, Delaware, Jackson
Former Legislative Service.....68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX

LYLE E. ZIEMAN

Address Postville
Age 71
Occupation Retired Farmer
Senatorial District 16—Allamakee, Clayton, Fayette, Winneshiek
Former Legislative Service none

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 11, 1993

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1993 Regular Session of the Seventy-fifth General Assembly convened at 10:05 a.m., and the Senate was called to order by President Michael Gronstal.

Prayer was offered by Dr. Dale E. Luffman, State President of the Lamoni RLDS Church, Lamoni, Iowa.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Gronstal addressed the Senate with the following remarks:

As we begin this session, I just have a few closing remarks in my presidency. I would like to say to all of you I have enjoyed the last year immensely and I learned a whole lot. Eleven months ago I asked all of you for your help in accomplishing the goals of the seventy-fourth General Assembly and I appreciate the fact that I got all your help, support and assistance. We had a successful although difficult year last year but I feel we came out of it pretty well. I think the people of Iowa benefited by the solutions that we drafted and I could not have performed my role without the support and assistance out of all of you so I thank you for the last year. It was a very enjoyable year and now on with the next year.

REMARKS BY THE MAJORITY LEADER

Senator Horn addressed the Senate as follows:

Mr. President, fellow Senators, staff, and guests:

I welcome you all to the beginning of a new General Assembly and a new Senate. I'm still new enough in the job of Majority Leader to be a little nervous and excited about getting underway, but with the great experience and knowledge we have among both members and staff, I am confident that things will turn out fine.

Let me start with a few words about how I intend to operate as your leader, and then about my view of what Iowans need us to do this year.

As your majority leader, I will respect and protect this institution and the rights of all who serve in it. I am proud to serve here, and I do not appreciate attacks on this institution or the honorable and well-intentioned people who serve in it. Our system is not perfect--nor are any of us--but I expect us all to treat the Senate and its members with respect, in both our words and our actions.

I intend to rely on the committee system and the rules and precedents established over the years for guidance in how we proceed with our work. Quite frankly, I do not have all the answers to questions of state policy. I intend to rely on group discussion and problem-solving. That method usually produces the best and most acceptable solutions in the end.

One other thing--as your Majority Leader, I believe it is important that I let you know--senators, staff, pages, and all--that I appreciate your efforts to make this system work. I also know that from time to time you may have concerns, either personal or professional, that impact on what you do here. I want you to feel free to approach me any time. You will find me a good listener, and we can help one another in the process.

Now I want to turn for a moment to the issues we face in our deliberations this year.

Everywhere I go in the state, I am struck by the concerns Iowans share with me. Urban or rural, young or old, men or women--certain worries repeatedly come up. Basically, it boils down to this--Iowans are concerned about the future--regardless of whether things are good or bad for them right now.

I've talked with people in Seymour who worry about the number of jobs in their area... industrial workers in Cedar Rapids who look ahead to "concessions" which will cut their established wages and benefits... relatively prosperous families in suburban Des Moines who are concerned about the resources it will take to support their parents in later years in addition to their own children... older Iowans in Laurens who are already having difficulties with access to specialized health care services... and young people in Marshalltown who wonder if their education will be enough to get by in tomorrow's world.

My conclusion is this--we must make every effort to build Iowans' confidence in the future. That means we must first seriously consider every idea with merit that leads to jobs and economic growth for Iowa. Clearly, what has happened up to now isn't enough. Good jobs... stable jobs... safe jobs... jobs in both urban and rural areas--this is what we need. Let's keep open minds, and look for new and better ways to strengthen Iowa's job market.

Second, we have got to do whatever possible, working with the federal government, to control costs and provide access to health care. We must help make Iowans secure in the knowledge that basic health care services will be available to them now, and in the future, regardless of changing circumstances in their lives.

Third, we must make sure our education system stays up to date with the changes in the world around us. If we are to have a growing economy that sustains our state, we must have citizens who are knowledgeable, literate, and technically proficient. If we neglect this important asset, it will harm us in the long-term.

And finally, to build confidence in the future, we must do our jobs well, and acknowledge not only concerns or failures, but also successes around us. We must provide reasonable policy direction for the state, including a balanced budget. We must work with all branches of local, state and federal government to find cooperative solutions to problems, and to provide appropriate oversight of government services. We must use our voices not only to criticize, but to point out progress. Iowans will not gain confidence in their future if all they hear from their leaders is bickering about politics or divisive issues. They will gain confidence if they hear us spending our time on the key issues I've mentioned--jobs, health care, and education, and making some progress there.

It's an honor to serve as your Majority Leader. I appreciate the privilege, and I look forward to working with you this year. Thank you.

REMARKS BY THE MINORITY LEADER

Senator Rife addressed the Senate as follows:

With the opening of this 75th General Assembly, I want to welcome you all to the Iowa Senate. I hope that all of you -- Members, staff, pages and spectators -- will find this to be a very productive two years.

The 1993 session of the 75th General Assembly will be a learning experience for all of us. For most of us, it is the first time that the two houses of the Iowa Legislature have been split between the Republicans and Democrats. In my mind, this will enable Iowa to best see democracy at work.

As the Senate Minority Leader, I am looking forward to working with the House & Senate Majority Leaders. It is by working together to make decisions that will best benefit the citizens and taxpayers of Iowa.

One of my goal's for this session will be to continue down the road of fiscal responsibility and to hold the line on state government spending. The citizens of Iowa should not have to toe the line on the state's escalating spending through increased fees and/or taxes. We already have one of the highest tax rates in the United States and the people here deserve a break.

This session is going to be very pivotal for the Iowans in terms of revenue generated for the state through taxes and/or fees. There is an urgent need for more cooperation between the House and Senate than ever before. As I have said, with the House of Representatives being controlled by the Republicans and the Iowa Senate being controlled by the Democrats, productive and meaningful

negotiations during the budget process are essential. Full cooperation between both houses is needed in order to pass a budget that is agreed upon by all and fair to the taxpayers of Iowa.

During 1992, we made the commitment to have the state's budget balanced according to GAAP by July 1, 1995. Sticking to this pledge will involve very hard work on the part of the Legislature. It will also mean we have to resist the urge to return to business as usual and spend money on new or expanded programs for fiscal year 1994.

Balancing a budget is not easy. It is going to take cooperation from all of us to make sure that our citizens are treated fairly. Afterall, what we end up doing here not only affects our paychecks, but theirs as well.

This is going to be a very exciting year for all of us. Through hard work and commitment we can accomplish positive results for all who live in Iowa.

I look forward to working with all of you and wish you the best for 1993 and the 75th General Assembly.

TEMPORARY SECRETARY

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

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

Senator Horn 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 Varn, Chair, Buhr, Gettings, Slife and McKean.

The Senate stood at ease at 10:24 a.m. until the fall of the gavel.

The Senate resumed session at 10:34 a.m., President Gronstal presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. 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, subject to the decision of a contest in District 14, duly elected to and entitled to seats in the Senate for the 1993 session of the Seventy-fifth General Assembly.

RICHARD J. VARN, Chair
 FLORENCE BUHR
 DON E. GETTINGS
 HARRY SLIFE
 ANDY McKEAN

CERTIFICATION—STATE OF IOWA OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, Elaine Baxter, Secretary of the State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 3, 1992, 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, 1993:

Districts

Second	Brad Banks
Third	Wilmer Rensink
Fourth	John P. Kibbie
Sixth	Wayne D. Bennett
Eighth	Berl E. Priebe
Tenth	Merlin E. Bartz
Twelfth	Harry Slife
Fourteenth	Larry Murphy
Sixteenth	Lyle E. Zieman
Eighteenth	Mike Connolly
Twentieth	Jack Rife
Twenty-first	Maggie Tinsman
Twenty-second	Patrick J. Deluhery
Twenty-fourth	Richard F. Drake
Twenty-sixth	Paul Danny Pate
Twenty-seventh	Wally E. Horn
Twenty-eighth	Andy McKean

Thirtieth	Emil J. Husak
Thirty-second	Randal John Giannetto
Thirty-fourth	Tony Bisignano
Thirty-sixth	Elaine Szymoniak
Thirty-seventh	Mary E. Kramer
Thirty-eighth	O. Gene Maddox
Fortieth	Albert G. Sorensen
Forty-first	Jack W. Hester
Forty-second	Michael E. Gronstal
Forty-fourth	Leonard L. Boswell
Forty-fifth	Bill Fink
Forty-sixth	Patty Judge
Forty-eighth	H. Kay Hedge
Forty-ninth	Tom Vilsack
Fiftieth	Eugene S. Fraise

I FURTHER CERTIFY, that the State Canvassing Board has declared that at the General Election held on November 6, 1990, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1991.

Districts

First	Al Sturgeon
Fifth	Linn Fuhrman
Seventh	Jim Kersten
Ninth	Ray Taylor
Eleventh	John W. Jensen
Thirteenth	Jim Lind
Fifteenth	Allen Borlaug
Seventeenth	Joe Welsh
Nineteenth	Sheldon Rittmer
Twenty-third	Jean Lloyd-Jones
Twenty-fifth	Richard Varn
Twenty-ninth	William Dieleman
Thirty-first	Ralph Rosenberg
Thirty-third	Bill Palmer
Thirty-fifth	Florence Buhr
Thirty-ninth	Jim Riordan
Forty-third	Derryl McLaren
Forty-seventh	Don Gettings

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 23rd Day of December, 1991.

(SEAL)

ELAINE BAXTER, Secretary of State

I hereby acknowledge receipt of the original copy of this document on January 8, 1993.

JOHN F. DWYER
Secretary of the Senate

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

ELECTION OF PRESIDENT

Senator Horn placed in nomination the name of Senator Leonard L. Boswell of Decatur County as a candidate for the office of President of the Senate for the Seventy-fifth General Assembly.

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

The Chair announced that Senator Boswell has been elected President of the Senate of the Seventy-fifth General Assembly.

President Gronstal requested Senators Fraise, Bisignano and Rittmer to escort Senator Boswell to the rostrum.

Senator Boswell appeared, took the oath of office by Chief Justice Arthur McGiverin, was congratulated and presented the gavel by President Gronstal.

Senator Boswell addressed the Senate as follows:

Thank you Mr. Chief Justice, Majority Leader, Senator Horn, Minority Leader, Senator Rife, fellow Senators and honored guests.

I would like to recognize, the most special person in my life, my wife Dody.

I want to welcome you as we begin the 75th General Assembly of Iowa. The General Assembly, especially the Iowa Senate, is steeped in tradition. It is an honor for each of us to serve and represent our fellow Iowans in this chamber.

The role of the Senate President has changed a great deal over the years. Until recently, the Lieutenant Governor presided over the Senate. Beginning with the 74th General Assembly, a member of the Senate has served as our Presiding Officer. I am honored to have this opportunity and will take my responsibilities as President of the Senate very seriously.

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

It is important to me that all of my colleagues, in both political parties, understand that I will give my best effort to be fair, concise and consistent in each ruling before the chair. I know that I am new to this job and have many things to learn. I have been reviewing the rules and procedures of the Senate. I intend to learn quickly, and I will preside in the Senate tradition of bipartisanship.

We face a number of challenges this session. We have worked hard the past couple of years to address our budget problems. We passed landmark budget reform and spending limitations last session; now we must conform to it. I believe we are on track to put state government on a sound financial footing.

The people of Iowa expect a great deal from us, and they should. We cannot continue with business as usual. I want to challenge each of us to look at government differently. We must be bold, imaginative and unafraid to find new solutions to our problems and provide superior methods to deliver needed services to Iowans.

For me, and I believe all of us, the education of our children, our future, is our top priority. We must do all that we can in programs and pay to encourage the best qualified of our people to be teachers.

It is an exciting time to be serving the people of our state. While the task may appear daunting, the challenge brings with it opportunity. Working together, striving to understand the issues and respecting the rules and opinions of one another, we can solve our problems and achieve success.

The phrase "working together" brings back a memory of my childhood where I assisted (mostly witnessed) my father as he broke his last team of horses. What an undertaking! As he taught those humongous animals to lead and drive individually, there finally came the day when he hooked them together. Wow! It was pretty exciting as they shied from one another and got tangled up in the harness. Even after they were no longer fouling up the harness, one would lunge forward while the other would hold back. After much effort, the time finally came, when they would pull together with a light load and decently walk together around the lot.

It was a thrilling day when Dad put his newest and best harness on Dan and Ribbon, hitched them to a strong set of double trees and drove them out to a very big log. They sensed this was no light load. Dad was making kind of a clucking noise that seemed to calm the horses. At last they were hitched. As he eased them forward, the harness tightened into their collars and the tugs became taught. He gave the command along with a little flip of the lines. Dan and Ribbon leaned forward, not jerking and lunging, and they sensed the team effort required of them. They strained together and the big log started moving. No tractor of that day in the whole neighborhood could budge it.

They must have dragged the log one hundred yards before they were stopped. You could sense their feeling of accomplishment. My father was proud of old Dan and Ribbon!

Are we not something like my father's team, Dan and Ribbon? Will we pull together and do what Iowans expect us to do, or will we lunge and jerk?

I know that we can pull together, and I believe that we will. Every moment doesn't have to be smooth. However, we need to work together; we in this chamber, the House across the rotunda, and Governor Terry Branstad on the first floor. Working together, we will face our challenges with resolve and continue to make Iowa a great place to live, work and raise our children. A place where our alumni, those who have chosen to spend their working life elsewhere, realize that here in Iowa is the good life. We will work together, along with our Governor, to continue setting programs and incentives that encourage our people to come home and encourage those here to stay.

I look forward to working with each and every one of you. My door is always open. Thank you.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Horn placed in nomination the name of Senator William D. Palmer of Polk County as a candidate for the office of President pro tempore for the Senate for the Seventy-fifth General Assembly.

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

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

President Boswell requested Senators Priebe, Deluhery and Pate to escort Senator Palmer to the rostrum.

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

Senator Palmer addressed the Senate with the following remarks:

Mr. President and members of the Senate:

I would like to extend to the members of the Senate my appreciation for the opportunity of being President pro tempore. I can assure you that whenever the occasion arises that I am in the chair, I will try to make any rulings or any questions

of procedure in a fair and impartial way. I look forward to this responsibility and I look forward to your help, patience and support. Thank you very much.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Horn moved that a committee of three 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 Husak, Chair; Szymoniak and Taylor.

COMMITTEE TO NOTIFY THE HOUSE

Senator Horn moved that a committee of three 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 Connolly, Chair; Riordan and Rensink.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Horn 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, Mike Glover
53. WHO-RADIO, Garry Barrett, Jodi Chapman
54. RADIO IOWA, O. Kay Henderson, Vern Beachy
55. SIOUX CITY JOURNAL, Dave Dreeszen
56. IOWA LEGISLATIVE NEWS SERVICE, Art Small III
- 57.
58. CEDAR RAPIDS GAZETTE, Rod Boshart
59. QUAD-CITY TIMES, Clark Kauffman
60. IOWA NEWSPAPER ASSOCIATION and BUSINESS RECORD, Jackie King
61. DUBUQUE TELEGRAPH HERALD, Steve Webber
62. WATERLOO COURIER, Eric Woolson
63. WOI-AM, Mark Moran
64. KCC-TV, Sarah Jarvis, Todd Magel

GENERAL ASSIGNMENT

AFSCME PRIDE NEWS: Larry Scarpino
 THE ASSOCIATED PRESS: John Gaps, Jeff Davis, David Speer, Charles Neibergall, Roger Munns, Mary Neubauer
 BUSINESS RECORD: Jackie King, Brett Chase
 CEDAR RAPIDS GAZETTE: Ken Sullivan, Todd Dorman
 DUBUQUE TELEGRAPH HERALD: Steven Webber
 IOWA LEGISLATIVE NEWS SERVICE: Kathi Marts-Foster, Kristin Senty-Brown
 KASI/KCCQ RADIO: Rich Fellingham, Darwin Danielson
 KCCI-TV: Jill Farmer, Steve Oswalt
 KIMT-TV: John Wilson, Jim Grawe, Karen Fuller, Brian Mastre, Dawn Abrahamson, Scott Munsell
 KIOA-AM/FM: Kevin Teale, Polly Carver-Kimm, Amie Winegar
 KRNT/Q-102 RADIO: Dale Woolery, Julie Johnston, Mick Trier
 KTIV-TV: Dave Boxum, John Grosvenor, Larry Wentz, Bill Turner, Joel Johnson, Ron Demers
 MADISONIAN: Dave Braga, Ted Georgeman
 OTTUMWA COURIER: Don Davis, Jim Hamann
 WHO-AM: Sue Danielson, Chuck Shockley, Jodi Chapman, Bob Quinn, Ev Hickman
 WOI-AM: Jackie Shorter, James Knaack
 WOI-TV: Pauletta Longo, Scott Smith, Allan Urlis, Rick Fuller, Clyde Rail, John Clough, Amelia Hamilton, Sonya Heitshusen

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

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

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

Secretary of the SenateJohn F. Dwyer

Administrative

Confidential Secretary to the SecretaryLori Bristol
 Finance Officer IILinda Laurenzo
 Assistant Finance OfficerNancy Gibson
 Recording ClerkKaren Besserman
 Records and Supply ClerkMary Buban
 Secretary to the SecretaryAnnette Nichols

Indexing

Indexer II Caryll Wilbur
 Indexing Assistant Kathleen Curoe

Journal

Senior Editor C.J. Kelly
 Editor I Teri Souer
 Journal Recording Clerk Linda Morrow

Legal Counsel

Assistant Secretary of the Senate Cynthia A. Clingan
 Assistant to the Legal Counsel Kelly Finley

President of the Senate's Office

Administrative Assistant to Leader I John Cacciatore

Majority Caucus

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

Minority Caucus

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

Sergeant-at-arms

Sergeant-at-arms William Krieg
 Assistant Sergeant-at-arms Lynn Brandt
 Chief Doorkeeper Ray J. Prospero

Doorkeeper	Svend A. Christensen
Doorkeeper	George Finkenauer
Doorkeeper	Bernadine Follett
Doorkeeper	Merlyn Frohling
Doorkeeper	Robert Langbehn
Doorkeeper	E.A. Samuelson

Services

Bill Clerk	Glen Beck
Switchboard Operator.....	Annie Antolik
Switchboard Operator.....	Jean Murray
Postmaster	Eleanor Hesseling

WALLY HORN, Chair

Senator Horn 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.

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.

APPOINTMENT OF SENATE SECRETARIES

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

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

ANDERSON, JOYCE R.....	Jack W. Hester
BANKS, CARLA	Brad Banks
BARNHILL, ELEANOR	Patty Judge
BENNETT, BARBARA	Wayne D. Bennett
CONRAD, JOAN.....	James Kersten
CRITELLI, JO ANN.....	Patrick Deluhery
DAVIS, VICKI.....	Jack Rife

DOLAN, JANICE	James R. Riordan
DYE, ROMA	Bill Fink
EICHHORN, CONNIE	William D. Palmer
FEINTECH, DEBRA	Florence Buhr
FRAISE, FAYE	Eugene S. Fraise
FRANCIS, KAREN A. DeKOCK	Berl E. Priebe
GAGE, DARRIN	Larry Murphy
GALLAGHER, SALLY	Tom Vilsack
GASS, MARY ANN	Elaine Szymoniak
GETTINGS, MARY	Donald Gettings
GORSH, GLENDA	Albert G. Sorensen
HANOVER, JO ANN	Michael E. Gronstal
HEDGE, ALLEEN	H. Kay Hedge
HUSAK, DOROTHY M.	Emil Husak
HUYSER, BRENDA	William Dieleman
JAY, JUDY	Al Sturgeon
JENSEN, KIM	Allen Borlaug
JENSEN, MYRTLE	John Jensen
KIBBIE, KAY	John F. Kibbie
KING, PAT	O. Gene Maddox
KNUDSEN, MILISSA	Maggie Tinsman
LESTER, LYNN	Richard J. Varn
LEVERICH, GAY	Andy McKean
LOZIER, KAYE	Mary E. Kramer
MARKS, FRAN	Ray Taylor
McKEE, PATTY	Ralph Rosenber
OLESON, BRENT	Paul Pate
PEER, MARY ANN	Leonard L. Boswell
PETERSON, CAROLE	Jim Lind
PETERSON, KATHY	Tony Bisignano
RENSINK, JASON	Merlin Bartz
RENSINK, MARILYN	Wilmer Rensink
ROGERS, BARB	Randal J. Giannetto
SAF, FLO	Richard F. Drake
SCHRAGE, DIANE	Harry G. Slife
SCHROEDEL, HAZEL E.	Sheldon Rittmer
TAYLOR, TODD	Joe J. Welsh
TINGWALD, DAVID	Jean Lloyd-Jones
TIPPY, SAM	Linn Fuhrman
WEST, JO ANN	Mike Connolly
WISE, BETTY B.	Derryl McLaren
ZIEMAN, BEVERLY	Lyle E. Ziemann

WALLY HORN, Chair

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

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

APPOINTMENT OF PAGES

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

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1993 Session of the Seventy-fifth General Assembly:

Brian Anniss, Dysart
William Barnett, Knoxville
Laura Beadle, Altoona
Jeremy Farlow, Eldora
Maggie Hade, Harcourt, President of the Senate's Page
Heather Jack, Glenwood
Mike Jenkins, Waterloo
Tiffany Karney, Des Moines, Secretary of the Senate's Page
Glenda Johnson, Des Moines
Brent Larson, Fort Dodge
Theresa Lynch, Buffalo Center
Susan McKim, Hamburg
Karla Mickey, Oskaloosa
Okalena Miler, Leon
Noelle Ray, Emmetsburg
Ben Stanford, Quasqueton
Todd Versteegh, Cedar
Melissa Wirtjes, Harlan

WALLY HORN, Chair

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

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

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

The report was accepted and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

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

The report was accepted and the committee discharged.

COMMITTEE ON MILEAGE

Senator Horn 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 Gronstal, Chair; Lloyd-Jones, Jensen and Borlaug.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution inviting Governor Terry E. Branstad to deliver his condition of the state and budget message at a joint convention on January 12, 1993, at 10:00 a.m.

Read first time and passed on file.

ADOPTION OF RESOLUTION (Regular Calendar)

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

House Concurrent Resolution 1

On motion of Senator Horn, House Concurrent Resolution 1, a concurrent resolution inviting Governor Terry E. Branstad to deliver his condition of the state and budget message at a joint convention on January 12, 1993, at 10:00 a.m., was taken up for consideration.

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

COMMITTEE ON CHAPLINS

Senator Horn moved that Senator Dieleman be appointed as a committee of one to work with a Representative of the House in securing chaplains for the Senate during the Seventy-fifth 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 Horn moved that the holdover and reelected Senators be granted the privilege of selecting new seats in order of continuous seniority from unassigned seats; any Senator having a handicap be allowed to select from the unassigned seats; that the former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats, their names being called according to seniority, 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 Horn asked and received unanimous consent to select a seat for Senator Welsh.

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

<u>NAME</u>	<u>SEAT NO.</u>
Banks of Plymouth	32
Bartz of Worth	12
Bennett of Ida	26
Bisignano of Polk	31
Borlaug of Chickasaw	14
Boswell of Decatur	22
Buhr of Polk	1
Connolly of Dubuque	19
Deluhery of Scott	45
Dieleman of Jasper	49
Drake of Muscatine	40
Fink of Warren	25
Fraise of Lee	7
Fuhrman of Buena Vista	34
Gettings of Wapello	5
Giannetto of Marshall	23
Gronstal of Pottawattamie	9
Hedge of Mahaska	30
Hester of Pottawattamie	46
Horn of Linn	43
Husak of Tama	47
Jensen of Bremer	44
Judge of Monroe	2
Kersten of Webster	8
Kibbie of Palo Alto	35
Kramer of Polk	48
Lind of Black Hawk	36
Lloyd-Jones of Johnson	21
Maddox of Polk	4
McKean of Jones	20
McLaren of Fremont	6
Murphy of Fayette	29
Palmer of Polk	41
Pate of Linn	28
Priebe of Kossuth	37
Rensink of Sioux	42
Rife of Cedar	38
Riordan of Dallas	33
Rittmer of Clinton	24
Rosenberg of Story	17
Slife of Black Hawk	16

Sorensen of Boone	3
Sturgeon of Woodbury	15
Szymoniak of Polk	13
Taylor of Hardin	50
Tinsman of Scott	10
Varn of Johnson	27
Vilsack of Henry	11
Welsh of Dubuque	39
Zieman of Allamakee	18

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of Senate from:

December 16, 1992

Jack Dwyer
Secretary of the Iowa Senate
State Capitol Building
Des Moines, Ia 50309

Senator Michael Gronstal
President of the Iowa Senate
State Capitol Building
Des Moines, Ia 50309

Senator Leonard Boswell
President Elect of the
Iowa Senate
State Capitol Building
Des Moines, Ia 50309

Senator Jack Rife
Minority Leader of the
Iowa Senate
State Capitol Building
Des Moines, Ia 50309

In re: Election Contest: Joseph M. Kremer, Contestant
and Larry Murphy, Incumbent

Gentlemen:

Please find enclosed my statement of Election Contest in the above captioned matter, this date filed with the Iowa Senate.

In accordance with the Code of Iowa Section 59.1, we are serving by origin notice the statement of contest in this matter.

Very truly yours,

JOSEPH M. KREMER

CC: Larry Murphy

IN RE: An Election Contest :

Between: :

LARRY MURPHY :

Incumbent :

STATEMENT OF CONTEST

and :

JOSEPH M. KREMER :

Contestant :

ALLEGATIONS

COMES NOW the above captioned contestant, Joseph Kremer, and in this his statement of election contest against the incumbent, Larry Murphy states:

1. That a regular election pursuant to the laws of the State of Iowa was held on November 3, 1992 for the seat in the Iowa Senate from District Number 14.
2. That the aforementioned election was between Joseph M. Kremer the contestant, herein representing the Republican Party, and Larry Murphy the incumbent, representing the Democratic Party.
3. That as a result of such election, while originally the contestant appeared to be the winner, the above captioned incumbent, Larry Murphy, was later declared by the board of canvassers to be elected.
4. That the next session of the General Assembly within the meaning of section 59.1, Code of Iowa will convene on January 11, 1993, absent an extraordinary session.
5. That this contest is filed pursuant to the provision of Section 7, Article III, Constitution of the State of Iowa and Chapters 57, 59, 61 and 62 of the Code of Iowa.
6. That in the aforementioned election, illegal votes were received, legal votes rejected, and other causes did appear, sufficient to change the result thereof and establish that the contestant herein, Joseph M. Kremer, was duly elected, in each and all of the following particulars:
7. The Buchanan County Auditor, Cindy Witt, who is a former official of the Buchanan County Democratic Party did not provide the proper number of ballots to the precincts in Buchanan County as required by the Code of Iowa as follows:
 - a. Buchanan County Auditor, Witt, did not have the proper number of ballots printed. Under Code of Iowa Chapter 49, there should have been a minimum of 13,948 ballots printed and delivered to the auditor plus the appropriate number of absentee ballots, but only 11,200 were ordered and delivered. See Exhibit "A" attached hereto.
 - b. Buchanan County Auditor, Witt, did not deliver the proper number of ballots to the precincts, 12,075, as required by Code of Iowa Section 49.64. Specifically, seventy five (75) ballots should be delivered for fifty votes, or fraction thereof cast in each precinct for the last presidential election. See Exhibit "B" attached hereto which clearly shows the number of votes cast in 1988 and the number of votes

- delivered. It appears that in no precinct were the proper number of ballots delivered.
- c. Buchanan County Auditor, Witt, did not have a sufficient number of ballots, 1048, to hold in reserve in compliance with Code of Iowa Section 49.66.
 - d. Buchanan County Auditor, Witt, did not provide for the printing of sufficient absentee ballots, 825, as required by Code of Iowa Section 49.64.
 - e. That at least 132 of the ballots actually delivered to the precincts and voted were not properly printed ballots, but were instead machine copies of printed ballots and not proper ballot, as set out in Code of Iowa Section 52.28 or Code of Iowa Section 52.31.
 - f. The copied ballots did not meet the several specific requirements of the Code of Iowa Section 49.57 subsection 1-5, nor did they meet the requirements of the Code of Iowa Section 52.28 for computer ballots to be counted with the balance of the ballots in Buchanan County.
 - g. Because of the irregular printing or copying of the ballots, the normal system of counting and verifying printed ballots was bypassed, thereby allowing a substantial number of improperly printed and improperly delivered ballots to be counted in the election. This number was well in excess of the number sufficient to change the results of the election.
 - h. The election board of townships and precincts did not properly request additional ballots in writing as required by the Code of Iowa Section 49.66.
 - i. A person who was on the ballot physically handled the ballots and delivered them to the precincts in violation of the Code of Iowa Section 49.104 and 49.107 subsection 8.
 - j. The Auditor failed to comply with the Code of Iowa Section 49.65 which provides that the ballots be delivered in sealed envelopes marked on the outside to indicate the number of ballots contained in the package and the name or number of the precinct.
8. In three Buchanan County precincts, because of the improper number of ballots delivered, those precincts ran out of ballots.
 9. Plaintiff has reason to believe that certain persons were deprived of the opportunity to vote when they arrived at the polling place because the polling places were out of ballots at that time.
 10. The improper printing request and delivery of ballots were done in precincts which were favorable to Joseph M. Kremer, thus denying voters who were most likely to vote for him the opportunity to do so.
 11. The auditor added to the confusion of the election by combining various townships and precincts, thus causing confusion in the voting process. For example, the county auditor combined Jesup precinct and Perry township precinct. Jesup precinct is the largest in the county, but she still added another township in with it.
 12. Voters were required to vote on the edge of the table, or on the floor all in violation of their rights as voters (see for example Code of Iowa Section 49.84), or had to wait in excess of an hour before they could vote.
 13. The county auditor combined townships and precincts for voting purposes

without retaining separate election boards as is required by Code of Iowa Section 49.12.

14. Therefore there were improperly co-mingled ballots from different townships and precincts.
15. In addition, contestant believes there were substantial absentee ballot irregularities. Buchanan County has 15 fewer ballots than affidavits. Fayette County has 4 more ballots than affidavits. Delaware County has 6 more ballots than affidavits.
16. Contestant has reason to believe that votes were cast by persons not eligible to vote:
 - a. Certain absentee ballots were obtained from persons not competent to vote. Code of Iowa Section 48.31 subsection 5.
 - b. Certain individuals no longer residing in the Senate District were voted by absentee ballot. Code of Iowa Section 722.5.
 - c. Certain individuals were voted improperly without the benefit of special precinct election board assistance. Code of Iowa Section 53.22.
 - d. Certain individuals voted under duress as a result of not being accorded special precinct election board assistance. Code of Iowa Section 722.9.
17. That each and all of the aforementioned did result in the incumbent herein, Larry Murphy, in being declared the elected person by the board of canvassers whereas if the discrepancies, irregularities, violations of law, receipt of illegal votes, and/or rejection of legal votes had not occurred, the contestant, Joseph M. Kremer, would have been declared the elected person by the board of Canvassers.
18. That the contestant herein, Joseph M. Kremer, does hereby nominate and appoint Wythe Willey, Attorney at Law, The Center, 425 2nd Street SE, Cedar Rapids, Ia 52401, phone number 319-365-5111, to represent him in this matter. WHEREFORE, your contestant prays that this his election contest be received, recorded, and docketed, and thereafter referred to the proper contest tribunal and that such tribunal upon assembling order that the votes cast in the general election on November 3, 1992 for the seat in the Iowa Senate from District Number 14, Larry Murphy, be re-counted, in public session, with the right of both parties hereto and their attorneys or other nominees to be present; and that thereafter such tribunal declare as elected the party hereto who receives the highest number of total legal votes cast or that should have been cast in such election for such office; or in the alternative for a properly conducted special election or for such other relief or re-count that the tribunal believes is just in the premises.

JOSEPH M. KREMER

COMMITTEE TO INVESTIGATE ELECTION CONTEST

President Boswell announced the appointment of the following committee to investigate the election contest of Joseph M. Kremer vs. Larry Murphy: Senators Kibbie, Chair; Slife and Rosenberg.

INTRODUCTION OF BILLS

Senate File 1, by Kersten, Priebe, and Lind, a bill for an act providing for the appointment by the governor of the executive director of the state board of medical examiners.

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

Senate File 2, by Lind, a bill for an act relating to the time limit for executions on garnishments.

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

Senate File 3, by Tinsman, a bill for an act relating to the establishment and regulation of elder group homes.

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

RECESS

On motion of Senator Horn, the Senate recessed at 12:12 p.m., until 4:00 p.m.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the 1993 Regular Session:

*Vice Chair
**Ranking Member

AGRICULTURE—15 Members

Priebe, Chair	Boswell	Hester	Palmer
Riordan*	Fraise	Husak	Sorensen
Bartz**	Giannetto	Judge	Zieman
Banks	Hedge	McLaren	

APPROPRIATIONS—25 Members

Murphy, Chair	Connolly	Kibbie	Slife
Boswell*	Fraise	Kramer	Tinsman
McLaren**	Gronstal	Lind	Varn
Banks	Horn	Palmer	Vilsack
Bisignano	Husak	Pate	
Borlaug	Judge	Rensink	
Buhr	Kersten	Rosenberg	

BUSINESS AND LABOR RELATIONS—10 Members

Gettings, Chair	Buhr	Maddox	Slife
Sturgeon*	Connolly	Murphy	Taylor
Fuhrman**	Giannetto		

COMMERCE—15 Members

Deluhery, Chair	Fuhrman	Lind	Sturgeon
Palmer*	Gettings	Pate	Varn
Jensen**	Gronstal	Priebe	Welsh
Bisignano	Kersten	Slife	

COMMUNICATIONS AND INFORMATION POLICY—7 Members

Varn, Chair	Deluhery	Jensen
Welsh*	Fraise	Kersten
Fuhrman**		

EDUCATION—15 Members

Connolly, Chair	Dieleman	Rensink	Tinsman
Kibbie*	Fink	Slife	Varn
Kramer**	Lind	Szymoniak	Vilsack
Deluhery	Murphy	Taylor	

ENVIRONMENT AND ENERGY UTILITIES—10 Members

Rosenberg, Chair	Banks	Gronstal	Sorensen
Deluhery*	Borlaug	Hedge	Welsh
Kersten**	Fink		

HUMAN RESOURCES—12 Members

Szymoniak, Chair	Bartz	Judge	Rittmer
Lloyd-Jones*	Bennett	Kramer	Sturgeon
Tinsman**	Buhr	Riordan	Varn

JUDICIARY—15 Members

Sturgeon, Chair	Connolly	Lloyd-Jones	Taylor
Rosenberg*	Drake	Pate	Vilsack
McKean**	Fuhrman	Slife	Welsh
Bisignano	Giannetto	Szymoniak	

LOCAL GOVERNMENT—10 Members

Sorensen, Chair	Fraise	Rittmer	Vilsack
Buhr*	Jensen	Szymoniak	Zieman
Maddox**	Priebe		

NATURAL RESOURCES—12 Members

Fink, Chair	Banks	Kibbie	Rensink
Dieleman*	Hedge	McKean	Riordan
Hester**	Judge	Priebe	Sturgeon

RULES AND ADMINISTRATION—9 Members

Horn, Chair	Gettings	Husak	Lind
Boswell*	Gronstal	Kramer	Palmer
Rife**			

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM—13 Members

Riordan, Chair	Bennett	Judge	Maddox
Vilsack*	Bisignano	Kibbie	Sorensen
Zieman**	Borlaug	Lloyd-Jones	
Bartz	Giannetto		

STATE GOVERNMENT—17 Members

Gronstal, Chair	Dieleman	Lind	Sorensen
Kibbie*	Drake	McKean	Welsh
Rittmer**	Fink	McLaren	
Bisignano	Giannetto	Pate	
Buhr	Kramer	Priebe	

TRANSPORTATION—10 Members

Lloyd-Jones, Chair	Connolly	Gettings	Kersten
Fraise*	Dieleman	Jensen	Pate
Drake**	Fink		

WAYS AND MEANS—15 Members

Dieleman, Chair	Drake	Lloyd-Jones	Riordan
Husak*	Fuhrman	McLaren	Rosenberg
Bennett**	Hedge	Murphy	Szymoniak
Deluhery	Hester	Palmer	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION

Judge, Chair	Slife**	Zieman
Dieleman*	Horn	

AGRICULTURE/NATURAL RESOURCES

Husak, Chair	Banks**	Hester
Priebe*	Fink	

CLAIMS

Giannetto, Chair	Taylor**	Murphy
Palmer*	Drake	

ECONOMIC DEVELOPMENT

Bisignano, Chair	Borlaug**	Maddox
Riordan*	Boswell	

EDUCATION

Kibbie, Chair	Lind**	Connolly
Welsh*	Bartz	

HEALTH AND HUMAN RIGHTS

Buhr, Chair	Tinsman**	Sturgeon
Giannetto*	Bennett	

HUMAN SERVICES

Varn, Chair	Kramer**	Rittmer
Szymoniak*	Deluhery	

JUSTICE SYSTEM

Gronstal, Chair	Pate**	Taylor
Rosenberg*	Murphy	

REGULATION

Vilsack, Chair	Rensink**	Palmer
Sorensen*	Hedge	

TRANSPORTATION AND SAFETY

Fraise, Chair	Kersten**	Lloyd-Jones
Gettings*	Jensen	

APPOINTMENTS TO SENATE ETHICS COMMITTEE

Appointed by Senator Horn, Majority Leader

Gettings, Chair	Rosenberg*	Husak
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Appointed by Senator Rife, Minority Leader

Hedge**	Drake	McKean
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SENATORS AND THEIR RESPECTIVE COMMITTEES

Banks, Brad	Agriculture Appropriations Environment and Energy Utilities Natural Resources Agriculture/Natural Resources Appropriations Subcommittee, Ranking Member
Bartz, Merlin E.	Agriculture, Ranking Member Human Resources Small Business, Economic Development, and Tourism Education Appropriations Subcommittee
Bennett, Wayne D.	Human Resources Small Business, Economic Development, and Tourism Ways and Means, Ranking Member Health and Human Rights Appropriations Subcommittee
Bisignano, Tony	Appropriations Commerce Judiciary Small Business, Economic Development, and Tourism State Government Economic Development Appropriations Subcommittee, Chair
Borlaug, Allen	Appropriations Environment and Energy Utilities Small Business, Economic Development, and Tourism Economic Development Appropriations Subcommittee, Ranking Member
Boswell, Leonard L.	Agriculture Appropriations, Vice Chair Rules and Administration, Vice Chair Economic Development Appropriations Subcommittee
Buhr, Florence	Appropriations Business and Labor Relations Human Resources Local Government, Vice Chair State Government Health and Human Rights Appropriations Subcommittee, Chair

Connolly, Michael W.	Appropriations Business and Labor Relations Education, Chair Judiciary Transportation Education Appropriations Subcommittee
Deluhery, Patrick J.	Commerce, Chair Communications and Information Policy Education Environment and Energy Utilities, Vice Chair Ways and Means Human Services Appropriations Subcommittee
Dieleman, William W.	Education Natural Resources, Vice Chair State Government Transportation Ways and Means, Chair Administration Appropriations Subcommittee, Vice Chair
Drake, Richard F.	Ethics Judiciary State Government Transportation, Ranking Member Ways and Means Claims Appropriations Subcommittee
Fink, William A.	Education Environment and Energy Utilities Natural Resources, Chair State Government Transportation Agriculture/Natural Resources Appropriations Subcommittee
Fraise, Eugene S.	Agriculture Appropriations Communications and Information Policy Local Government Transportation, Vice Chair Transportation and Safety Appropriations Subcommittee, Chair
Fuhrman, Linn	Business and Labor Relations, Ranking Member Commerce

	Communications and Information Policy, Ranking Member Judiciary Ways and Means
Gettings, Don E.	Business and Labor Relations, Chair Commerce Ethics, Chair Rules and Administration Transportation Transportation and Safety Appropriations Subcommittee, Vice Chair
Giannetto, Randal J.	Agriculture Business and Labor Relations Judiciary Small Business, Economic Development, and Tourism State Government Claims Appropriations Subcommittee, Chair Health and Human Rights Appropriations Subcommittee, Vice Chair
Gronstal, Michael E.	Appropriations Commerce Environment and Energy Utilities Rules and Administration State Government, Chair Justice System Appropriations Subcommittee, Chair
Hedge, H. Kay	Agriculture Environment and Energy Utilities Ethics, Ranking Member Natural Resources Ways and Means Regulation Appropriations Subcommittee
Hester, Jack W.	Agriculture Natural Resources, Ranking Member Ways and Means Agriculture/Natural Resources Appropriations Subcommittee
Horn, Wally E.	Appropriations Rules and Administration, Chair Administration Appropriations Subcommittee

Husak, Emil J.	Agriculture Appropriations Ethics Rules and Administration Ways and Means, Vice Chair Agriculture/Natural Resources Appropriations Subcommittee, Chair
Jensen, John W.	Commerce, Ranking Member Communications and Information Policy Local Government Transportation Transportation and Safety Appropriations Subcommittee
Judge, Patty	Agriculture Appropriations Human Resources Natural Resources Small Business, Economic Development, and Tourism Administration Appropriations Subcommittee, Chair
Kersten, James B.	Appropriations Commerce Communications and Information Policy Environment and Energy Utilities, Ranking Member Transportation Transportation and Safety Appropriations Subcommittee, Ranking Member
Kibbie, John P.	Appropriations Education, Vice Chair Natural Resources Small Business, Economic Development, and Tourism State Government, Vice Chair Education Appropriations Subcommittee, Chair
Kramer, Mary E.	Appropriations Education, Ranking Member Human Resources Rules and Administration State Government Human Services Appropriations Subcommittee, Ranking Member

Lind, Jim	Appropriations Commerce Education Rules and Administration State Government Education Appropriations Subcommittee, Ranking Member
Lloyd-Jones, Jean	Human Resources, Vice Chair Judiciary Small Business, Economic Development, and Tourism Transportation, Chair Ways and Means Transportation and Safety Appropriations Subcommittee
Maddox, O. Gene	Business and Labor Relations Local Government, Ranking Member Small Business, Economic Development, and Tourism Economic Development Appropriations Subcommittee
McKean, Andy	Ethics Judiciary, Ranking Member Natural Resources State Government
McLaren, Derryl	Agriculture Appropriations, Ranking Member State Government Ways and Means
Murphy, Larry	Appropriations, Chair Business and Labor Relations Education Ways and Means Claims Appropriations Subcommittee Justice System Appropriations Subcommittee
Palmer, William D.	Agriculture Appropriations Commerce, Vice Chair Rules and Administration Ways and Means Claims Appropriations Subcommittee, Vice Chair Regulation Appropriations Subcommittee

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

	<p>Education Judiciary Administration Appropriations Subcommittee, Ranking Member</p>
Sorensen, Albert	<p>Agriculture Environment and Energy Utilities Local Government, Chair Small Business, Economic Development and Tourism State Government Regulation Appropriations Subcommittee, Vice Chair</p>
Sturgeon, Al	<p>Business and Labor Relations, Vice Chair Commerce Human Resources Judiciary, Chair Natural Resources Health and Human Rights Appropriations Subcommittee</p>
Szymoniak, Elaine	<p>Education Human Resources, Chair Judiciary Local Government Ways and Means Human Services Appropriations Subcommittee, Vice Chair</p>
Taylor, Ray	<p>Business and Labor Relations Education Judiciary Claims Appropriations Subcommittee, Ranking Member Justice System Appropriations Subcommittee</p>
Tinsman, Maggie	<p>Appropriations Education Human Resources, Ranking Member Health and Human Rights Appropriations Subcommittee, Ranking Member</p>
Varn, Richard J.	<p>Appropriations Commerce Communications and Information Policy, Chair Education Human Resources Human Services Appropriations Subcommittee, Chair</p>

Vilsack, Tom	Appropriations Education Judiciary Local Government Small Business, Economic Development, and Tourism, Vice Chair Regulation Appropriations Subcommittee, Chair
Welsh, Joe J.	Commerce Communications and Information Policy, Vice Chair Environment and Energy Utilities Judiciary State Government Education Appropriations Subcommittee, Vice Chair
Zieman, Lyle E.	Agriculture Local Government Small Business, Economic Development, and Tourism, Ranking Member Administration Appropriations Subcommittee

RESIGNATIONS FROM OFFICE

The following resignations were received subsequent to adjournment of the 1992 legislative session:

June 25, 1992

Senator Mike Gronstal
President of the Senate
Statehouse
Des Moines, IA 50319

Dear President Gronstal:

I am hereby submitting my resignation from the Iowa Senate, effective 12:01 a.m., June 26, 1992.

Sincerely,

BILL HUTCHINS

June 26, 1992

The Honorable Terry E. Branstad
Governor of Iowa
Statehouse
Des Moines, IA 50319

Dear Governor Branstad:

I hereby resign from the office of State Senator, effective June 30, 1992.

Sincerely,

JOHN A. PETERSON

ANNOUNCEMENT OF APPOINTMENTS

The President announced the following appointments made during the 1992 legislative interim:

June 30, 1992

At the request of Secretary Cochran, I am appointing Senator Don Gettings to the Drought Task Force. The Task Force meets at the pleasure of Secretary Cochran.

July 8, 1992

The following is a list of senators appointed to boards and commissions as a result of expiration of terms or vacancies:

Commission on the Status of Women — Code 601K.52
• Senator Elaine Szymoniak, 7/8/92 - 6/30/96

Health Data Commission — Code 145.2
Senator Richard Varn, 7/8/92 - 6/30/93

August 6, 1992

In accordance with House File 2466, 1992, I am appointing Senator Ralph Rosenberg to the Ethics Interim Study Committee.

August 24, 1992

At the request of Christopher Atchison, Director of the Department of Public Health, the following Senators have been appointed to serve on the Ad Hoc Committee on the Prevention of HIV Infection:

Senators Elaine Szymoniak and Mary Kramer.

The Majority Leader announced the following appointments made during the 1992 legislative interim:

July 9, 1992

Senator Larry Murphy has been appointed to the Legislative Council and to the Studies Committee of the Legislative Council as a result of a vacancy.

September 8, 1992

The following Democratic senators have been appointed to the Swine Production Study Committee:

Senator Berl Priebe, Co-chairperson
Senator Emil Husak
Senator Jack Kibbie

November 10, 1992

Effective this date, Senator Al Sorensen has been appointed to the Advisory Commission on Intergovernmental Relations replacing Senator Alvin Miller. Senator Sorensen's term will expire 7/1/95.

December 8, 1992

To fill a vacancy that will be created with the convening of the new General Assembly in January 1993, and expiring on April 30, 1995:

ADMINISTRATIVE RULES REVIEW COMMITTEE (Code 17A.8)
Senator Bill Palmer, Ankeny.

IOWA LEGISLATIVE COUNCIL (Code 2.41)

Terms begin in January 1993, and expire on the 4th Monday in January, 1995:

Senator Wally Horn, Cedar Rapids*
Senator Leonard Boswell, Davis City*
Senator Bill Palmer, Ankeny*
Senator Larry Murphy, Oelwein*
Senator Emil Husak, Toledo
Senator Florence Buhr, Des Moines
Senator Don Gettings, Ottumwa
Senator Jack Rife, Durant*
Senator Derryl McLaren, Farragut*
Senator Jim Lind, Waterloo
Senator Maggie Tinsman, Davenport
Senator John Jensen, Plainfield

*statutory member

December 15, 1992

To the Compensation Commission (Code 2A)

Mike Blouin, Cedar Rapids - term to expire June 30, 1996

Peggy Whitworth, Cedar Rapids - term to expire June 30, 1997

_____ (vacancy for female appointment term to expire June 30, 1993).

December 17, 1992

The Senate Majority Leader's office today has appointed Senator Elaine Szymoniak to the State Human Investment Policy (SHIP) Council. This is to replace the appointment of Senator Beverly Hannon.

October 27, 1992

The President and Majority Leader announced the following appointment made during the 1992 legislative interim:

At the request of Allen Thoms, Director of the Department of Economic Development, we are appointing Senator Beverly Hannon to the Rural Development Council.

CERTIFICATES OF RECOGNITION

The following certificates of recognition were issued during the 1992 legislative interim by the Secretary of the Senate:

Dustin Lee McAtee, West Chester — For attaining the coveted rank of Eagle Scout. Senator Hedge (8-16-92).

Cortland Funke II, Wabasha, Minnesota — For freeing the Otto family from a car accident on September 16, 1992. Senator Murphy (9-18-92).

Peter Forsythe, Vice President of the Edna McConnell Clark Foundation — For outstanding leadership in strengthening Iowa families through support for Iowa's family preservation and decategorization initiatives. Senator Rosenberg (9-24-92).

Patrick M. Quinn, Dubuque — For attaining the coveted rank of Eagle Scout. Senator Welsh (10-11-92).

Brett Mason, Davenport — For attaining the coveted rank of Eagle Scout. Senator Rife (11-6-92).

Rebecca Disenhouse, Ottumwa — For completing the Girl Scout Gold Award. Senator Hedge (11-8-92).

Lincoln Community High School, Stanwood — For winning the Class 1-A Volleyball Championship. Senator Rife (11-14-92).

The Iowa National Guard Oelwein Unit — For the use of public facilities (The Armory) to serve the young people of Northeast Iowa in the battle against drugs. Senator Murphy (11-18-92).

Marvin Schulte, Edgewood — For service to Delaware County on the County Board. Senator Murphy (12-28-92).

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, 1991 session, the committee on Rules and Administration submits the following changes:

Exec. Sec. to Secretary to Conf. Sec. to Secretary	Lori Bristol	Grade 23-5 to 27-2 Effective 7/17/92
Research Analyst I	Ann Molis	Grade 27-2 to 29-2 Effective 7/17/92
Research Analyst I	Curt Stamp	Grade 27-3 to 29-2 Effective 7/17/92
Research Analyst	Linda Santi	Step 1 to Step 2 Effective 6/9/92
Research Analyst II	Suzanne Johnson	Step 2 to Step 3 Effective 8/14/92
Caucus Staff Director	Carol Olson	Step (-2) to Step (-1) Effective 8/14/92
Research Analyst I to Research Analyst II	Randall Bauer	Grade 29-4 to 32-2 Effective 8/14/92
Finance Officer II	Linda Laurenzo	Step 2 to Step 3 Effective 9/11/92
Assistant Finance Officer	Nancy Gibson	Step 3 to Step 4 Effective 9/11/92
Research Analyst II	Steve Conway	Step 2 to Step 3 Effective 9/11/92
Research Analyst to Research Analyst I	Robyn Mills	Grade 27-2 to 29-2 Effective 10/9/92
Research Analyst II	Theresa Kehoe	Step 2 to Step 3 Effective 11/20/92
Caucus Staff Director	Debbie O'Leary	Step (-2) to Step (-1) Effective 12/4/92
Research Assistant	Julie Simon	P-FT, Grade 24-1 Effective 12/21/92

Research Analyst III to Sr. Leg. Research Analyst	William Haigh	Grade 35-2 to 38(-2) Effective 1/15/93
Journal Editor I	Teri Souer	Step 1 to Step 2 Effective 1/15/93
Research Analyst II	Carolann Jensen	Step 2 to Step 3 Effective 3/15/93
Admin. Assist. to Leader I to Admin. Assist. to Leader II	John Cacciatore	Grade 29-2 to 32-1 Effective 5/24/93
Admin. Assist. to Leader I to Admin. Assist. to Leader II	Stephanie Laudner	Grade 29-2 to 32-1 Effective 5/24/93
Legislative Committee Secretary to Secretary to President	Mary Ann Peer	Grade 18-2, S-O to Grade 19-2, P-PT Effective 1/11/93
Admin. Secretary to Leader to Executive Secretary to Leader	Vickie Davis	Grade 21-1, S-O to Grade 24-1, E-FT Effective 1/11/93
Recording Clerk to Assistant to Legal Counsel	Kelly Finley	Grade 20-1 to 19-1 Effective 1/11/93
Assistant Sergeant-at-Arms to Sergeant-at-Arms	Bill Krieg	Grade 14-2 to 17-2 Effective 1/11/93
Assistant Sergeant-at-Arms	Lynn Brandt	Step 2 to Step 3 Effective 1/15/93
Doorkeeper	Svend Christensen	Step 2 to Step 3 Effective 2-12-93
Doorkeeper	George Finkenauer	Step 1 to Step 2 Effective 1/11/93
Doorkeeper	Bernadine Follett	Step 1 to Step 2 Effective 1/11/93
Sergeant-at-Arms to Doorkeeper	Merlyn Frohling	Grade 17-1 to 11-1 Effective 1/11/93 Step 1 to Step 2 Effective 3/12/93
Doorkeeper	Everett Samuelson	Step 3 to Step 4 Effective 2/26/93
Postmaster	Eleanor Hesseling	Step 2 to Step 3 Effective 2/12/93
Journal Recording Clerk	Linda Morrow	Step 1 to Step 2 Effective 3/12/93
Legislative Committee Secretary	Debra Feintech	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary	Faye Fraise	Step 2 to Step 3 Effective 4/23/93
Legislative Committee Secretary	Sally Gallagher	Step 5 to Step 6 Effective 5/21/93

Legislative Committee Secretary	Glenda Gorsh	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary	Dorothy Husak	Step 3 to Step 4 Effective 2/26/93
Legislative Committee Secretary	Lynn Lester	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary	JoAnn West	Step 4 to Step 5 Effective 1/15/93
Legislative Secretary	Myrtle Jensen	Step 3 to Step 4 Effective 2/12/93
Legislative Secretary	Kaye Lozier	Step 1 to Step 2 Effective 3/12/93
Legislative Secretary	Brent Oleson	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary to Legislative Secretary	Carole Peterson	Step 3 to Step 4 Effective 3/12/93
Legislative Secretary	Hazel Schroedel	Step 5 to Step 6 Effective 1/29/93
Legislative Committee Secretary to Legislative Secretary	Marilyn Rensink	Grade 18-4 to 16-4 Effective 1/11/93

WALLY E. HORN, Chair

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Sec. 2.10, Code 1993, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-fifth General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
Banks, Brad	410
Bartz, Merlin	274
Bennett, Wayne	280
Bisignano, Tony	7
Borlaug, Allen	370
Boswell, Leonard	160
Buhr, Florence	none
Connolly, Michael W.	400
Deluhery, Patrick J.	338
Dieleman, William W.	106
Drake, Richard F.	306
Fink, William A.	28
Fraise, Eugene	369

Fuhrman, Linn	360
Gettings, Don E.	190
Giannetto, Randal J.	100
Gronstal, Michael E.	270
Hedge, H. Kay	152
Hester, Jack W.	250
Horn, Wally E.	250
Husak, Emil J.	150
Jensen, John W.	290
Judge, Patty	130
Kersten, James B.	180
Kibbie, John P.	344
Kramer, Mary E.	none
Lind, Jim	220
Lloyd-Jones, Jean	220
McKean, Andy	310
McLaren, Derryl	300
Maddox, O. Gene	17
Murphy, Larry	300
Palmer, William D.	26
Pate, Paul D.	278
Priebe, Berl E.	280
Rensink, Wilmer	460
Rife, Jack	308
Riordan, James R.	28
Rittmer, Sheldon	388
Rosenberg, Ralph	70
Slife, Harry G.	220
Sorensen, Albert G.	96
Sturgeon, Al	420
Szymoniak, Elaine	none
Taylor, Ray	172
Tinsman, Maggie	360
Varn, Richard J.	244
Vilsack, Tom	260
Welsh, Joe J.	400
Zieman, Lyle E.	400

Respectfully submitted,

MICHAEL E. GRONSTAL, Chair
 JEAN LLOYD-JONES
 JOHN W. JENSEN
 ALLEN BORLAUG

AFTERNOON SESSION

The Senate reconvened at 4:03 p.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, a concurrent resolution inviting Chief Justice McGiverin to present his message of the condition of the judicial department at a joint convention of the two houses of the 1993 session of the Seventy-fifth General Assembly be held on Thursday, January 14, 1993, at 10:00 a.m.

This resolution was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 4, by Kibbie, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district.

Read first time and passed on file.

Senate File 5, by Kibbie, a bill for an act establishing a pilot project for the issuance of motor vehicle licenses by the county treasurers, making an appropriation, and providing an effective date.

Read first time and passed on file.

ADOPTION OF RESOLUTION (Regular Calendar)

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

House Concurrent Resolution 2

On motion of Senator Horn, House Concurrent Resolution 2, a concurrent resolution inviting Chief Justice McGiverin to present his message of the condition of the judicial department at a joint convention of the two houses of the 1993 session of the Seventy-fifth General Assembly be held on Thursday, January 14, 1993, at 10:00 a.m., was taken up for consideration.

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Concurrent Resolutions 1 and 2** be immediately messaged to the House.

APPENDIX**STUDY BILLS RECEIVED****SSB 1 Agriculture**

Providing for the care and feeding of swine by members of cooperative associations, by eliminating a provision relating to contracting with processors, and providing an effective date.

SSB 2 Agriculture

Appropriating moneys to Iowa state university of science and technology for purposes of supporting studies researching potentially cancer-protective compounds of soybeans.

SSB 3 Agriculture

Relating to events on property held by the Iowa state fair authority and societies managing local fairs, by exempting gross receipts from the sales and services tax.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	1	State Government
S. F.	2	Judiciary
S. F.	3	Human Resources
S. F.	4	Education
S. F.	5	Local Government

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:06 p.m., until 9:00 a.m., Tuesday, January 12, 1993.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 12, 1993

The Senate met in regular session at 9:00 a.m., President Boswell presiding.

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

The Journal of Monday, January 11, 1993, was approved.

INTRODUCTION OF BILLS

Senate File 6, by Varn, a bill for an act relating to the sale by subscription of licenses and stamps by the department of natural resources.

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

Senate File 7, by Jensen and Dieleman, a bill for an act relating to the preservation of restoration work on the physical facilities of the capitol complex.

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

INTRODUCTION OF RESOLUTION

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

Read first time under Rule 28 and **placed on calendar on January 11, 1993**.

The Senate stood at ease at 9:05 a.m. until the fall of the gavel.

The Senate resumed session at 9:30 a.m., President Boswell presiding.

COMMITTEE FROM THE HOUSE

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

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

The Senate stood at ease at 9:32 a.m. until the fall of the gavel.

The Senate resumed session at 9:40 a.m., President Boswell presiding.

JOINT CONVENTION

The joint convention convened at 9:46 a.m., President Boswell presiding.

Senator Horn 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 Boswell declared a quorum present and the joint convention duly organized.

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Vilsack, Dieleman and Hester, on the part of the Senate, and Representatives Royer, Martin and Jochum, on the part of the House.

The following guests were escorted into the House Chamber:

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

Chief Justice McGiverin and the Justices of the Supreme Court and Chief Judge Oxberger and the Judges of the Court of Appeals.

Mrs. Chris Branstad, wife of the Governor; Eric and Marcus, sons of the Governor; and Dick and Clara Johnson, parents of Mrs. Branstad.

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

President Boswell then presented Governor Branstad who delivered the following condition of the state and budget address:

President Boswell, Speaker Van Maanen, Lt. Governor Corning, Chief Justice McGovern, Justices and Judges, other State Officials, Senators and Representatives, Distinguished Guests and Friends.

As I stand before you this morning and look out over this sea of new faces, I can hardly contain my enthusiasm. In the faces of these 37 new legislators, I see new energy, integrity, and commitment to public service. I see faces washed by the waters of idealism and cleansed by an abiding love for Iowa. These faces, from both sides of the aisle, will change the countenance of this General Assembly and the state. And that is good.

We gather here in this grand Capitol on this 12th day of January in the year 1993 in the midst of this snow, with renewed vigor and vitality. We come here to dedicate our energies and idealism toward a common mission - to renew all that is good in this state.

1993 is, indeed, the year of renewal in Iowa; a new era of Iowa government. It is in these times that we measure our success not by how much of the taxpayers' money we have spent, but in how much we have saved. It is in this era that we focus not just on the burdens of government, but on the opportunities and responsibilities of private citizens. It is in this year, 1993, that we pursue the job of reinventing government in Iowa as an agent of positive change, growth and development for all of our citizens.

Change does not come easily or quickly, especially in Iowa. You can't turn an oceanliner on a dime, but the state of Iowa is, slowly but surely, undergoing real transformation from a troubled economy to one that is diverse and growing.

More than 20 years ago, businessman King Whitney Jr. was quoted in the Wall Street Journal saying, "Change has considerable psychological impact on the human mind. To the fearful it is threatening because it means that things may get worse. To the hopeful it is encouraging because things may get better. To the confident it is inspiring because the challenge exists to make things better." What this quote says to me is your character and frame of mind determine how ready you are to bring about change, and how you react when change happens to you.

Hard work, honesty, friendliness and a commitment to public service remain my guiding principles. As Governor, I am working every day for positive change in Iowa; I want changes that will make a difference in this state not just tomorrow,

but fifty and one hundred years from now.

Our task, while challenging, is achievable. For we have so much good in Iowa. Our people are decent, hardworking, able and caring. Our land is fertile; our industries competitive and increasingly diversified. And our farmers and workers are the most productive in the world.

Iowa is a place where neighbors still pitch in to lend a hand, both in times of tragedy and times of joy. In Iowa, our schools still give our children the education they need to succeed. And, in Iowa, citizens still can make change happen - in their government and in their communities.

In this state, Iowa, the land between two rivers, the heartland of America, still beats the pulse of America's essential goodness, neighborliness, and reverence for the land. We don't have the mountains or climate of California. But we don't have its problems either. And, in Iowa, unlike so many other parts of our country and world, problems still get solved.

Last year, I had the unenviable task of telling this body that our state's budget was off track. Indeed, two decades of government overspending - one fueled by the elixir of inflation and the other by the demands of a devastating farm crisis - left our state's budget in the soup. The people demanded change. And they got it.

In 1992, we cut spending by \$140 million. We cut the practice of automatically spending more of the taxpayers' money. The bulk of the sales tax adjustment was used to pay the court-ordered salary increases for state employees with the balance committed to putting our budget back in order.

Today, I can report to you that our budget is back on track.

Our challenge and our first priority is to demonstrate the fiscal discipline necessary to fulfill our commitment of last year. The budget I am submitting today does just that. But I need your cooperation and assistance to see that we achieve our goal of a budget that is not only balanced, but balanced in accordance with the proposed 1995 GAAP rules by the end of this biennium. And we will do that without raising taxes.

With this budget we should signal our commitment to change:

1. The budget spends less than the projected revenue growth in compliance with our state spending limits enacted last year.
2. The budget contains no supplemental appropriations, clearly breaking with the short-sighted practices of the past that pushed spending obligations into subsequent years and led to the GAAP deficit.
3. The budget continues the process of eliminating automatic budget increases and places controls and reforms in areas of state spending that are still out of control.

4. The budget contains no tax increases.

Today, I am submitting a budget for the next two years. This is the earliest I have ever submitted a budget. I want to help you set your sights on balancing the budget and completing the spending reforms. This will keep Iowa on track to fiscal stability.

I encourage you to pass a two-year budget to ensure long-range planning. This will give you an opportunity next year -- and in the second year of subsequent General Assemblies -- to do a top-to-bottom review of all state programs.

I ask the General Assembly to join with the executive branch of state government and me in a commitment to the quality principals of continuous improvement.

Ross Perot is fond of saying that government officials should treat taxpayers like customers. Well, I think Ross is only half right taxpayers aren't just our customers, they're our bosses, too.

It is only with the citizens' consent that we govern. It is their money we spend; it is their budget. The guiding principle of this General Assembly should be to be good stewards of the public funds. And to tax increases, we should simply say, "No."

Iowa taxpayers deserve to have all areas of the budget carefully controlled to see that we are getting the best and most efficient use of our fiscal resources. Now is the time to take the rest of the state budget, including that of the legislature itself, off auto pilot.

We can no longer accept the status quo. When we ask the question, "Why are we doing things this way?" often the answer is, "Because that's the way it's always been done." That isn't good enough. If our processes and procedures are inefficient or too expensive, we have a responsibility to change and improve them. Even though we took some important action last year, we must do more to control Medicaid, mental health and indigent defense costs.

We must make this the decade of change in state government. Change is inevitable, and we should not fear it. Rather we should direct change in a positive way to make state government more responsive and accountable to the people of Iowa.

I encourage this General Assembly to begin the process of providing Iowa voters with the opportunity to vote on fundamental changes in our State Constitution. I recommend the Taxpayer's Rights Amendment, a prohibition against unfunded mandates to local governments, and an increase in maximum fines for criminal offenses.

All of these changes are needed and each will require passage by this General Assembly and the next General Assembly before the people of Iowa will have an opportunity to vote on them.

Our second priority in this General Assembly should be economic growth and development.

For nearly a decade now, we have made economic development a top priority. Now that we are making moderate progress it is no time to let up. In fact, now is the time to strengthen and intensify our efforts to encourage and assist in the creation of more quality private sector jobs in Iowa.

After much struggle, we improved Iowa's competitiveness for new business; we put in place economic incentives that are rated among the best in the country; we invested in a dramatic Transportation 2000 program that has already built or refurbished 459 miles of roads and 276 miles of recreational trails; and we are building a fiber optic communication highway of the future that will become a lifeline for our rural areas.

We invested in performance-based education and job training to keep our workers the best in the country; we targeted value-added agricultural industries and finance, insurance and biotechnology for growth; and we finally began to tell the Iowa story to decision-makers throughout the country and world.

That commitment to economic development worked.

We are creating more quality jobs each year. Most important, more young families are staying and coming back to Iowa. After 19 years of declining enrollment in our public schools, we have now experienced four straight years of growth in Iowa's public schools. By gosh, even the Census Bureau has finally acknowledged that Iowa's population has been growing since 1990.

We have turned the corner in Iowa. The decade-long trend of outmigration is over. People are now coming to our state. Iowans are returning and staying here.

But we're far from done. Our goals now are to keep growth going in Iowa; to bring even higher quality jobs here; and to give all parts of Iowa and all citizens a chance to grow.

Our economic growth is not uniform, but it is encouraging, and in stark contrast to the decade of the eighties when less than 10% of Iowa's counties experienced growth. In the decade of the nineties, more than half of our 99 counties and about 60% of our school districts are growing. We have gained momentum, but we cannot become complacent. We intend to strengthen and intensify our efforts.

Agriculture has always been the life blood of Iowa's economy. Agriculture has gone through a dramatic transition throughout our state's history, from the subsistence agriculture of the past to today's highly efficient farmers who feed the world.

We must continue to add value to our farm commodities by completing our dramatic five-year commitment to agriculture research. Agriculture producers need to be partners with our university researchers so we can maximize the practical benefits of our agriculture research investments.

Value-added farm commodities provide great hope for economic growth in our rural areas. A one percent increase in our share of the livestock production market means 20,000 new jobs for Iowans.

We need to help farmers comply with environmental regulations and encourage livestock production and additional food processing that creates new products and new jobs in Iowa.

I plan to establish a Livestock Development Task Force comprised of representatives from livestock production and processing. I will also designate an Iowa Director of Livestock Development to work with the task force and government agencies to revitalize our livestock industry and develop a world competitive, value-added livestock program.

Iowa has much to be proud of and Iowans need not be shy about our strengths. We need to intensify our state's promotional efforts in national and international marketing, tourism, and the motion picture industry. Our efforts to market Iowa paid off last year with recognition from Inc. Magazine and its annual conference of the 500 fastest-growing privately-owned companies in America.

Next year the state of Iowa will host the first-ever Inc. 100 conference for the 100 fastest-growing publicly-owned companies in America. Inc. Magazine Publisher Jay McDonald, said, "We chose Iowa for this event because of the state's commitment and vision for business development."

We have targeted growth in the following industries: insurance/financial and communication services; value-added food products; plastics; pharmaceuticals; computer/software development; primary and fabricated metals; medical instruments; printing and packaging products. In addition, we must continue to make Iowa competitive for quality jobs in the capital-intensive industries of the future.

We should immediately give Iowa communities the authority to exempt new machinery and equipment from property tax. I believe this change will give local communities another means to help create thousands of quality jobs in Iowa.

Our plan to create quality jobs is working. By sticking with our plan, we will have even greater success in creating more quality jobs. More quality jobs will mean increased employment opportunities and better incomes for a highly skilled workforce.

The third priority of this General Assembly must be education. Education has always been the cornerstone of our state's economic development strategy. Despite a very tight budget, we are investing an increasing share of the state budget in education.

Nearly 60% of the new money in this budget is going to education, with most of the rest of it going for Medicaid. I am recommending \$60 million more in state aid to public schools, full funding for non-public school transportation, and an increase of \$1.2 million for the Iowa Tuition Grant program in order to help

some 900 more Iowa students with financial need attend Iowa's independent colleges.

This budget includes additional funding for the University of Iowa, Iowa State University, and the University of Northern Iowa. It also provides increased funding for our community colleges that have helped many non-traditional students, like my wife Chris, launch new careers.

With this investment in education comes flexibility and increased expectations for results. We should move away from the excessive checklist of state mandates. Instead, we should provide local schools, teachers and parents with more flexibility to focus on improving the final product productive workers and good citizens.

Our fourth priority in this General Assembly is to improve the quality of life for our citizens.

Government cannot and should not replace individual responsibility in the lives of our families and communities. But it can, and should, act as a partner to help people in need move from dependence to self-sufficiency.

That is why I am recommending to you today a wide-ranging welfare reform program. This program will establish a contract with welfare recipients that requires responsibilities on their part, too.

I've included a health care reform plan that will improve access to health care, particularly in rural Iowa, and help contain health care costs without burdening businesses with yet another tax.

In Iowa our environment continues to be clean and healthy and we are making improvements. Iowa's pioneering groundwater protection act preserves and sustains both the healthy environment and rich tradition of agriculture we have in this state. Its impact represents a valuable legacy for generations to come.

According to recent studies by the Leopold Center at Iowa State University, we have reduced the amount of pollution in our groundwater by working with farmers throughout the state. Also, for the first time in our state's history, we are now increasing the amount of forested acres in Iowa, thanks to our aggressive tree-planting efforts.

Iowa is still a relatively safe state. But every crime shocks the victims, their families and their communities. We need to get tough on crime. I recommend the death penalty for criminals convicted of two Class A felonies, like the killing of a rape or kidnap victim. Also, it is time to put 17-year-old violent offenders on notice that they will be tried as adults for the commission of forcible felonies such as burglary, assault, robbery, murder, rape and kidnapping.

Iowa law needs to be changed so that child victims can be allowed to testify without the defendant being physically present as now permitted by the U.S. Supreme Court in the case of Maryland v. Craig.

Today, the state of the state is good and getting better. We are getting our budget under control, our economy is growing, our education is top-notch and our quality of life unmatched. Democracy in Iowa is strong.

The people have spoken by electing you as their representatives to steward their resources, set their priorities and manage their change.

All of us, Republicans and Democrats, seek to do what is best for Iowa. All of us want growth and prosperity for our citizens. All of us will work to renew what is good about our home here in Iowa.

But most of all, each of us brings enthusiasm and vigor to our task. Our success will be measured not only by our fiscal responsibility; but by the good jobs we help create; the education we provide our children; and the quality of life our citizens enjoy.

These are our priorities. That is our mission. This is our task. With your help we will succeed.

Thank you and God bless you.

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

Representative Siegrist 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, Senator Sorensen presiding.

RECESS

On motion of Senator Buhr, the Senate recessed at 10:36 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:01 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 8, by Fraise, a bill for an act relating to transportation services by regulating persons who transport rail workers and requiring liability insurance for taxicabs and making penalties applicable.

Read first time and passed on file.

Senate File 9, by Kibbie, a bill for an act relating to the purchase of subsequent years' taxes by a delinquent tax purchaser for purposes of real property taxation and providing an applicability date.

Read first time and passed on file.

Senate File 10, by Kibbie, a bill for an act relating to appointments subject to senate confirmation, providing for the appointment and employment of the director of the department of education, and enacting a transitional provision.

Read first time and passed on file.

Senate File 11, by committee on Agriculture, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones.

Read first time and placed on calendar.

Senate File 12, by Fuhrman, a bill for an act relating to games of skill or chance involving trivia and requiring the display of correct answers.

Read first time and passed on file.

Senate File 13, by Bartz, a bill for an act relating to leaves of absence for employees who are candidates for the general assembly or an elective state office and making penalties applicable.

Read first time and passed on file.

Senate File 14, by Fraise, a bill for an act relating to railroad acquisition and divestiture and employee rights and providing a penalty.

Read first time and passed on file.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

SSB 1

AGRICULTURE: Husak, Chair; Boswell, Hedge, McLaren and Priebe

SSB 2

AGRICULTURE: Priebe, Chair; Banks, Riordan, Sorensen and Zieman

SSB 3

AGRICULTURE: Palmer, Chair; Boswell, Hester, McLaren and Priebe

SSB 4

AGRICULTURE: Priebe, Chair; Boswell, Hedge, Husak and McLaren

COMMITTEE REPORT

(Filed January 11, 1993)

RULES AND ADMINISTRATION

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

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Gettings, Gronstal, Husak, Kramer, Lind and Palmer. Nays, none. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: January 11, 1993, 2:34 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: Bennett.

Committee Business: Discussed plans and actions for 1993 and health care reform and SHIP; adopted committee rules.

Adjourned: 2:46 p.m.

RULES AND ADMINISTRATION

Convened: January 11, 1993, 4:12 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member (arrived 4:18 p.m.); Gettings, Gronstal, Husak, Kramer, Lind and Palmer.

Members Absent: none.

Committee Business: Approved committee resolution providing for permanent rules of the Senate; approved individuals granted access to the Senate floor during session.

Adjourned: 4:35 p.m.

STATE GOVERNMENT

Convened: January 11, 1993, 3:05 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: none.

Committee Business: Adopted committee rules; discussed issues to come before the committee.

Adjourned: 3:17 p.m.

WAYS AND MEANS

Convened: January 11, 1993, 2:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, Murphy, Riordan, Rosenberg and Szymoniak.

Members Absent: McLaren and Palmer.

Committee Business: Adopted committee rules.

Adjourned: 2:20 p.m.

COMMITTEE REPORT
(Filed January 12, 1993)

AGRICULTURE

Final Bill Action: SENATE FILE 11 (SSB 4), a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Riordan, Bartz, Banks, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 2: Boswell and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	6	Natural Resources
S.F.	7	State Government
S.F.	8	Transportation

STUDY BILL RECEIVED

SSB 4 Agriculture

Providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:03 p.m., until 9:00 a.m., Wednesday, January 13, 1993.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 13, 1993

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

Prayer was offered by the Honorable Wilmer Rensink, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Tuesday, January 12, 1993, was approved.

INTRODUCTION OF BILLS

Senate File 15, by Varn, a bill for an act relating to the separation of workers' compensation insurance premiums into two components.

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

Senate File 16, by Kibbie, a bill for an act authorizing certain merged areas to certify an additional equipment replacement tax levy for the fiscal year beginning July 1, 1993.

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

DEFERRAL OF RESOLUTION (Regular Calendar)

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

Senate Resolution 1

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

Senator Boswell asked and received unanimous consent that action on **Senate Resolution 1** be deferred.

The Senate stood at ease at 9:27 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:07 a.m., Senator Sorensen presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 10:08 a.m., until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:03 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 34 present, 16 absent and a quorum present.

The Senate stood at ease at 4:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:42 p.m., President Boswell presiding.

REPORT OF ELECTION CONTEST COMMITTEE

Senator Kibbie called up the following Report Of Election Contest Committee filed on January 13, 1993:

REPORT OF ELECTION CONTEST COMMITTEE

Mr. President and Members of the Senate:

We, the undersigned, members of the committee to whom was referred the matter of the election contest between Joseph M. Kremer, contestant, and Larry Murphy, incumbent, for the position of Senator from the Fourteenth Senatorial District of Iowa, submit the following report:

This committee met on January 12 and January 13, 1993. All members have examined the statement contesting the results of the general election for the Fourteenth Senatorial District held November 3, 1992, and the affidavits, statements, and exhibits submitted by counsel for both parties. The committee has also reviewed testimony received at its January 12, 1993, meeting and statements submitted by the contestant and the incumbent.

Your committee recommends that the Senate dismiss the election contest because there is no evidence that the election is subject to contest under chapters 57, 59, and other relevant chapters of the Code of Iowa. The committee determines that the official certification showing the incumbent, Larry Murphy, to be duly elected to the office of State Senator from the Fourteenth Senatorial District is correct.

Respectfully submitted,

JOHN KIBBIE, Chairperson
RALPH ROSENBERG

Senator Slife asked and received unanimous consent to have the following statement from Joseph M. Kremer printed in the Senate Journal:

STATEMENT TO SENATE COMMITTEE HEARING

In re: Election Contest: Joseph M. Kremer, Contestant
and Larry Murphy, Incumbent

Freedom to associate with a political party of our own choosing, freedom to run for any public office for which we are qualified, and freedom to vote for the candidate of our choice constitute the bedrock foundations of our democracy.

To protect and enhance the integrity of our one person - one vote election system, the State of Iowa has, by statute, directed and defined the manner in which elections for public office shall be conducted. These laws have been designed to guarantee that the vote cast by any and every qualified voter has the same power and legality as those cast by all others voting in the same election. These same laws are also designed to ensure that any qualified candidate who seeks public office has the right to expect that those officials entrusted with the administration of our election laws comply with the procedures set forth in the Code of Iowa.

Had this been done in this case, I would not have filed a contest, but would have accepted the results of the recount - a loss by 16 votes.

The purpose of this hearing is to show this committee, and the people of Iowa, the indifference to, and the disregard for, the safeguards established by the State, to ensure free, legal, and honest elections. If this type of conduct is allowed to stand unchallenged, and permitted to continue unchecked, the image of our great State of Iowa as a citadel of democracy, will be forever tarnished.

The question before you, the committee, is this: Will the Iowa Senate condone or condemn these open violations of Iowa law?

JOSEPH M. KREMER

Senator Lind rose to request a ruling on how many votes are needed to adopt the election contest committee report.

The Chair ruled that a committee report usually does not require a vote, but if a vote is desired on this particular report, it would be a simple majority.

Senator Kibbie moved the adoption of the Election Contest Committee Report.

A record roll call was requested.

On the question "Shall the election contest committee report be adopted?" (the vote was):

Ayes, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Nays, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

Voting present, 1:

Murphy

The motion prevailed and the election contest committee report was adopted.

Senator Kibbie asked and received unanimous consent that the following two Supreme Court cases be printed in the Senate Journal:

Case law strongly supports the notion that unless misconduct or fraud changes the result of the election, the voter's choice should be upheld. The Iowa Supreme Court states that the statutes regulating voting and election procedure must be construed liberally in favor of giving effect to voter's choice and every vote cast enjoys a presumption of validity. Devine v. Wonderlich, 268 N.W. 2d 620 (Iowa 1978). The reasoning behind is that the right to vote is a fundamental political right and is so highly prized. Id. at 623. Thus, the choice of the voters must be upheld unless fraud would change the result of the election.

The Iowa Supreme Court has further held that an election which has resulted in the fair and free expression of the will of legal voters upon merits will not be invalidated because of departure from statutory regulations governing the conduct of the election except where legislature has clearly expressed intent that a specific statutory provision is a jurisdictional prerequisite and that departure therefrom shall result in invalidity of election. Stanley v. Southwestern Community College Merged Area, 184 N.W. 2d 29 (Iowa 1971). In Stanley, the Court stated that a school board election was presumptively valid, and mere irregularities in the conduct of an election do not affect the results. Id. at 32. Also, it is the duty of the Court to sustain an election if it has been so conducted as to give a free and fair expression of the popular will. Id.

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

Convened: January 12, 1993, 8:15 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Sorensen and Zieman.

Members Absent: Boswell (excused) and Palmer.

Committee Business: Organizational meeting; adopted committee rules; assigned bills to subcommittees; approved SSB 4 as a committee bill.

Adjourned: 8:28 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 12, 1993, 2:35 p.m.

Members Present: Gettings, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox and Taylor.

Members Absent: Murphy and Slife (both excused).

Committee Business: Adopted committee rules.

Adjourned: 2:45 p.m.

COMMERCE

Convened: January 12, 1993, 3:00 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Sturgeon and Welsh.

Members Absent: Kersten, Lind, Pate, Priebe, Slife and Varn (all excused).

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 3:10 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 11, 1993, 3:37 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Adopted committee rules.

Adjourned: 3:47 p.m.

EDUCATION

Convened: January 12, 1993, 2:05 p.m.

Members Present: Connolly, Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Rensink, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: Kibbie, Vice Chair; Murphy and Slife (all excused).

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 2:19 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	9	Ways and Means
S.F.	10	State Government
S.F.	12	State Government
S.F.	13	State Government
S.F.	14	Business and Labor Relations
S.F.	15	Commerce
S.F.	16	Ways and Means

STUDY BILLS RECEIVED**SSB 5 Human Resources**

Establishing a volunteer physician within the Iowa department

of public health and providing for protection from liability to the volunteer physicians participating in the program.

SSB 6 Small Business & Economic Development

Providing a new jobs income tax credit for small businesses and providing a retroactive applicability date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 3

HUMAN RESOURCES: Buhr, Chair; Tinsman and Varn

SSB 6

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Vilsack, Chair, Bennett and Giannetto

AMENDMENTS FILED

S-3001	S. R.	1	Mike Connolly
S-3002	S. R.	1	Mike Connolly
S-3003	S. F.	11	Merlin Bartz Derryl McLaren Berl Priebe Jim Riordan

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:19 p.m., until 9:00 a.m., Thursday, January 14, 1993.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 14, 1993

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

Prayer was offered by the Honorable Jack Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa.

The Journal of Wednesday, January 13, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kibbie and Rosenberg until they arrive, and Senators Connolly and Sturgeon for the day on request of Senator Horn.

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.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel.

The Senate resumed session at 9:37 a.m., President Boswell 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 9:53 a.m., President Boswell presiding.

Senator Horn 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 Boswell declared a quorum present and the joint convention duly organized.

Senator Horn 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 Fink and Fuhrman, on the part of the Senate, and Representatives Meyer and Nelson, on the part of the House.

Senator Horn 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 Rosenberg, Giannetto and McKean, on the part of the Senate, and Representatives McNeal, Hurley and Moreland, on the part of the House.

The following guests were escorted into the House chamber:

Secretary of State, Elaine Baxter; Treasurer of State, Michael Fitzgerald; State Auditor, Richard Johnson; Attorney General, Bonnie Campbell; and Lieutenant Governor Joy Corning.

The Justices of the Supreme Court, Chief Judge Oxberger and the Judges of the Court of Appeals, and the Chief District Judge.

Mrs. Joan McGiverin, wife of the Chief Justice; Paul McGiverin, brother of the Chief Justice; Gwen Moore and her daughter, Margaret Hrvol.

The Chair announced that the committee to wait upon the Governor had reported that the Governor would be delayed and the Joint Convention was to proceed.

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

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

Mr. President, Mr. Speaker, Governor, Senators, Representatives, State Officials, Justices, Judges, My Fellow Iowans:

Thank you for the invitation to report on the state of the judiciary to you and the people of Iowa. The court also extends a warm welcome to the new members of the legislature. Approximately one-fourth of you are new to the general assembly. If you are not familiar with the operation of the court system, I hope you will take some time to become acquainted with it. Please become acquainted with your local judges, clerks of district court, juvenile court officers and other court personnel. You will find them anxious to help you learn how the system works.

The role of the Judicial Branch is to resolve disputes between citizens and interpret our constitution and laws. Although we are a separate branch of government under our Iowa constitution, we do not work in a vacuum. It is up to the legislature to provide the judiciary with the tools and resources to get the job done.

Since 1986, our judicial system has been largely state funded. We have no other resources. That means we have to operate the system on the money you provide to us. To any extent you choose not to fund the system, the court's services will not be available to Iowans.

The general theme of my previous messages has been that the state of the judiciary is good. This year, however, my message is a somber one. I cannot give such a favorable report.

The reason is that the work of our courts has continued to rise without corresponding increases in resources. Quite to the contrary, our resources have been drastically reduced.

For lack of these adequate resources, our civil and criminal caseloads have become a downright nightmare. The caseload is so staggering in some counties that the clerk of court offices cannot keep up. Files, even in cases going to trial, are not up-to-date. Certain discretionary duties have been stopped or indefinitely postponed. Because we do not have the funds to hire adequate staff, pay overtime

or even fill some crucial vacant positions, the hours during which some offices are open to the public have been reduced. This is necessary to give the staff time to focus on filings and docketing without interruptions. This cannot be a long-term solution. The number of case filings continues to mushroom.

Since 1988, the number of criminal cases filed in our courts has increased more than 45%. Last year alone, criminal filings jumped more than 10%.

Civil filings have risen nearly 30% in the last 5 years. This year, there were almost 15% more.

This growing burden is compounded by the fact that a greater percentage of the cases are going to trial. While the number of jury trials remained fairly constant from 1991 to 1992, the number of civil cases tried to a judge without a jury jumped 8% and non-jury criminal trials shot up 25%.

During the same period, we have been forced to cut our budget more than \$2 million and there are indications that further belt tightening might be expected.

There are those who say we can avoid a crisis by operating more efficiently. They simply do not know what has been going on. Over the years, the supreme court has implemented every policy and procedure we could find in a continuing effort to reduce the cost of running the court system. We are at the point where budget cuts threaten our ability to safeguard the legal rights of individuals. There is just no other way to say it: the quality of justice in Iowa's courts is at risk.

We simply cannot continue exercising our constitutional stewardship under these circumstances. Although we, as citizens, of course know of other demands being made upon you, we trust you will respond to the needs of the Judicial Branch of government. I say this, confident that you will agree that it is in the public interest to do so. Both our constitution and the needs of our citizens demand that response.

You should provide resources to match the demands the public places on the courts. The budget recommended by the supreme court for fiscal year 1994 contains a modest increase of 6%. The total budget request is \$83 million. This is only enough to maintain the status quo during the next fiscal year, and the status quo, as I have said, is scarcely adequate.

The cost of operating our courts is an incredible bargain for the people of Iowa when you consider that the court system generates about \$45 million from fines, fees, surcharges and restitution. The net cost to taxpayers is a mere fraction of the state budget. Our budget is less than 1% of the total state budget after you consider the revenue the court system raises for the state.

If you are not inclined to provide the funding that is needed, we must face up to the possibility of further limiting access to the courts both by eliminating services and consolidating operations. I do not personally advocate this option, but we know of no other choices.

As I stated to you last year:

We are charged with the responsibility of impartially deciding controversies brought before us. We have no control over the number of cases presented.

Many of the court's duties are, of course, mandated by the Legislative Branch. When expanding on our responsibilities, you should carefully consider the impact your actions have on the court system.

The recent changes in domestic abuse laws provide a perfect example of how well-intentioned legislation can dramatically increase the burden of the courts. In 1991, lawmakers created a new process which facilitated pro se filings of domestic abuse petitions. The courts have been flooded with these cases. Domestic abuse petitions have increased more than 300%.

These are without doubt very important cases, but because you have provided for a pro se action, which means it is handled by the litigant rather than by an attorney, this type of case requires far more court resources. The clerk of district court—in each of your counties—spends considerable time on each case assisting with the process. Judges spend substantially more time on these cases because they must sort out the evidence and act as prosecutor, defense counsel and judge all at the same time.

Because there is a statutory 10-day deadline during which hearings must be held on domestic abuse cases, many other cases, such as child custody and support hearings and other civil and criminal cases, are delayed in order to accommodate these actions.

The juvenile justice system is another example of how responsibilities are added to the system without a corresponding provision of the tools. Over the last several years, our government has focused on reducing the cost of juvenile justice treatment and services. As part of this effort, the legislature enacted procedures which require our juvenile court officers to spend much time attending committee meetings with state and local agencies and filling out forms. These demands have forced our juvenile court officers to spend more time pushing paper and less time dealing with the young people who need their immediate attention.

Our juvenile court officers are even more frustrated because they think treatment for delinquent youths is virtually nonexistent. There is a cap on the funds for court-ordered services, there is a cap on the training school at Eldora, and there is a cap on group foster care. These cuts in treatment resources, the officers say, threaten public safety. Once in the system, troubled juveniles quickly come to believe that they may not be held accountable for their conduct.

In recent years more resources have been poured into arrest and prosecution of offenders for drug and alcohol abuse. Money has also been put into correction facilities for offenders. But corresponding resources have not been provided to the courts to process and try those cases.

Our judges, magistrates, clerks, juvenile court officers and other staff have been struggling to handle the caseload under the present conditions. I want to pay special tribute and thanks to these public officers for their service.

Despite these efforts, without adequate support for judicial operations, we must also consider the unfavorable prospect of eliminating court services altogether in some places. Present statutes require that we hold court in all the counties. If we were constructing a new Iowa court system today, we would probably not provide offices in 100 locations. Some say it is an extravagance to continue to do so. I am not advocating this change. But it is obvious that you must review the wisdom of every expense you are called upon to fund.

Anticipating this, at the court's request, the state court administrator's office has begun developing a contingency plan which would eliminate court services in smaller counties. It paints a gloomy future for rural Iowans.

Recently, I received a thoughtful letter from Mr. John A. Myers, chairman of the Humboldt County board of supervisors. Mr. Myers wrote to express concern about the talk of closing county courthouses in favor of regional litigation centers. He pointed out that clerk of court offices are here to serve the citizens of Iowa. He stated:

I have seen over the years the steady increase of crime and litigation in the courts.

[The courts] are there to serve the citizens of the state of Iowa. If courthouses are closed, you are taking away what all citizens in the state pay for, benefit of services and availability of process.

Mr. Myers has reminded us of the high stakes involved.

Each of you can reflect on what the effect would be if the courthouse were closed in your home county.

No one can dispute that our beautiful state capitol building is not the most economically efficient office building in Des Moines and yet no one would dare to suggest tearing it down.

Iowa's judicial system, though it may not be perfect, does provide the level of service the people of Iowa have come to expect.

The choice is yours. You can appropriate the resources needed to provide the level of services that has been promised to the public, and we promise to continue to carefully manage them. Otherwise, we must work together to radically change the delivery of justice in Iowa.

I believe the Judicial Branch is truly the people's branch of government because it is the only one to which the people have a constitutional right of direct access. We have a constitutional mandate to operate a court system that properly serves

the people of Iowa. We respectfully ask that you provide the resources to enable us to do our job.

With your help, the Iowa court system will continue to give the people of Iowa the service and protection they deserve under the constitution and rule of law.

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 Seigrest 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, Senator Riordan presiding.

INTRODUCTION OF BILLS

Senate File 17, by Bartz, a bill for an act relating to the annexation of sanitary district land by a city.

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

Senate File 18, by Husak, a bill for an act providing for special motor vehicle plates for fire fighters.

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

RECESS

On motion of Senator Buhr, the Senate recessed at 10:33 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 1, by Hester, a concurrent resolution to designate Shelby, Iowa, the Purple Martin Capital of Iowa.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Bartz, a joint resolution proposing amendments to the Constitution of the State of Iowa to limit the years of consecutive service for members of Congress, to change the length of term of office, and to limit the terms of office and years of consecutive service for members of the Senate and the House of Representatives, and to limit the term of office of Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

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

Senate File 19, by Bartz, a bill for an act to establish a guaranteed student loan repayment program for Iowa resident students who graduate from accredited higher education institutions in this state and who remain residents and file Iowa tax returns.

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

Senate File 20, by Rosenberg, a bill for an act relating to the completion dates of the juvenile justice system study, and providing an effective date.

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

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATION SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 13, 1993, 10:20 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

APPROPRIATION SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 13, 1993, 10:20 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Boswell.

Members Absent: Maddox (excused).

Committee Business: Presentation by the Department of Economic Development.

Adjourned: 11:15 a.m.

APPROPRIATION SUBCOMMITTEE ON EDUCATION

Convened: January 13, 1993, 10:15 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Organizational meeting; established committee agenda.

Adjourned: 10:55 a.m.

APPROPRIATION SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 13, 1993, 10:17 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

APPROPRIATION SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 13, 1993, 10:15 a.m.

Members Present: Gronstal, Chair; Pate, Ranking Member; Murphy and Taylor.

Members Absent: Rosenberg, Vice Chair (excused).

Committee Business: Adopted committee rules.

Adjourned: 11:05 a.m.

APPROPRIATION SUBCOMMITTEE ON REGULATION

Convened: January 13, 1993, 10:10 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Organizational meeting; reviewed and deferred action on committee rules.

Adjourned: 11:15 a.m.

APPROPRIATION SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 13, 1993, 10:17 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member; Jensen and Lloyd-Jones.

Members Absent: none.

Committee Business: Amended and adopted committee rules; presentation by LFB on overview of Department of Transportation and Safety FY 1992 and 93 appropriations and FTE authorizations.

Adjourned: 11:23 a.m.

JUDICIARY

Convened: January 13, 1993, 3:41 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Adopted committee rules.

Adjourned: 3:48 p.m.

LOCAL GOVERNMENT

Convened: January 13, 1993, 8:01 a.m.

Members Present: Sorensen, Chair; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: Buhr, Vice Chair and Maddox, Ranking Member.

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 8:07 a.m.

NATURAL RESOURCES

Convened: January 13, 1993, 2:05 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: none.

Committee Business: Adopted committee rules.

Adjourned: 2:40 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: January 13, 1993, 2:35 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Members Absent: none.

Committee Business: Assigned study bill to a subcommittee; adopted committee rules; assigned task force subcommittees.

Adjourned: 2:57 p.m.

TRANSPORTATION

Convened: January 13, 1993, 3:09 p.m.

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

Members Absent: none.

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 3:25 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	1	State Government
S. C. R.	1	State Government
S. F.	17	Local Government
S. F.	18	Transportation
S. F.	19	Education
S. F.	20	Judiciary

STUDY BILLS RECEIVED**SSB 7 Appropriations**

Relating to state budgeting processes and providing applicability provisions.

SSB 8 Environment and Energy Utilities

Relating to a state hazardous waste facilities permit program.

SUBCOMMITTEE ASSIGNMENTS**Senate File 1**

STATE GOVERNMENT: Buhr, Chair; Kramer and Welsh

Senate File 5

LOCAL GOVERNMENT: Buhr, Chair; Priebe and Zieman

Senate File 7

STATE GOVERNMENT: Priebe, Chair; Dieleman and Lind

Senate File 10

STATE GOVERNMENT: Bisignano, Chair; Kibbie and McKean

Senate File 12

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Pate

Senate File 13

STATE GOVERNMENT: Gronstal, Chair; Drake and Giannetto

SSB 7

APPROPRIATIONS: Varn, Chair; Rensink and Rosenberg

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:32 p.m., until 9:00 a.m., Friday, January 15, 1993.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, January 15, 1993

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

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

The Journal of the Thursday, January 14, 1993, was approved.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 14, 1993, 2:05 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Connolly (excused).

Committee Business: Assigned study bill to subcommittee; adopted committee rules.

Adjourned: 2:15 p.m.

ETHICS

Convened: January 14, 1993, 11:15 a.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Adopted committee rules.

Adjourned: 11:40 a.m.

**SUPPLEMENTAL REPORT OF THE
COMMITTEE ON RULES AND ADMINISTRATION**

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, 1991 Session, the committee on Rules and Administration reports the following changes:

Secretary to President

Mary Ann Peer

Permanent-Part Time
to Session-only
Effective 1/11/93

WALLY E. HORN, Chair

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:05 a.m., until 10:00 a.m., Tuesday, January 19, 1992.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 19, 1993

The Senate met in regular session at 10:07 a.m., President Boswell presiding.

Prayer was offered by the Reverend Richard Smith, pastor of the Tipton Bible Church, Tipton, Iowa.

The Journal of the Friday, January 15, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the day on request of Senator Horn.

RECESS

On motion of Senator Horn, the Senate recessed at 10:15 a.m., until 4:30 p.m.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications have been received and placed on file in the office of the Secretary of the Senate during the 1992 legislative interim:

AUDITOR OF STATE

A copy of the Audit Report on the Iowa Department of Revenue and Finance, Lottery Division.

IOWA DEPARTMENT OF TRANSPORTATION

An interim report assessing the impact of public transportation on accidents, vehicle miles traveled, gasoline usage, and carbon monoxide emissions in Iowa, pursuant to Section 307.10(14) of the 1991 Code of Iowa Supplement.

IOWA DEPARTMENT OF TRANSPORTATION

A copy of the 1992 Iowa Primary Road Sufficiency Log in compliance with Chapter 307A.2(12), Code of Iowa.

AUDITOR OF STATE

A single audit of the State of Iowa covering the fiscal year ending June 30, 1991 in accordance to the Single Audit Act of 1984, and OMB circular A-128, Audits of State and Local Governments

IOWA DEPARTMENT OF TRANSPORTATION

An updated Transportation Policy pursuant to Section 307.10(1), Code of Iowa.

Also, the IRFA Policy pursuant to Section 307B.8(2), Code of Iowa.

IOWA DEPARTMENT OF PUBLIC HEALTH

The Iowa Comprehensive State Plan for Substance Abuse 1991-1992.

IOWA UTILITIES BOARD

The 1991 Iowa Utilities Board Annual Report.

DEPARTMENT OF NATURAL RESOURCES

The Energy Fund Disbursement Council Report to the Governor and General Assembly Annual Report.

IOWA DEPARTMENT OF COMMERCE

The 1992 Report to the General Assembly on the state of the insurance business in Iowa, pursuant to Section 505.13(2), Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

The Annual Report on Coordination and Integration Activities, pursuant to Chapter 269, 1991 Acts.

DEPARTMENT OF PUBLIC HEALTH

The Annual Report on the Certificate of Need Program, pursuant to Section 135.77, Code of Iowa.

DEPARTMENT OF JUSTICE

The report on the operation of the Iowa Prosecutor Intern Program during the 1991 state fiscal year, pursuant to Section 13.2(12), Code of Iowa.

UNIVERSITY OF NORTHERN IOWA

The 1992 Annual Report of the Institute for Decision Making.

AUDITOR OF STATE

A copy of the Audit Report on the Iowa Department of Revenue and Finance, Lottery Division.

DEPARTMENT OF HUMAN SERVICES

A report to the Joint Human Services Appropriations Subcommittee Analysis and Discussion of Uniform Reporting Rules, pursuant to Senate Files 479 and 2355 from the 74th General Assembly.

DEPARTMENT OF NATURAL RESOURCES

The Water Quality in Iowa During the 1990 and 1991 report and the Water Quality in Iowa During 1990 and 1991: Assessment Results report, pursuant to Section 305(b) of the Clean Water Act.

IOWA DEPARTMENT OF HUMAN RIGHTS

The Commission of Persons with Disabilities Annual Report.

PREVENTION OF DISABILITIES POLICY COUNCIL

The Prevention of Disabilities Policy Council Annual Report, pursuant to the Code of Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

The State Aircraft Pool fiscal year 1991 Summary Report, pursuant to Section 328.56(5), Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

The 1992 REAP Congress report, pursuant to Section 455A.17(3), Code of Iowa.

IOWA CITIZENS' AIDE/OMBUDSMAN

The 1991 Iowa Citizens' Aide/Ombudsman Annual Report.

AUDITOR OF STATE

Audit Report of the component unit financial statements of the Iowa Legislature for the fiscal year ending June 30, 1991.

DEPARTMENT OF MANAGEMENT

Contract Compliance Report for 1991-92, pursuant to Chapter 19B.7, Code of Iowa.

IOWA HEALTH DATA COMMISSION

A report on Average Hospital Charges for the period January 1, 1991 through December 31, 1991.

IOWA UTILITIES BOARD

A report on energy efficiency plans, pursuant to Chapter 476.2(5), Code of Iowa.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Iowa's application to the U.S. Department of Justice for funds under the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program.

IOWA LAW ENFORCEMENT ACADEMY

The Annual Report for fiscal year 1992, pursuant to Chapter 7E.3(4) and 80B.20, Code of Iowa.

IOWA DEPARTMENT FOR THE BLIND

The 1992 Annual Report, pursuant to Chapter 601L, Code of Iowa, 1989.

DEPARTMENT OF MANAGEMENT

Recommendations of the Energy Fund Disbursement Council for the expenditure of oil overcharge funds for FY 1994.

DEPARTMENT OF TRANSPORTATION

Annual Report of Highway Research and Development in Iowa, pursuant to Chapter 310.36 and 312.3A, Code of Iowa.

DEPARTMENT OF PERSONNEL

State's Top Achievement Recognition (S.T.A.R.) Award Report, pursuant to Chapter 1243, Section 13(2)(d), 1992 Acts of the 74th General Assembly.

IOWA BUSINESS COUNCIL

Summary of the Findings of the Innovation and Entrepreneurship Team (INVENT).

The Iowa Economy -- Dimensions of Change

Copies of each of the current studies of the Iowa Business Council.

WALLACE TECHNOLOGY TRANSFER FOUNDATION

Annual Report for fiscal year 1992, pursuant to Chapter 23, Section 152, Code of Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

1993-1997 Transportation Improvement Program, pursuant to Chapter 307 A.2, (12), Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

A progress report of the 'Healthy Iowans 2000' goal of the 50 counties in the Iowa Community Nutrition Coalition, pursuant to Chapter 1237.4 [2"a"(10)], Acts of the 74th General Assembly, 1992 Session.

DEPARTMENT OF INSPECTIONS AND APPEALS

1992 Annual Report.

DEPARTMENT OF MANAGEMENT

Final Report of the Medicaid Task Force with recommendations for containing Medicaid costs.

DEPARTMENT OF REVENUE & FINANCE
Lottery Division

Independent Auditor's Report for the three month period ending September 30, 1992.

ANNOUNCEMENT OF APPOINTMENTS

The majority leader announced the following statutory appointment on January 15, 1993:

COMPENSATION BOARD
(Code 2A)

Kasey Kincaid, Des Moines, to fill a vacancy. Term effective immediately and expires 6/30/94.

The minority leader announced the following statutory appointment on January 15, 1993:

ADMINISTRATIVE RULES REVIEW BOARD
(Code 17A.8)

Senator Sheldon Rittmer, to fill the term vacated by Senator Dale Tieden. Term effective immediately and expires 4/30/95.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE FILE 22 (SSB 2), a bill for an act appropriating moneys to Iowa state university of science and technology for purposes of supporting studies researching potentially cancer-protective compounds of soybeans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer and Sorensen. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 6

NATURAL RESOURCES: Fink, Chair; Dieleman and Hester

Senate File 8

TRANSPORTATION: Gettings, Chair; Drake and Fink

Senate File 14

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Giannetto and Maddox

Senate File 17

LOCAL GOVERNMENT: Fraise, Chair; Rittmer and Szymoniak

Senate File 18

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

STUDY BILLS RECEIVED**SSB 9 Ways & Means**

Updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates.

SSB 10 Appropriations

A joint resolution proposing an amendment to the Constitution of the State of Iowa, relating to protection of taxpayers' rights by limiting taxes, revenue, and spending of the state and local governments.

SSB 11 Appropriations

Relating to the submission of an estimate of the total expenditure requirements of the judicial department.

SSB 12 Ways & Means

Relating to the administration of the state tax system, to waiver of penalty for failure to timely pay the tax required to be paid by electronic funds transfer, cancellation of outstanding warrants, tax on the service of solid waste collection and disposal, property tax relief for low-income persons, a criminal penalty for failure to file an inheritance or estate tax return, permits and licenses issued by the department of revenue and finance, and the procedure for allowing motor fuel tax credits.

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 21, by Varn, a bill for an act creating the office of inspector general, establishing fees, and providing a penalty.

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

Senate File 22, by committee on Agriculture, a bill for an act appropriating moneys to Iowa state university of science and technology for purposes of supporting studies researching potentially cancer-protective compounds of soybeans.

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

Senate File 23, by Kersten, a bill for an act relating to rest areas.

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

BILLS ASSIGNED TO COMMITTEE

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

S.F.	21	State Government
S.F.	23	Transportation

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Wednesday, January 20, 1993.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 20, 1993

The Senate met in regular session at 10:00 a.m., President Boswell presiding.

Prayer was offered by the Honorable Sheldon Rittmer, member of the Senate from Clinton County, DeWitt, Iowa.

The Journal of the Tuesday, January 19, 1993, was approved.

RECESS

On motion of Senator Horn, the Senate recessed at 10:10 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:11 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

SPECIAL PRESENTATION

Senators Horn, Palmer and Rife joined President Boswell in the well to hang the picture of the newly inaugurated President of the United States, William Jefferson Clinton.

INTRODUCTION OF BILLS

Senate File 24, by committee on Small Business, Economic

Development, and Tourism, a bill for an act providing a new jobs income tax credit for small businesses and providing a retroactive applicability date.

Read first time and placed on calendar.

Senate File 25, by Szymoniak, a bill for an act relating to the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 1:26 p.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATION SUBCOMMITTEE ON ADMINISTRATION

Convened: January 19, 1993, 10:45 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Presentation by LFB on oversight issues.

Adjourned: 11:35 a.m.

APPROPRIATION SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 19, 1993, 10:55 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Committee Business: Presentation by LFB.

Adjourned: 11:57 a.m.

APPROPRIATION SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 19, 1993, 10:45 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Budget summary presentation by the director of the Department of Economic Development.

Adjourned: 11:04 a.m.

APPROPRIATION SUBCOMMITTEE ON EDUCATION

Convened: January 19, 1993, 10:52 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentation on governor's recommendations by LFB.

Adjourned: 12:05 p.m.

APPROPRIATION SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 19, 1993, 10:45 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Presentations by the civil rights commission and the department of elder affairs.

Adjourned: 11:40 a.m.

APPROPRIATION SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 19, 1993, 10:45 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member and Rittmer.

Members Absent: Deluhery (excused).

Committee Business: Received study budget reports and recommendations from department of human services and governor.

Adjourned: 11:28 a.m.

APPROPRIATION SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 19, 1993, 10:50 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy.

Committee Business: Budget presentations by the board of parole and attorney general's office.

Adjourned: 11:57 a.m.

APPROPRIATION SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 19, 1993, 10:45 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member and Lloyd-Jones.

Members Absent: Jensen.

Committee Business: Presentation by LFB on legislative oversight on the road use tax funds.

Adjourned: 11:55 a.m.

AGRICULTURE

Convened: January 19, 1993, 9:35 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman.

Members Absent: none.

Committee Business: Approved SSB 2 as a committee bill; amended SSB 3 and ordered redrafted for final approval as a committee bill.

Adjourned: 10:05 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 19, 1993, 2:20 p.m.

Members Present: Gettings, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; presentation by the industrial commissioner.

Adjourned: 3:07 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 19, 1993, 3:55 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Fraise and Kersten.

Members Absent: Deluhery and Jensen (both excused).

Committee Business: Committee received several handouts and reports of new uses of telecommunications.

Adjourned: 4:16 p.m.

NATURAL RESOURCES

Convened: January 19, 1993, 2:20 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink and Riordan.

Members Absent: Sturgeon (excused).

Committee Business: Assigned bill to subcommittee.

Adjourned: 2:32 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: January 19, 1993, 3:45 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Members Absent: none.

Committee Business: Approved SSB 6 as a committee bill.

Adjourned: 3:56 p.m.

STATE GOVERNMENT

Convened: January 19, 1993, 1:37 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Fink, Giannetto, McKean, Pate, Priebe and Sorensen.

Members Absent: Drake, Kramer, Lind, McLaren and Welsh.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:39 p.m.

TRANSPORTATION

Convened: January 19, 1993, 3:12 p.m.

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

Members Absent: Jensen (excused).

Committee Business: Assigned bills to subcommittees; presentations by the department of public safety and national transportation safety board.

Adjourned: 3:31 p.m.

COMMITTEE REPORT

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Final Bill Action: SENATE FILE 24 (SSB 6), a bill for an act providing a new jobs income tax credit for small businesses and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Riordan, Vilsack, Zieman, Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 13 Education

Relating to the hours of employment of persons under the age of eighteen, restricting the hours of employment during the time when school is in session, restricting the hours that a person can be employed during a day, and providing an exemption from the hourly restriction for certain persons from a public school superintendent or the authorities in charge of a nonpublic school.

SSB 14 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

SSB 15 Judiciary

Relating to a parent's right of action for the death of a child.

SSB 16 Judiciary

Applying the death penalty or life imprisonment, by establishing the offense of capital murder, by providing a minimum age for imposition of a death sentence, by providing for review of death sentences, by providing for execution by lethal injection, by amending the rules of criminal procedure, and by providing for the Act's applicability.

SSB 17 Judiciary

A joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offenses which may be summarily tried without indictment.

SSB 18 Judiciary

A joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offenses which may be summarily tried without indictment.

SSB 19 Judiciary

Relating to the deterrence and punishment of drug use, including an enhanced criminal penalty for the distribution of or possession with intent to distribute certain controlled substances on or near schools and parks, drug testing of employees and applicants for employment, seizure and forfeiture of certain property, and operation of a motor vehicle while under the influence of alcohol or a drug, providing minimum hours of community service for certain offenders, revocation of motor vehicle licenses for drug offenses, and minimum periods of license revocation with earlier revocation dates.

SSB 20 Judiciary

Transferring the jurisdiction of seventeen-year-old delinquents from juvenile to adult court for certain crimes, authorizing juvenile detention or shelter care hearings or periodic dispositional review hearings to be held by teleconference, and excluding certain alcoholic beverages violations by a juvenile from the jurisdiction of the juvenile court and establishing a penalty.

SSB 21 Judiciary

Relating to the offense of operating while intoxicated; reducing the per se alcohol concentration level; enacting provisions governing the offense when committed by and implied consent to chemical testing of persons under the age of twenty-one, relating to use of the test result as a basis for revocation, and preventing the issuance of temporary restricted licenses; providing for minimum hours of community service for certain offenders and minimum periods of license revocation; including implied consent for chemical testing to the offense of operation of a watercraft while intoxicated; providing penalties and other related matters.

SSB 22 Judiciary

Setting minimum fines for certain criminal convictions and increasing the civil penalty assessed for certain motor vehicle license revocations.

SSB 23 Agriculture

Appropriating moneys to support capital improvements to the Iowa state fairgrounds.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2**

JUDICIARY: Vilsack, Chair; Fuhrman and Lloyd-Jones

Senate File 9

WAYS AND MEANS: Deluhery, Chair; Fuhrman and Husak

Senate File 16

WAYS AND MEANS: Riordan, Chair; Lloyd-Jones and McLaren

Senate File 20

JUDICIARY: Rosenberg, Chair; Giannetto and Pate

SSB 5

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Sturgeon

SSB 9

WAYS AND MEANS: Szymoniak, Chair; Bennett and Dieleman

SSB 12

WAYS AND MEANS: Rosenberg, Chair; Dieleman and McLaren

SSB 14

JUDICIARY: Sturgeon, Chair; Pate, Slife, Szymoniak and Welsh

SSB 15

JUDICIARY: Vilsack, Chair; Connolly and Slife

SSB 16

JUDICIARY: Sturgeon, Chair; Loyd-Jones, McKean, Szymoniak and Taylor

SSB 17

JUDICIARY: Sturgeon, Chair; Drake, Fuhrman, Lloyd-Jones and Vilsack

SSB 18

JUDICIARY: Vilsack, Chair; Bisignano, Drake, Fuhrman and Lloyd-Jones

SSB 19

JUDICIARY: Sturgeon, Chair; Bisignano, McKean, Rosenberg and Taylor

SSB 20

JUDICIARY: Sturgeon, Chair; Giannetto and Pate

SSB 21

JUDICIARY: Sturgeon, Chair; McKean, Slife, Vilsack and Welsh

SSB 22

JUDICIARY: Sturgeon, Chair; Bisignano, Drake, Fuhrman and Vilsack

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Boswell presiding.

BILL ASSIGNED TO COMMITTEE

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

S. F. 25 Transportation

INTRODUCTION OF BILL

Senate Concurrent Resolution 2, by the committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fifth general assembly.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:34 p.m., until 9:00 a.m., Thursday, January 21, 1993.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 21, 1993

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

President Boswell paid tribute to E. Kevin Kelly, former member of the House and Senate, who passed away on August 5, 1992. The Senate rose in a moment of silent prayer in Senator Kelly's memory.

Prayer was offered by the Reverend Jim Pemble, pastor of the Wesley United Methodist Church, Des Moines, Iowa.

The Journal of the Wednesday, January 20, 1993, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 20, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions.

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

ADOPTION OF RESOLUTION (Regular Calendar)

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

Senate Concurrent Resolution 2

On motion of Senator Gronstal, Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fifth general assembly, was taken up for consideration.

Senator Lind asked unanimous consent that action on Senate Concurrent Resolution 2 be deferred.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel.

The Senate resumed session at 9:27 a.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the day on request of Senator Horn.

BUSINESS PENDING

Senate Concurrent Resolution 2

The Senate resumed consideration of Senate Concurrent Resolution 2.

Senator Lind offered amendment S—3004 filed by him from the floor to page 20 of the resolution, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3004 be adopted?" (S.C.R. 2) the vote was:

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

Ayes, 18:

Bennett	Borlaug	Hedge	Husak
Kramer	Lind	Maddox	McLaren
Pate	Rife	Rittmer	Rosenberg
Slife	Sturgeon	Taylor	Tinsman
Vilsack	Zieman		

Nays, 27:

Banks	Bartz	Bisignano	Boswell
Buhr	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Jensen
Judge	Kersten	Kibbie	Lloyd-Jones
McKean	Palmer	Priebe	Rensink
Riordan	Sorensen	Welsh	

Absent or not voting, 5:

Connolly	Deluhery	Murphy	Szymoniak
Varn			

Amendment S—3004 lost.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 2 and requested a non record roll call.

The ayes were 41, nays 1.

The resolution was adopted.

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

INTRODUCTION OF BILL

Senate File 26, by Kibbie, a bill for an act raising the compulsory school attendance age.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 9:58 a.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 20, 1993, 2:20 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: Deluhery (excused).

Committee Business: Assigned bills to subcommittees; presentation by the director of the department of education.

Adjourned: 3:05 p.m.

HUMAN RESOURCES

Convened: January 20, 1993, 1:34 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer and Varn.

Members Absent: Sturgeon.

Committee Business: Presentation by DHS on SHIP program; assigned bills to subcommittees.

Adjourned: 2:09 p.m.

LOCAL GOVERNMENT

Convened: January 20, 1993, 8:16 a.m.

Members Present: Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: Sorensen, Chair and Priebe (both excused).

Committee Business: Presentation by the League of Municipalities; assigned bills to subcommittees.

Adjourned: 8:42 a.m.

RULES AND ADMINISTRATION

Convened: January 20, 1993, 4:40 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer, Lind and Palmer.

Members Absent: none.

Committee Business: Approved proposed senate concurrent resolution relating to joint pay.

Adjourned: 5:05 p.m.

WAYS AND MEANS

Convened: January 20, 1993, 3:10 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer and Szymoniak.

Members Absent: Deluhery (excused), Murphy, Riordan (excused) and Rosenberg (excused).

Committee Business: Assigned bills to subcommittees; presentation by the department of revenue and finance.

Adjourned: 3:45 p.m.

COMMITTEE REPORT

(Filed January 20, 1993)

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 2, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fifth general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Kramer and Palmer. Nays, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 4

EDUCATION: Kibbie, Chair; Deluhery and Slife

Senate File 19

EDUCATION: Murphy, Chair; Fink and Kramer

SSB 13

EDUCATION: Connolly, Chair; Horn and Kramer

SSB 23

AGRICULTURE: Palmer, Chair; Boswell, Hester, McLaren and Priebe.

CERTIFICATE OF RECOGNITION

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

James H. Hanson, Des Moines — For outstanding service to deaf children and adults and to their families in the state of Iowa and in the entire nation. Senator Szymoniak (1/14/93).

AMENDMENTS FILED

S—3004	S. C. R.	2	Jim Lind
S—3005	S. F.	11	William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 2:06 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 27, by Priebe, a bill for an act relating to payment of legislative salaries of members in leadership positions.

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

Senate File 28, by Priebe, a bill for an act relating to the deduction of medical and health care insurance or coverage for state individual income tax and providing a retroactive applicability date.

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

Senate File 29, by Priebe, a bill for an act relating to the deduction of insurance covering nursing facility costs for state individual income tax and providing a retroactive applicability date.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 3, by Fink, Kibbie, Bartz, Connolly, Lind, and Welsh, a senate concurrent resolution paying tribute to the memory of Chris Street.

Read first time and assigned to the committee on **Rules and Administration**.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 11** be referred from the Regular Calendar to the committee on **Ways and Means**.

The Senate stood at ease at 2:08 p.m. until the fall of the gavel.

The Senate resumed session at 3:20 p.m., President Boswell presiding.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 24** be referred from the Regular Calendar to the committee on **Ways and Means**.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 3, a resolution paying tribute to the memory of Chris Street.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Horn, Boswell, Rife, Gettings, Gronstal, Kramer and Lind. Nays, none. Absent or not voting, 2: Husak and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

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

Senate Concurrent Resolution 3

On motion of Senator Fink, Senate Concurrent Resolution 3, a senate concurrent resolution paying tribute to the memory of Chris Street, with report of committee recommending passage, was taken up for consideration.

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the remainder of the day on request of Senator Kramer.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3008.

Final Vote: Ayes, 12: Dieleman, Husak, Bennett, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer and Riordan. Nays, 1: Rosenberg. Absent or not voting, 2: Deluhery and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 11.

Senate File 11

On motion of Senator Priebe, Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Dieleman withdrew amendment S-3005 filed by him from the floor to pages 1-3 of the bill.

Senator Dieleman offered amendment S—3008 filed by the committee on Ways and Means from the floor to pages 1-3 of the bill.

Senator Priebe offered amendment S—3009 filed by him from the floor to amendment S—3008 and moved its adoption.

Amendment S—3009 was adopted by a voice vote.

Senator Bartz called for a division of amendment S—3008 as amended:

Division S—3008A: lines 2-15.

Division S—3008B: lines 16-21.

Division S—3008C: lines 22-25.

Division S—3008D: lines 26-31.

Division S—3008E: lines 32-33.

Senator Rosenberg asked and received unanimous consent that action on division S—3008A as amended, be deferred (divisions S—3008B through S—3008E pending).

The Senate stood at ease at 4:15 p.m. until the fall of the gavel.

The Senate resumed session at 4:20 p.m., President Boswell presiding.

Senator Rosenberg offered amendment S—3007 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3007 lost by a voice vote.

The Senate resumed consideration of division S—3008A as amended, previously deferred.

Senator Dieleman moved the adoption of division S—3008A as amended, which motion lost by voice vote.

Senator Bartz asked and received unanimous consent to combine divisions S—3008B through S—3008E as division S—3008B.

Senator Dieleman moved the adoption of S—3008B, which motion prevailed by voice vote.

Senator Rosenberg offered amendment S—3010 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 18, nays 25.

Amendment S—3010 lost.

Senator Rosenberg offered amendment S—3006 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 12, nays 26.

Amendment S—3006 lost.

Senator Bartz offered amendment S—3003 filed by Senators Bartz et. al., on January 13, 1993, to page 4 of the bill and moved its adoption.

Amendment S—3003 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 11) the vote was:

Ayes, 38:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Lind	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Slife	Sorensen	Tinsman
Vilsack	Zieman		

Nays, 6:

Gronstal	Kramer	Lloyd-Jones	Maddox
Rosenberg	Sturgeon		

Absent or not voting, 6:

Connolly	Deluhery	Szymoniak	Taylor
Varn	Welsh		

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 11** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 30, by Kersten, a bill for an act relating to the minimum utilization requirement for asphalt pavement containing recycled rubber on federally assisted highway projects.

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

Senate File 31, by Kersten, a bill for an act requiring a landlord of a residential mobile home park to provide and maintain a structure or other device to shelter tenants from tornadoes and providing effective and applicability dates.

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

APPENDIX

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: January 20, 1993, 4:00 p.m.

Members Present: Sturgeon, Chair; McKean, Ranking Member; Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Rosenberg, Vice Chair (excused); Bisignano and Connolly.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:10 p.m.

CERTIFICATE OF RECOGNITION

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

Dustin L. Shaver, Sigourney — For achieving the coveted rank of Eagle Scout. Senator Hedge (1/3/93).

BILLS ASSIGNED TO COMMITTEE

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

S. F.	26	Education
S. F.	27	Rules and Administration
S. F.	28	Ways and Means
S. F.	29	Ways and Means
S. F.	30	Transportation
S. F.	31	Commerce
H. F.	22	Education

AMENDMENTS FILED

S—3006	S. F.	11	Ralph Rosenberg
S—3007	S. F.	11	Ralph Rosenberg
S—3008	S. F.	11	Ways and Means
S—3009	S. F.	11	Berl Priebe

S-3010

S.F.

11

Ralph Rosenberg

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:48 p.m., until 10:00 a.m., Monday, January 25, 1993.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 25, 1993

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

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

The Journal of the Thursday, January 21, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lloyd-Jones for the day on request of Senator Horn and Senator Lind until he arrives on request of Senator Hedge.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 22, 1993, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, a senate concurrent resolution paying tribute to the memory of Chris Street.

INTRODUCTION OF BILL

Senate File 32, by Jensen, a bill for an act imposing an additional criminal penalty surcharge on certain motor vehicle violations.

Read first time and passed on file.

QUORUM CALL

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

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

The vote revealed 42 present, 8 absent and a quorum present.

The Senate stood at ease at 10:20 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:49 a.m., President pro tempore Palmer presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon until he arrives on request of Senator Horn.

INTRODUCTION OF BILLS

Senate File 33, by Taylor, a bill for an act applying the death penalty or life imprisonment, by establishing a capital offense, by providing for review of death sentences, and procedures for the time, manner, and delay of execution, by amending the rules of criminal procedure, and by providing for the Act's applicability.

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

Senate File 34, by Borlaug, Boswell, and Tinsman, a bill for an act providing immunity from liability for volunteers.

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

RECESS

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

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 21, 1993, 10:05 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Budget presentations by the department of management, department of general services and the office of the governor.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 21, 1993, 10:15 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Discussed expenditure oversight issues - legislative intent language issues; discussed topics of subcommittees of the subcommittee.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 21, 1993, 10:10 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member; Boswell and Maddox.

Members Absent: none.

Committee Business: Presentations by representatives of INTERNET and the Iowa peace institute.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 21, 1993, 10:05 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member and Bartz.

Members Absent: Connolly.

Committee Business: Presentations by representatives of the Iowa department of education.

Adjourned: 11:58 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 21, 1993, 9:40 a.m.

Members Present: Giannetto, Vice Chair.

Members Absent: Buhr, Chair; Tinsman, Ranking Member; Bennett and Sturgeon. (all excused).

Committee Business: Tour of the department for the blind facility.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 21, 1993, 10:11 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy.

Committee Business: Discussed attorney general's budget.

Adjourned: 11:03 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 21, 1993, 9:40 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member and Hedge.

Members Absent: Palmer.

Committee Business: Presentations by department of commerce utilities, professional licensing and regulation, insurance, credit union, banking and alcoholic beverages divisions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Convened: January 21, 1993, 10:13 a.m.

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

Members Absent: Kerster, Ranking Member (excused).

Committee Business: Presentation by the department of public defense.

Adjourned: 11:47 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 21, 1993, 11:45 a.m.

Members Present: Rosenberg, Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen.

Members Absent: Deluhery, Vice Chair and Welsh.

Committee Business: Adopted committee rules and distributed interest surveys.

Adjourned: 11:55 a.m.

RULES AND ADMINISTRATION

Convened: January 21, 1993, 2:10 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Kramer and Lind.

Members Absent: Husak and Palmer (both excused).

Committee Business: Recommended passage of Senate Concurrent Resolution 3.

Adjourned: 2:18 p.m.

WAYS AND MEANS

Convened: January 21, 1993, 2:16 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan and Rosenberg.

Members Absent: Deluhery and Szymoniak (both excused).

Committee Business: Recommended passage of Senate File 11 as amended.

Adjourned: 3:07 p.m.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on January 21, 1993.

Had I been present, I would have voted "aye" on Senate File 11.

ELAINE SZYMONIAK

STUDY BILLS RECEIVED**SSB 5.1**

Establishing a volunteer physician program within the Iowa department of public health and providing for certain immunity from liability.

SSB 24 Education

To establish a midwestern higher education compact.

SSB 25 Judiciary

Providing that certain payments to a person on a claim for personal injuries or loss of future earnings are exempt from execution.

SSB 26 Judiciary

Relating to computing the time for filings with the clerk of the district court and providing a retroactive applicability date.

SSB 27 Judiciary

Relating to the time limitation within which an administratively dissolved corporation may apply for reinstatement.

SSB 28 Ways & Means

Relating to the sales, services, and use tax on limousine services and providing effective and applicability date provisions.

SSB 29 Judiciary

Repealing the residency requirement for dissolution of marriage.

SUBCOMMITTEE ASSIGNMENTS**Senate File 24**

WAYS AND MEANS: Riordan, Chair; Deluhery and Fuhrman

Senate File 28

WAYS AND MEANS: Szymoniak, Chair; Drake and Palmer

Senate File 29

WAYS AND MEANS: Szymoniak, Chair; Drake and Palmer

Senate File 31

COMMERCE: Gettings, Chair; Kersten and Priebe

SSB 5.1

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Sturgeon

SSB 28

WAYS AND MEANS: Dieleman, Chair; Hedge and Husak

ANNOUNCEMENT OF APPOINTMENT

The President of the Senate made the following appointment on January 25, 1993:

Effective today, I am resigning as a member of the Wallace Technology Transfer Foundation Board of Directors.

In accordance with Iowa Code 15E.154, I am appointing Senator Bill Palmer to fill out my term through June 30, 1993, and for a full term which will expire on June 30, 1997.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 16, a bill for an act authorizing certain merged areas to certify an additional equipment replacement tax levy for the fiscal year beginning July 1, 1993.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3011 S.F. 2 Tom Vilsack

AFTERNOON SESSION

The Senate reconvened at 4:12 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 35, by committee on Ways and Means, a bill for an act updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates.

Read first time and placed on Ways and Means Calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Rensink.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

The Senate stood at ease at 4:22 p.m. until the fall of the gavel.

The Senate resumed session at 4:45 p.m., President pro tempore Palmer presiding.

UNFINISHED BUSINESS

(Deferred January 13, 1993)

Senate Resolution 1

The Senate resumed consideration of Senate Resolution 1, a senate resolution relating to permanent rules of the senate for the seventy-fifth general assembly, deferred January 13, 1993.

Senator Connolly withdrew amendments S—3001 and S—3002 filed by him on January 13, 1993, to page 37 of the resolution.

Senator Boswell moved the adoption of Senate Resolution 1.

A non record roll call was taken.

The ayes were 47, nays none.

The resolution was adopted.

INTRODUCTION OF BILL

Senate File 36, by Kibbie, a bill for an act increasing the jurisdictional amount for small claims.

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

APPENDIX

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 35 (SSB 9), a bill for an act updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	32	Judiciary
S.F.	33	Judiciary
S.F.	34	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:59 p.m., until 9:00 a.m., Tuesday, January 26, 1993.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 26, 1993

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

Prayer was offered by Reverend Patricia de Jong, pastor of Urbandale United Church of Christ, Urbandale, Iowa.

The Journal of the Monday, January 25, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the day on request of Senator Horn.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

RECESS

On motion of Senator Horn, the Senate recessed at 9:11 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 30 Communications & Information Policy**

Permitting school districts to use fully interactive telecommunications systems as the exclusive means to provide required courses in grades seven through twelve.

SSB 31 Communications & Information Policy

Providing that certain personnel and payroll records of employees of a government body are public records subject to examination.

SSB 32 Communications & Information Policy

Relating to disclosure of certain records of juvenile court hearings.

SSB 33 Human Resources

Relating to hospital privileges provided certain professionals including certified health service providers in psychology.

SSB 34 Agriculture

Relating to the care and feeding of swine by members of cooperative associations, by providing for a vote of the members upon a petition prior to entering into contracts, and providing an effective date.

SSB 35 Agriculture

Providing for the care and feeding of swine by members of cooperative associations, by providing for a vote of the members prior to entering into contracts, and providing an effective date.

SSB 36 State Government

Relating to licensing, enforcement, and rulemaking activities by the department of public safety concerning private investigative and security agencies, the state fire marshal, and handicapped parking spaces, and providing and altering civil, criminal, and administrative penalties.

SSB 37 State Government

Relating to the election of officers on the architectural examining board.

SSB 38 State Government

A joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of license fees and excise taxes received from hunting, fishing, and trapping activities or equipment, and other public or private funds appropriated, allocated, or given for fish, game, and wildlife protection purposes.

SSB 39 State Government

Relating to the payment of benefits pursuant to the state employees disability insurance program, and providing effective and retroactive applicability dates.

SSB 40 Judiciary

Relating to public safety by allowing the recovery of certain costs, requirements for fingerprint reporting access by individuals and their attorneys to criminal history data, establishing administrative penalties for failure to file required reports, establishing the crime of assault against a peace officer, and providing a penalty.

SSB 41 Judiciary

Relating to domestic abuse, expanding the definition of domestic abuse, adding no-contract provisions to pretrial release conditions, and providing penalties.

SSB 42 Commerce

Relating to the authority of the superintendent of banking to remove a director of a state bank and providing for the retroactive applicability of the Act.

SSB 43 Commerce

Relating to limitations on the acquisition of banks, savings and loan associations, and savings banks by bank holding companies.

SSB 44 Commerce

Relating to thrift certificates and their exemption from certain filing and registration requirements.

SSB 45 Communication & Information Policy

Expanding the entities included as governmental bodies under the open meetings law.

SSB 46 Small Business, Economic Development & Tourism

Regulating the sale of motor vehicle fuel and creating penalties.

REPORTS OF COMMITTEE MEETINGS**COMMERCE**

Convened: January 25, 1993, 2:15 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Slife, Varn and Welsh.

Members Absent: Priebe and Sturgeon (both excused).

Committee Business: Assigned bills to subcommittees; presentation by the insurance commissioner.

Adjourned: 3:05 p.m.

EDUCATION

Convened: January 25, 1993, 3:10 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:14 p.m.

WAYS AND MEANS

Convened: January 25, 1993, 1:31 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: Lloyd-Jones (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 9 as a committee bill; recommended passage of Senate File 16.

Adjourned: 1:52 p.m.

COMMITTEE REPORT**AGRICULTURE**

Final Bill Action: SENATE FILE 37 (SSB 23), a bill for an act appropriating moneys to support capital improvements to the Iowa state fairgrounds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 1**

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Kramer

Senate Joint Resolution 1

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Drake

Senate File 21

STATE GOVERNMENT: Welsh, Chair; Bisignano and Kramer

Senate File 26

EDUCATION: Kibbie, Chair; Deluhery and Lind

Senate File 27

RULES AND ADMINISTRATION: Boswell, Chair; Horn and Rife

Senate File 32

JUDICIARY: Bisignano, Chair; Fuhrman and Welsh

Senate File 33

JUDICIARY: Sturgeon, Chair; Connolly, McKean, Szymoniak and Taylor

Senate File 34

JUDICIARY: Giannetto, Chair; Lloyd-Jones and McKean

House File 22

EDUCATION: Connolly, Chair; Kibbie and Kramer

SSB 24

EDUCATION: Connolly, Chair; Kramer and Varn

SSB 25

JUDICIARY: Vilsack, Chair; Giannetto and Slife

SSB 26

JUDICIARY: Giannetto, Chair; Taylor and Welsh

SSB 27

JUDICIARY: Rosenberg, Chair; Pate and Vilsack

SSB 29

JUDICIARY: Szymoniak, Chair; Drake and Sturgeon

SSB 33

HUMAN RESOURCES: Riordan, Chair; Lloyd-Jones and Rittmer

SSB 34

AGRICULTURE: Husak, Chair; Boswell, Hedge, McLaren and Priebe

SSB 35

AGRICULTURE: Husak, Chair; Boswell, Hedge, McLaren and Priebe

SSB 36

STATE GOVERNMENT: Sorensen, Chair; McLaren and Welsh

SSB 37

STATE GOVERNMENT: Dieleman, Chair; Buhr and McKean

SSB 38

STATE GOVERNMENT: Fink, Chair; Kibbie and Rittmer

SSB 39

STATE GOVERNMENT: Kibbie, Chair; Gronstal and Rittmer

SSB 40

JUDICIARY: Rosenberg, Chair; Drake, Fuhrman, Giannetto and Vilsack

SSB 41

JUDICIARY: Sturgeon, Chair; Lloyd-Jones, Pate, Slife and Szymoniak

AMENDMENTS FILED

S—3012	S. F.	27	Sheldon Rittmer
S—3013	S. F.	27	Sheldon Rittmer

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of license fees and excise taxes received from hunting, fishing, and trapping activities or equipment, and other public or private funds appropriated, allocated, or given for fish, game, and wildlife protection purposes.

Read first time and placed on calendar.

Senate File 37, by committee on Agriculture, a bill for an act appropriating moneys to support capital improvements to the Iowa state fairgrounds.

Read first time and placed on calendar.

Senate File 38, by Vilsack, a bill for an act providing for requirements of a financing statement filed under the uniform commercial code, and providing applicability and effective dates.

Read first time and passed on file.

Senate File 39, by Taylor and Lloyd-Jones, 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 40, by Pate and Lind, a bill for an act requiring confidential use of social security numbers on noncommercial driver's license applications.

Read first time and passed on file.

APPENDIX

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 2 (SSB 38), a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of license fees and excise taxes received from hunting, fishing, and trapping activities or equipment, and other public or private funds appropriated, allocated, or given for fish, game, and wildlife protection purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	36	Judiciary
S. F.	38	Commerce
S. F.	39	Ways and Means
S. F.	40	Transportation

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Wednesday, January 27, 1993.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 27, 1993

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

Prayer was offered by the Reverend Keith Korver, pastor of the Calvary Reformed Church, Des Moines, Iowa.

The Journal of the Tuesday, January 26, 1993, was approved.

INTRODUCTION OF BILL

Senate File 41, by Jensen, a bill for an act to allow for the property tax portion of school district cost to remain in the district of residence of a pupil participating in open enrollment and providing for open enrollment payments to be made directly by the department of management.

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 41 present, 9 absent and a quorum present.

RECESS

• On motion of Senator Horn, the Senate recessed at 9:10 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 26, 1993, 9:40 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Budget presentations by the department of personnel, office of the secretary of state and office of drug enforcement and abuse prevention coordinator.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 26, 1993, 9:50 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Budget presentation by the department of natural resources; assigned sub-subcommittees.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 26, 1993, 9:45 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member; Boswell and Maddox.

Members Absent: none.

Committee Business: Presentations by the wallace technology transfer foundation, the heartland technology network and the Iowa product development corporation.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 26, 1993, 9:39 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member and Bartz.

Members Absent: Connolly (excused).

Committee Business: Presentations by United Students of Iowa, graduate students attending regent institutions, Iowa associations of community college presidents and community college trustees.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 26, 1993, 9:42 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Presentations by veterans affairs and the veterans hospital of Marshalltown.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 26, 1993, 9:40 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Received reports regarding Annie Casey foundation and the condition of economic assistance and governor's initiatives.

Adjourned: 11:36 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 26, 1993, 9:35 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Budget presentations by department of employment services and campaign finance disclosure commission; adopted rules.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 26, 1993, 9:42 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member and Jensen.

Members Absent: Lloyd-Jones (excused).

Committee Business: Budget presentation by the department of transportation.

Adjourned: 11:25 a.m.

AGRICULTURE

Convened: January 26, 1993, 8:10 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman.

Members Absent: none.

Committee Business: Approved SSB 23 as a committee bill; assigned bill to subcommittees.

Adjourned: 8:23 a.m.

LOCAL GOVERNMENT

Convened: January 26, 1993, 3:05 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: none.

Committee Business: Presentation by ISAC.

Adjourned: 3:27 p.m.

NATURAL RESOURCES

Convened: January 26, 1993, 2:20 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink and Sturgeon.

Members Absent: Riordan (excused).

Committee Business: Presentation on the REAP program.

Adjourned: 3:05 p.m.

RULES AND ADMINISTRATION

Convened: January 25, 1993, 4:30 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer, Lind and Palmer.

Members Absent: none.

Committee Business: Amended the Access to Senate Chamber and Rules of Senate Decorum by adding a smoking policy; assigned bill to subcommittee; approved access to senate floor to two representatives each from the democratic and republican parties.

Adjourned: 4:43 p.m.

STATE GOVERNMENT

Convened: January 26, 1993, 1:40 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: none.

Committee Business: Approved SSB 38 as a committee joint resolution.

Adjourned: 1:48 p.m.

ANNOUNCEMENT OF APPOINTMENTS

The majority leader announced the following appointments on January 27, 1993:

COMMISSION ON INTERSTATE COOPERATION

(Code 28B)

(Terms expire February 1, 1995)

Senators Bill Fink, Randy Giannetto, Patty Judge, Allen Borlaug, Jack Hester and (Senator Wally Horn, exofficio non-voting member).

PUBLIC RETIREMENT SYSTEMS COMMITTEE

(Code 97D)

(Terms expire convening of 76th General Assembly)

Senators Jack Kibbie, Mike Gronstal, Bill Dieleman, Richard Drake and Sheldon Rittmer.

STUDY BILLS RECEIVED**SSB 47 Human Resources**

Relating to the Iowa adoption exchange system.

SSB 48 Appropriations

Relating to the reestablishment of an energy conservation trust and providing for retroactive applicability.

SSB 49 Appropriations

Making an appropriation to the passenger rail service revolving fund.

SUBCOMMITTEE ASSIGNMENTS**SSB 42**

COMMERCE: Deluhery, Chair; Fuhrman and Priebe.

SSB 43

COMMERCE: Deluhery, Chair; Kersten and Sturgeon.

SSB 44

COMMERCE: Deluhery, Chair; Lind and Priebe.

SSB 46

SMALL BUSINESS, ECONOMIC DEVELOPMENT and TOURISM: Riordan, Chair; Bennett and Kibbie.

SSB 47

HUMAN RESOURCES: Judge, Chair; Bennett and Riordan.

CERTIFICATES OF RECOGNITION

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

Mr. William Petullo, Principal of Sacred Heart Elementary School; Ms. Georgine Hurt, Principal of Blessed Sacrament Elementary School; Ms. Gladys Oppold, Principal of St. Edward's School; Sr. Margaret Weigel, Principal of St. John/St. Nicholas Elementary School; Mrs. Patricia Powell, Principal of St. Mary's Elementary School; and Sr. M. Louise Scieszinski, Principal of St. Patrick's Elementary School — For commitment to Catholic schools and the future of Iowa, and in recognition of the contributions of Catholic schools to education. Senator Lind. (1-27-93).

Officer Thomas Ramaeker, Eagle Grove — For bravery in subduing an assailant. Senator Taylor. (1-27-93).

COMMITTEE REPORT**EDUCATION**

Final Bill Action: HOUSE FILE 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3014.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:42 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 42, by Taylor and Dieleman, a bill for an act to provide for the reporting of student academic deficiencies from postsecondary education institutions to secondary schools and to the department of education.

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.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 16

On motion of Senator Riordan, Senate File 16, a bill for an act authorizing certain merged areas to certify an additional equipment replacement tax levy for the fiscal year beginning July 1, 1993, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 16) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn

Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

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

APPENDIX

ANNOUNCEMENT OF APPOINTMENTS

The President of the Senate announced the following appointments on January 27, 1993:

COMMUNICATIONS REVIEW COMMISSION (Code 2.35)

Senator Richard Varn - term expires with the convening of 76th General Assembly.

RURAL HEALTH ADVISORY BOARD (Code 135.13)

Senator Patty Judge — 1/27/93 - 1/1/94

AGRICULTURAL ENERGY MANAGEMENT COUNCIL (Code 467E.1)

Senator Bill Fink - 1/27/93 - 6/30/94

BOUNDARY COMMISSION (Code 2.91)

Senator Al Sturgeon - 1/27/93 - 6/30/96

BILLS ASSIGNED TO COMMITTEE

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

S.F.	41	Education
S.F.	42	Education

CERTIFICATES OF RECOGNITION

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

Mr. Michael Palmer, Principal Columbus High School — For commitment to Catholic schools and the future of Iowa, and in recognition of the contributions of Catholic schools to education. Senator Lind (1/27/93).

Scott Hayes, Davenport — For attaining the coveted rank of Eagle Scout. Senator Rife (1/30/93).

AMENDMENTS FILED

S—3014	H.F.	22	Education
S—3015	H.F.	22	Mike Connolly John Kibbie

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:52 p.m., until 9:00 a.m., Thursday, January 28, 1993.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 28, 1993

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Blake Blakesley, pastor of the Scotch Ridge Presbyterian Church, Carlisle, Iowa.

The Journal of the Wednesday, January 27, 1993, was approved.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 27, 1993, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-fifth general assembly.

INTRODUCTION OF BILL

Senate File 43, by Jensen and Fraise, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services and providing an effective date.

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

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

RECESS

On motion of Senator Husak, the Senate recessed at 9:20 a.m., until 3:00 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, your committee on Rules and Administration submits the following names of officers and employees of the Senate for the Seventy-fifth General Assembly, and their respective classifications, grades and steps:

		Class	Grade	Step
Secretary of the Senate	John F. Dwyer	P-FT	\$52,832.00 annual	
Assistant Secretary of the Senate II	Cynthia A. Clingan	P-FT	35	5
Caucus Staff Director	Debbie O'Leary	P-FT	38	-1
Caucus Staff Director	Carol Olson	P-FT	38	-1
Sr. Administrative Assistant to Majority Leader	Gregory Nichols	P-FT	38	3
Administrative Assistant to Minority Leader I	Stephanie Laudner	P-FT	29	2
Administrative Assistant to President I	John Cacciatore	P-FT	29	2
Legislative Research Analyst III	William Haigh	P-FT	35	2
Legislative Research Analyst III	James Boose	P-FT	35	2
Legislative Research Analyst II	Theresa Kehoe	P-FT	32	3
Legislative Research Analyst II	Steve T. Conway	P-FT	32	3
Legislative Research Analyst II	Suzanne Johnson	P-FT	32	3
Legislative Research Analyst II	Randy Bauer	P-FT	32	2
Legislative Research Analyst II	Carolann Jensen	P-FT	32	2
Legislative Research Analyst I	Curtis Stamp	P-FT	29	2
Legislative Research Analyst I	Ann Molis	P-FT	29	2
Legislative Research Analyst I	Robyn Mills	P-FT	29	2
Legislative Research Analyst	Linda Santi	P-FT	27	2
Research Assistant	Julie Simon	P-FT	24	1
Caucus Secretary	Mary Bustad	P-FT	21	6
Caucus Secretary	Marcella Jolly	P-FT	21	6
Executive Secretary to Minority Leader	Vickie Davis	E-FT	24	1
Secretary to President	Mary Ann Peer	S-0	19	2+2
Administrative Secretary				

to the Secretary	Annette Nichols	S-0	21	3
Confidential Secretary to the Secretary	Lori Bristol	P-FT	27	2
Confidential Secretary to Majority Leader	Kathy Hillman	P-FT	27	4
Senior Journal Editor	C.J. Kelly	P-FT	30	5
Journal Editor I	Teri Souer	P-FT	22	1
Assistant to Legal Counsel	Kelly Finley	S-0	19	1
Finance Officer II	Linda Laurenzo	P-FT	27	3
Assistant Finance Officer	Nancy Gibson	P-FT	21	4
Recording Clerk	Karen Besserman	S-0	21	1
Journal Recording Clerk	Linda Morrow	S-0	21	1
Indexer II	Caryll Wilbur	P-FT	25	5
Indexing Assistant	Kathleen Curoe	P-FT	19	3
Records and Supply Clerk	Mary Buban	S-0	18	6
Switchboard Operator	Annie Antolik	S-0	14	1
Switchboard Operator	Jean Murray	S-0	14	1
Legislative Secretary	Joyce Anderson	S-0	16	4+2
Legislative Secretary	Carla Banks	S-0	16	1
Legislative Secretary	Barbara Bennett	S-0	16	3
Legislative Secretary	Joan Conrad	S-0	17	1
Legislative Secretary	Connie Eichhorn	S-0	18	5+2
Legislative Secretary	Andy Fleming	S-0	17	1
Legislative Secretary	Alleen Hedge	S-0	18	2
Legislative Secretary	Kim Jensen	S-0	16	1
Legislative Secretary	Myrtle Jensen	S-0	16	3
Legislative Secretary	Pat King	S-0	16	4+2
Legislative Secretary	Milissa Knudsen	S-0	18	1
Legislative Secretary	Gay Leverich	S-0	16	4+2
Legislative Secretary	Kaye Lozier	S-0	18	1
Legislative Secretary	Fran Marks	S-0	16	1
Legislative Secretary	Brent Oleson	S-0	16	1
Legislative Secretary	Carole Peterson	S-0	18	3+2
Legislative Secretary	Jason Rensink	S-0	16	1
Legislative Secretary	Marilyn Rensink	S-0	16	4+2
Legislative Secretary	Flo Saf	S-0	16	5+2
Legislative Secretary	Diane Schrage	S-0	16	1
Legislative Secretary	Hazel Schroedel	S-0	16	5+2
Legislative Secretary	Sam Tippy	S-0	17	1
Legislative Secretary	Betty Wise	S-0	16	6+2
Legislative Secretary	Beverly Zieman	S-0	16	1
Legislative Committee Secretary	Eleanor Barnhill	S-0	17	1
Legislative Committee Secretary	Jo Ann Critelli	S-0	18	3+2
Legislative Committee Secretary	Janice Dolan	S-0	18	1
Legislative Committee Secretary	Roma Dye	S-0	17	1
Legislative Committee Secretary	Debra Feintech	S-0	18	1
Legislative Committee Secretary	Faye Fraise	S-0	18	2
Legislative Committee Secretary	Karen DeKock Francis	S-0	18	1
Legislative Committee Secretary	Darrin Gage	S-0	17	1
Legislative Committee Secretary	Sally Gallagher	S-0	18	5+2

Legislative Committee Secretary	Mary Ann Gass	S-0	18	2
Legislative Committee Secretary	Mary Gettings	S-0	18	2
Legislative Committee Secretary	Glenda Gorsh	S-0	18	1
Legislative Committee Secretary	JoAnn Hanover	S-0	18	4+2
Legislative Committee Secretary	Dorothy Husak	S-0	18	3
Legislative Committee Secretary	Brenda Huyser	S-0	18	2
Legislative Committee Secretary	Judy Jay	S-0	18	2
Legislative Committee Secretary	Kay Kibbie	S-0	18	1
Legislative Committee Secretary	Lynn Lester	S-0	18	1
Legislative Committee Secretary	Patty McKee	S-0	18	1
Legislative Committee Secretary	Kathy Peterson	S-0	17	5+2
Legislative Committee Secretary	Barb Rogers	S-0	18	1
Legislative Committee Secretary	David Tingwald	S-0	18	1
Legislative Committee Secretary	Jo Ann West	S-0	17	4+2
Bill Clerk	Glen Beck	S-0	14	2
Postmaster	Eleanor Hesseling	S-0	12	2
Sergeant-at-Arms	William Krieg	S-0	17	2
Assistant Sergeant-at-Arms	Lynn E. Brandt	S-0	14	2
Chief Doorkeeper	Ray J. Prosperi	S-0	12	5
Doorkeeper	Svend Christensen	S-0	11	2
Doorkeeper	George Finkenauer	S-0	11	2
Doorkeeper	Bernadine Follett	S-0	11	2
Doorkeeper	Merlyn Frohling	S-0	11	1
Doorkeeper	Robert Langbehn	S-0	11	1
Doorkeeper	E.A. Samuelson	S-0	11	3
Page	Brian Anniss	S-0	Minimum Wage	
Page	William Barnett	S-0	Minimum Wage	
Page	Laura Beadle	S-0	Minimum Wage	
Page	Jeremy Farlow	S-0	Minimum Wage	
Page	Maggie Hade	S-0	Minimum Wage	
Page	Heather Jack	S-0	Minimum Wage	
Page	Mike Jenkins	S-0	Minimum Wage	
Page	Glenda Johnson	S-0	Minimum Wage	
Page	Tiffany Karney	S-0	Minimum Wage	
Page	Brent Larson	S-0	Minimum Wage	
Page	Theresa Lynch	S-0	Minimum Wage	
Page	Susan McKim	S-0	Minimum Wage	
Page	Karla Mickey	S-0	Minimum Wage	
Page	Okalena Miler	S-0	Minimum Wage	
Page	Noelle Ray	S-0	Minimum Wage	
Page	Ben Stanford	S-0	Minimum Wage	
Page	Todd Versteegh	S-0	Minimum Wage	
Page	Melissa Wirtjes	S-0	Minimum Wage	

WALLY HORN, Chair

**SUPPLEMENTAL REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, the committee on Rules and Administration reports the following changes:

Legislative Committee Secretary	Joanne Wengert	S-O, Grade 18-3 Effective 1/25/93
Legislative Committee Secretary	Karen DeKock Francis	Step 1 to Step 2 Effective 2/12/93

WALLY HORN, Chair

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 27, 1993, 9:40 a.m.

Members Present: Judge, Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: Dieleman, Vice Chair (excused).

Committee Business: Budget presentation by office of the treasurer and department of revenue and finance.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 27, 1993, 9:40 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair and Maddox.

Members Absent: Borlaug, Ranking Member and Boswell (both excused).

Committee Business: Presentations by the Iowa finance authority and the DED international division.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 27, 1993, 9:37 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentations by the board of regents, presidents of the universities and superintendents.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 27, 1993, 9:40 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Committee Business: Presentations by the divisions of the department of human rights.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 27, 1993, 9:42 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Report on child support recovery.

Adjourned: 11:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 27, 1993, 9:38 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Budget presentation by department of inspections and appeals.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 27, 1993, 9:44 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member and Lloyd-Jones.

Members Absent: Jensen (excused).

Committee Business: Budget presentation by the department of public safety.

Adjourned: 11:02 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 26, 1993, 3:49 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Assigned study bills to subcommittees; presentation by the chairperson of the Iowa utilities board.

Adjourned: 4:45 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 27, 1993, 8:07 a.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise and Jensen.

Members Absent: Kersten (excused).

Committee Business: Presentation by representatives of federal agencies regarding the use of telecommunications.

Adjourned: 9:15 a.m.

EDUCATION

Convened: January 27, 1993, 2:25 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House File 22 as amended.

Adjourned: 2:40 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 27, 1993, 1:35 p.m. \

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: Borlaug.

Committee Business: Presentation by director of the department of natural resources.

Adjourned: 2:20 p.m.

HUMAN RESOURCES

Convened: January 27, 1993, 1:35 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Presentations regarding child support recovery from the department of human services and the attorney general's office; assigned study bills to subcommittees.

Adjourned: 2:15 p.m.

ANNOUNCEMENT OF APPOINTMENTS

The majority leader announced the following appointments on January 28, 1993:

IOWA LEGISLATIVE COUNCIL COMMITTEES

ADMINISTRATION: Palmer, Buhr and Tinsman

CAPITAL PROJECTS: Murphy, Husak, Palmer, McLaren and Jensen

FISCAL: Murphy, Dieleman, Boswell, McLaren and Bennett

INTERNATIONAL RELATIONS: Riordan, Horn, Welsh, Rife and McLaren

SERVICE: Horn, Gettings and Rife

STUDIES: Horn, Boswell, Husak, Rife and Lind

The President of the Senate announced the following appointments to boards and commissions on January 28, 1993:

COMMUNICATIONS REVIEW COMMISSION

(Code 2.35)

Senator Joe Welsh - term expires with the convening of the 76th general assembly.

COMMISSION ON CHILDREN, YOUTH AND FAMILIES

(Code 601K.33)

Senator Jim Riordan - 1/28/93 - 1/1/95.

RURAL DEVELOPMENT COUNCIL

(Request of Department of Economic Development)

Senator Tom Vilsack - no set term.

ENERGY FUND DISBURSEMENT

(Senate File 517, 1987)

Senator Ralph Rosenberg - term expires with the convening of the 76th general assembly.

COMMITTEE REPORT**AGRICULTURE**

Final Bill Action: SENATE RESOLUTION 2 (SSB 52), a senate resolution honoring former Senator John E. Soorholtz for his contributions to agriculture.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, Riordan, Bartz, Banks, Boswell, Hedge, Hester, Judge, Sorensen and Zieman. Nays, none. Absent or not voting, 5: Fraise, Giannetto, Husak, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 2, by committee on Agriculture, a Senate resolution honoring former Senator John E. Soorholtz for his contributions to agriculture.

Read first time and placed on calendar.

Senate Concurrent Resolution 4, by Buhr, Rosenberg, Connolly, Slife, Sturgeon, Szymoniak, and Lind, a concurrent resolution paying tribute to the memory of retired Supreme Court Justice Thurgood Marshall.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 44, by Boswell, a bill for an act relating to the establishing of an integrated case-management program within the department of elder affairs, and making an appropriation.

Read first time and passed on file.

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

The Senate stood at ease at 3:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:52 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 22.

House File 22

On motion of Senator Connolly, House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—3014 filed by the committee on Education on January 27, 1993, to page 1 of the bill.

Senator Connolly offered amendment S—3015 filed by Senators Connolly and Kibbie on January 27, 1993, to amendment S—3014.

The Senate stood at ease at 5:50 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 7:05 p.m., President Boswell presiding.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	43	Commerce
S.F.	44	Human Resources
S.C.R.	4	Rules and Administration

The Senate stood at ease at 7:08 p.m. until the fall of the gavel.

The Senate resumed session at 7:20 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the remainder of the day on request of Senator Rife.

BUSINESS PENDING

House File 22

The Senate resumed consideration of House File 22, amendment S—3014 and amendment S—3015 to amendment S—3014.

Senator Connolly moved the adoption of amendment S—3015 to amendment S—3014, and requested a record roll call.

On the question "Shall amendment S—3015 to amendment S—3014 be adopted?" (H.F. 22) the vote was:

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

Ayes, 9:

Connolly	Fink	Gettings	Giannetto
Judge	Kibbie	Priebe	Riordan
Rosenberg			

Nays, 40:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Rensink	Rife	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Tinsman
Varn	Vilsack	Welsh	Zieman

Absent or not voting, 1:

Taylor

Amendment S—3015 lost.

Senator Rife offered amendment S—3017 filed by Senators Rife, et. al., from the floor to amendment S—3014.

Senator Connolly raised the point of order that amendment S—3017 to amendment S—3014 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3017 out of order.

Senator Connolly moved the adoption of amendment S—3014.

A record roll call was requested.

On the question "Shall amendment S—3014 be adopted?" (H.F. 22) the vote was:

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

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Nays, 22:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten,	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Tinsman	Zieman		

Absent or not voting, 1:

Taylor

Amendment S—3014 was adopted.

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

On the question "Shall the bill pass?" (H.F. 22) the vote was:

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

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Nays, 22:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Tinsman	Zieman		

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.

Senator Husak asked and received unanimous consent that House File 22 be immediately messaged to the House.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 4, a resolution paying tribute to the memory of retired Supreme Court Justice Thurgood Marshall.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Kramer, Lind and Palmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 4 and Senate Resolution 2.

Senate Concurrent Resolution 4

On motion of Senator Buhr, Senate Concurrent Resolution 4, a concurrent resolution paying tribute to the memory of retired Supreme Court Justice Thurgood Marshall, with report of committee recommending passage, was taken up for consideration.

Senator Buhr moved the adoption of Senate Concurrent Resolution 4, which motion prevailed by a voice vote.

Senate Resolution 2

On motion of Senator Priebe, Senate Resolution 2, a senate resolution honoring former Senator John E. Soorholtz for his contributions to agriculture, was taken up for consideration.

Senator Priebe moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Concurrent Resolution 4** be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 45, by Priebe, Dieleman, Horn, Giannetto, Husak, Gettings, Fink, Lloyd-Jones, Deluhery, Szymoniak, Kibbie, Riordan, Judge, Sturgeon, Fraise, and Boswell, a bill for an act relating to events on property held by the Iowa state fair authority

and societies managing local fairs, by exempting gross receipts from the sales and services tax.

Read first time and passed on file.

APPENDIX

STUDY BILLS RECEIVED

SSB 50 Judiciary

Relating to nonsubstantive Code corrections.

SSB 51 Agriculture

Relating to Iowa-foaled horses and Iowa-whelped dogs used for pari-mutuel racing.

SSB 52 Agriculture

A Senate resolution honoring former Senator John E. Soorholtz for his contributions to agriculture.

SSB 53 Transportation

Making technical changes to transportation Code provisions relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations.

SSB 54 Business & Labor Relations

Relating to employees' use of lawful products during nonworking hours, and providing civil enforcement procedures.

SSB 55 Business & Labor Relations

Relating to assessments to be paid by employers related to workers' compensation insurance or self-insurance.

SSB 56 Business & Labor Relations

Relating to certain collective bargaining procedures by exempting labor-management committees from the open meetings requirement, establishing a fee for requesting mediation and impasse services, and providing for confidentiality for public employee statements in support of a petition for a union's certification or decertification.

SUBCOMMITTEE ASSIGNMENTS

Senate File 23

TRANSPORTATION: Gettings, Chair; Dieleman and Kersten

Senate File 25

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Fraise

Senate File 30

TRANSPORTATION: Fraise, Chair; Dieleman and Jensen

Senate File 38

COMMERCE: Sturgeon, Chair; Fuhrman and Welsh

Senate File 39

WAYS AND MEANS: Riordan, Chair; Hester and Lloyd-Jones

Senate File 40

TRANSPORTATION: Connolly, Chair; Gettings and Kersten

SSB 11

APPROPRIATIONS: Gronstal, Chair; Rosenberg and Taylor

SSB 48

APPROPRIATIONS: Rosenberg, Chair; Kramer and Varn

SSB 49

APPROPRIATIONS: Fraise, Chair; Kersten and Murphy

SSB 50

JUDICIARY: Sturgeon, Chair; Giannetto and McKean

SSB 51

AGRICULTURE: Priebe, Chair; Bartz and Palmer

SSB 52

AGRICULTURE: Priebe, Chair; Hester, Husak, McLaren and Palmer

SSB 53

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Gettings

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: January 27, 1993, 3:50 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the director of the department of corrections.

Adjourned: 4:45 p.m.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF NATURAL RESOURCES

Annual Report, pursuant to Chapters 455B.425 and 455B.427, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

Annual Report on Toxic Cleanup Days, pursuant to Chapter 455F.8, Code of Iowa.

DEPARTMENT OF MANAGEMENT

Statement of Standing Appropriations for fiscal year ending June 30, 1992.

IOWA HIGHER EDUCATION LOAN AUTHORITY

1992 Annual Report, pursuant to Chapter 261A.21.

IOWA ASSOCIATION OF SCHOOL BOARDS
IOWA STATE ASSOCIATION OF COUNTIES
LEAGUE OF IOWA MUNICIPALITIES

Report and recommendations of the Joint Local Government Committee on Ethics, pursuant to Section 36 of HF 2466, 1992 Acts of the 74th General Assembly.

IOWA HEALTH DATA COMMISSION

A report on Community Health Management Information System, pursuant to Chapter 1241, Section 37, Acts of the 1992 Regular Session of the 74th General Assembly.

DEPARTMENT OF PUBLIC SAFETY

Annual Report, pursuant to Chapter 7E.3, Subsection 4, Code of Iowa.

IOWA DEPARTMENT OF EMPLOYMENT SERVICES
DIVISION OF INDUSTRIAL SERVICES

A report on the alternate funding proposal of the Division of Industrial Services, pursuant to Chapter 1242, Section 4, of the 1992 Iowa Acts.

IOWA DEPARTMENT OF PUBLIC HEALTH

Annual Report of fiscal year 1992.

INTERNATIONAL NETWORK ON TRADE (Internet)

Annual Report for 1992.

DEPARTMENT OF ELDER AFFAIRS

Medicare Partners Annual Report for Fiscal Year 1992, pursuant to Chapter 17, Code of Iowa.

DEPARTMENT OF REVENUE & FINANCE

Annual Report for the year 1992.

IOWA HEALTH DATA COMMISSION

1993 Annual Report, pursuant to Chapter 145.6, Code of Iowa.

COMMISSION ON COMMUNITY ACTION AGENCIES

A report on Funding Low Income Weatherization: Replacing Energy Conservation Trust Funds, pursuant to Amendment H-5972 to SF 2361, 1992 Acts of the 74th General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Annual Report for the Iowa Job Training Partnership Act (JTPA), pursuant to Chapter 7B.3(10), Code of Iowa.

DEPARTMENT OF EDUCATION

A report on "Open Enrollment" for the 1991-92 School Year, pursuant to SF 59, Acts of the 1989 General Assembly.

STATE BOARD OF REGENTS

The Board of Regents 1994-1998 Five Year Building Program was received on January 15, 1993, pursuant to Chapter 262A.3, Code of Iowa.

STATE PRESERVES ADVISORY BOARD

A report of the State Preserves Advisory Board for the Biennium 1991-1992, pursuant to Chapter 111B, Code of Iowa.

DEPARTMENT OF JUSTICE

Annual Report of the Attorney General's Crime Victim Assistance Division, pursuant to Chapter 912.2A, Code of Iowa.

STATE PSEUDORABIES ADVISORY COMMITTEE

Official 1993 report on calendar year 1992 activities, pursuant to Chapter 166D.3, Code of Iowa.

DEPARTMENT OF EDUCATION

A report on the Family Resource Center Demonstration Program, pursuant to Chapter 1221.2, Section 256.9, Code of Iowa.

DEPARTMENT OF PERSONNEL

Semi-annual report on the pilot wellness program at the Department of Transportation, pursuant to Chapter 1243, 1992 Acts of the 74th General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Annual Report for fiscal year 1992 of the Community Economic Betterment Account (CEBA), pursuant to Chapter 99E.31(2), 99E.32(2) "a"(9) and 99E.32(2) "b".

DEPARTMENT OF EDUCATION

A report containing proposed statutory language and proposed rules for granting exemptions from State accreditation standards, pursuant to Chapter 1159, Section 1, 1992 Acts of the 74th General Assembly.

DEPARTMENT OF TRANSPORTATION

1992 Iowa Airport Sufficiency Ratings, pursuant to Chapter 328.12, Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

FY92 Annual Report of the Iowa Labor-Management Cooperation Program.

DEPARTMENT OF EDUCATION

A summary report of community college ten year building plan, pursuant to Chapter 280A.70, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

A summary of purchasing activity for soy based inks and biodegradable trash bags, pursuant to Chapter 307.21, Code of Iowa.

DEPARTMENT OF PERSONNEL

A report summarizing the South Africa related investments held within the IPERS portfolio, pursuant to Chapter 12A.4(2a), Code of Iowa.

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 18, a bill for an act providing for special motor vehicle plates for fire fighters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3016.

Final Vote: Ayes, 9: Lloyd-Jones; Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen and Kersten. Nays, none. Absent or not voting, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3016	S.F.	18	Transportation
S-3017	H.F.	22	Jack Rife
			Derryl McLaren
			Jim Lind
			Mary E. Kramer
			Brad Banks

Merlin Bartz
Wayne D. Bennett
Allen Borlaug
Richard F. Drake
Linn Fuhrman
H. Kay Hedge
Jack W. Hester
John W. Jensen
James B. Kersten
O. Gene Maddox
Andy McKean
Paul D. Pate
Wilmer Rensink
Sheldon Rittmer
Harry G. Slife
Maggie Tinsman
Lyle E. Zieman

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 8:07 p.m., until 10:00 a.m., Monday, February 1, 1993.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 1, 1993

The Senate met in regular session at 10:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend R.D. Streeter, pastor of the Guthrie Center United Methodist Church, Guthrie Center, Iowa.

The Journal of the Thursday, January 28, 1993, was approved.

INTRODUCTION OF BILL

Senate File 46, by Gronstal, a bill for an act requiring allocation of pregnancy-related health expenses equally among female and male policyholders, subscribers, or enrollees of individual third-party payor medical expense contracts.

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 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 18.

Senate File 18

On motion of Senator Dieleman, Senate File 18, a bill for an act providing for special motor vehicle plates for fire fighters,

with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—3016 filed by the committee on Transportation on January 28, 1993, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3016 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon until he arrives on request of Senator Horn.

BUSINESS PENDING

Senate File 18

The Senate resumed consideration of Senate File 18.

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. 18) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, 1:

Fuhrman

Absent or not voting, 1:

Sturgeon

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

Senator Horn asked and received unanimous consent that **Senate File 18** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 10:47 a.m., until 4:30 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 57 Appropriations

Making appropriations and related provisions involving the general fund of the state.

SSB 58 Environment & Energy Utilities

Relating to process-oriented industrial assessment audits for utilities.

SSB 59 Appropriations

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date.

SSB 60 Appropriations

Relating to the crediting to and depositing in the general fund of the state moneys that would have been credited to and deposited into other funds or accounts, and providing an effective date.

SSB 61 Appropriations

Relating to appropriations made for remodeling, repairs, and maintenance.

SSB 62 Appropriations

Relating to energy conservation including making appropriations of petroleum overcharge funds and providing for effective and applicability date provisions.

SSB 63 State Government

A Concurrent Resolution to designate Council Bluffs, Iowa, the Purple Martin Capital of Iowa.

SSB 64 State Government

Authorizing certified public accountants and accounting practitioners to practice as limited liability companies.

SSB 65 State Government

Relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters and providing for the repeal of this Act.

SSB 66 State Government

Relating to containers used for liquified petroleum gas and providing a penalty.

SSB 67 State Government

Relating to the expansion of the state historical society board of trustees.

SSB 68 State Government

Relating to state government personnel systems, training programs, grievance procedures, affirmative action reports, discrimination investigations, collective bargaining matters, disability programs, and deferred compensation programs.

SSB 69 State Government

Relating to the qualifications for physicians serving on the board of medical examiners.

SSB 70 Agriculture

Providing for the rescue and maintenance of neglected animals, providing penalties, and providing for the repeal of a provision.

SSB 71 Education

To include students attending eligible courses of study at qualified proprietary schools in the vocational-technical tuition grant program, and providing for rulemaking by the college student aid commission.

SSB 72 Education

Relating to the date by which the board of directors of a school district must certify for levy a property tax and providing an effective date.

SSB 73 Ways & Means

Relating to the processing exemption for the sales, services, and use taxes.

SSB 74 Ways & Means

Relating to a taxpayers' procedural bill of rights to promote procedural fairness and due process in matters related to taxation and providing effective and applicability date provisions.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: January 28, 1993, 8:05 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Sorensen and Zieman.

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; approved SSB 52 as a committee resolution; presentations by representatives of Iowa State College of Agriculture on international agriculture program as applied to commercial industry in the state.

Adjourned: 8:55 a.m.

RULES AND ADMINISTRATION

Convened: January 28, 1993, 7:08 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer, Lind and Palmer.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 4.

Adjourned: 7:12 p.m.

TRANSPORTATION

Convened: January 28, 1993, 2:21 p.m.

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

Members Absent: Pate.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 18 as amended.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: January 28, 1993, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, Palmer, Riordan and Rosenberg.

Members Absent: McLaren, Murphy and Szymoniak (excused).

Committee Business: Assigned bill to subcommittee.

Adjourned: 1:58 p.m.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 1, 1991 session, and Senate Concurrent Resolution 2, 1993 session, the committee on Rules and Administration submits the following changes:

Exec. Sec. to Secretary to Conf. Sec. to Secretary	Lori Bristol	Grade 23-5 to 27-2 Effective 7/17/92
Research Analyst I	Ann Molis	Grade 27-2 to 29-2 Effective 7/17/92
Research Analyst I	Curt Stamp	Grade 27-3 to 29-2 Effective 7/17/92
Research Analyst	Linda Santi	Step 1 to Step 2 Effective 6/9/92

Research Analyst II	Suzanne Johnson	Step 2 to Step 3 Effective 8/14/92
Caucus Staff Director	Carol Olson	Step (-2) to Step (-1) Effective 8/14/92
Research Analyst I to Research Analyst II	Randall Bauer	Grade 29-4 to 32-2 Effective 8/14/92
Finance Officer II	Linda Laurenzo	Step 2 to Step 3 Effective 9/11/92
Assistant Finance Officer	Nancy Gibson	Step 3 to Step 4 Effective 9/11/92
Research Analyst II	Steve Conway	Step 2 to Step 3 Effective 9/11/92
Research Analyst to Research Analyst I	Robyn Mills	Grade 27-2 to 29-2 Effective 10/9/92
Research Analyst II	Theresa Kehoe	Step 2 to Step 3 Effective 11/20/92
Caucus Staff Director	Debbie O'Leary	Step (-2) to Step (-1) Effective 12/4/92
Research Assistant	Julie Simon	P-FT, Grade 24-1 Effective 12/21/92
Research Analyst III to Sr. Leg. Research Analyst	William Haigh	Grade 35-2 to 38(-2) Effective 1/15/93
Journal Editor I	Teri Souer	Step 1 to Step 2 Effective 1/15/93
Research Analyst II	Carolann Jensen	Step 2 to Step 3 Effective 3/15/93
Admin. Assist. to Leader I to Admin. Assist. to Leader II	John Cacciatore	Grade 29-2 to 32-1 Effective 5/24/93
Admin. Assist. to Leader I to Admin. Assist. to Leader II	Stephanie Laudner	Grade 29-2 to 32-1 Effective 5/24/93
Legislative Committee Secretary to Secretary to President	Mary Ann Peer	Grade 18-2, S-O to Grade 19-2, P-PT Effective 1/11/93
Admin. Secretary to Leader to Executive Secretary to Leader	Vickie Davis	Grade 21-1, S-O to Grade 24-1, E-FT Effective 1/11/93
Recording Clerk to Assistant to Legal Counsel	Kelly Finley	Grade 20-1 to 19-1 Effective 1/11/93
Assistant Sergeant-at-Arms to Sergeant-at-Arms	Bill Krieg	Grade 14-2 to 17-2 Effective 1/11/93

Assistant Sergeant-at-Arms	Lynn Brandt	Step 2 to Step 3 Effective 1/15/93
Doorkeeper	Svend Christensen	Step 2 to Step 3 Effective 2-12-93
Doorkeeper	George Finkenauer	Step 1 to Step 2 Effective 1/11/93
Doorkeeper	Bernadine Follett	Step 1 to Step 2 Effective 1/11/93
Sergeant-at-Arms to Doorkeeper	Merlyn Frohling	Grade 17-1 to 11-1 Effective 1/11/93 Step 1 to Step 2 Effective 3/12/93
Doorkeeper	Everett Samuelson	Step 3 to Step 4 Effective 2/26/93
Postmaster	Eleanor Hesseling	Step 2 to Step 3 Effective 2/12/93
Journal Recording Clerk	Linda Morrow	Step 1 to Step 2 Effective 3/12/93
Legislative Committee Secretary	Debra Feintech	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary	Faye Fraise	Step 2 to Step 3 Effective 4/23/93
Legislative Committee Secretary	Sally Gallagher	Step 5 to Step 6 Effective 5/21/93
Legislative Committee Secretary	Glenda Gorsh	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary	Dorothy Husak	Step 3 to Step 4 Effective 2/26/93
Legislative Committee Secretary	Lynn Lester	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary	JoAnn West	Step 4 to Step 5 Effective 1/15/93
Legislative Secretary	Myrtle Jensen	Step 3 to Step 4 Effective 2/12/93
Legislative Secretary	Kaye Lozier	Step 1 to Step 2 Effective 3/12/93
Legislative Secretary	Brent Oleson	Step 1 to Step 2 Effective 2/12/93
Legislative Committee Secretary to Legislative Secretary	Carole Peterson	Step 3 to Step 4 Effective 3/12/93
Legislative Secretary	Hazel Schroedel	Step 5 to Step 6 Effective 1/29/93

Legislative Committee Secretary
to Legislative Secretary

Marilyn Rensink

Grade 18-4 to 16-4
Effective 1/11/93

WALLY E. HORN, Chair

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were received in the office of the Secretary of the Senate:

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards, departments and commissions pursuant to 1991 and 1992 Code of Iowa sections:

April 13, 1992

Christine R. Junker, Parkersburg, Grundy County, for appointment to the Small Business Advisory Council pursuant to Section 15.108(7h) to fulfill an unexpired term beginning immediately and ending April 30, 1994.

April 21, 1992

David L. Clemens, Peosta, Dubuque County, for appointment to the Iowa Product Development Corporation pursuant to Section 15E.83 to fulfill an unexpired term beginning immediately and ending April 30, 1995.

May 15, 1992

David J. Blair, Sioux City, Woodbury County, for appointment to the State Racing and Gaming Commission pursuant to Section 99D.5 to fulfill an unexpired term beginning immediately and ending April 30, 1994.

June 11, 1992

Dale P. Repass, Dubuque, Dubuque County, for appointment to the Iowa State Civil Rights Commission pursuant to Section 216.3 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

July 9, 1992

Mary C. Hodges, Wapello, Louisa County, for appointment to the Medical Examining Board pursuant to Section 147.14(2) for a term beginning immediately and ending April 30, 1995.

July 22, 1992

Gary G. Kimes, Osceola, Clarke County, for appointment to the Criminal and Juvenile Justice Planning Advisory Council pursuant to Section 216A.132 to fulfill an unexpired term beginning immediately and ending April 30, 1994.

Catherine J. Johnson, Iowa City, Johnson County, for appointment to the Iowa Railway Finance Authority pursuant to Section 327I.6 to fulfill an unexpired term beginning immediately and ending April 30, 1994.

Loren E. Luppés, Oskaloosa, Mahaska County, for appointment to the Renewable Fuel Advisory Committee pursuant to Section 159A.4 for a term beginning immediately and ending April 30, 1995.

July 29, 1992

Suzanne J. Palmer, Albia, Monroe County, for appointment to the Barber Examining Board pursuant to Section 147.14(1) to fulfill an unexpired term beginning immediately and ending April 30, 1993.

September 23, 1992

Richard E. Garrels, Mt. Pleasant, Henry County, for appointment to the Natural Resource Commission pursuant to Section 455A.5 to fulfill an unexpired term beginning immediately and ending April 30, 1997.

David E. Koos, Harlan, Shelby County, for appointment to the State Board of Examiners for Nursing Home Administrators pursuant to Section 155.2 to fulfill an unexpired term beginning immediately and ending April 30, 1994.

September 30, 1992

Richard C. Bjorlo, Des Moines, Polk County, for appointment to the Iowa Higher Education Loan Authority pursuant to Section 261A.5 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

October 6, 1992

Robert O. Steben, Boone, Boone County, for appointment to the Commission of Veterans Affairs pursuant to Section 35A.2 for a term beginning immediately and ending July 30, 1996.

October 10, 1992,

Jack J. Dack, Marshalltown, Marshall County, for appointment as Commandant of the Iowa Veterans Home pursuant to Section 35D.13 for a term beginning immediately, and to serve at the pleasure of the Governor with a term ending June 30, 1993.

For appointment to the Commission of Veterans Affairs pursuant to Section 35A.2:

Muriel E. Allan, Maquoketa, Jackson County, for a term beginning immediately and ending April 30, 1994.

Mildred R. Dawson, Cedar Rapids, Linn County, and Mitchell L. O'Neel, Ankeny, Polk County, for terms beginning immediately and ending June 30, 1995.

Valore Likens, West Des Moines, Polk County, for a term beginning immediately and ending June 30, 1996.

Dale L. Renaud, Bondurant, Polk County, for appointment as Executive Director of the Commission of Veterans Affairs pursuant to Section 35A.8 for a term beginning immediately, and to serve at the pleasure of the Governor with a term ending June 30, 1993.

October 13, 1992

Charese E. Yanney, Sioux City, Woodbury County, for appointment to the Iowa Economic Development Board pursuant to Section 15.103 to fulfill an unexpired term beginning immediately and ending April 30, 1996.

October 16, 1992

Owen J. Newlin, Des Moines, Polk County, for appointment to the Iowa Economic Development Board pursuant to Section 15.103 to fulfill an unexpired term beginning immediately and ending April 30, 1995.

October 19, 1992

For reappointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Section 15E.154:

Perry J. Chapin, Des Moines, Polk County, and Russell W. Teig, Jewell, Hamilton County, for terms beginning immediately and ending April 30, 1996.

Wayne T. Newton, Luzerne, Benton County, for a term beginning immediately and ending April 30, 1994.

Nancy J. Tomes, Cumming, Warren County, for a term beginning immediately and ending April 30, 1993.

October 22, 1992

Sharon McCrabb, Manchester, Delaware County, for appointment to the County Finance Committee pursuant to Section 333A.2 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

Elvin R. Soll, Murray, Clarke County, for appointment to the Dietetic Examining Board pursuant to Section 147.14(11) to fulfill an unexpired term beginning immediately and ending April 30, 1994.

William A. Anderson, Des Moines, Polk County, for appointment to the Higher Education Strategic Planning Council pursuant to Section 272D.1 to fulfill an unexpired term beginning immediately and ending April 30, 1994.

Harriet Vande Hoef, Harris, Osceola County, for reappointment to the State Citizen Foster Care Review Board pursuant to Section 237.16 for a term beginning immediately and ending April 30, 1995.

November 19, 1992

Sylvia Tijerina, Des Moines, Polk County, for appointment as Administrator of the Division of Latino Affairs pursuant to Section 216A.2 for a term beginning December 14, 1992, serving at the pleasure of the Governor, subject to reconfirmation by the Senate every four years.

November 20, 1992

Glenda Griffin, Mt. Pleasant, Henry County, for appointment to the State Citizen Foster Care Review Board pursuant to Section 237.16 to fulfill an unexpired term beginning immediately and ending April 30, 1993.

November 25, 1992

Jewell E. Brown, Des Moines, Polk County, for appointment as Director of the Iowa State Civil Rights Commission pursuant to Section 216.3 for a term beginning January 4, 1993, and to serve at the pleasure of the Governor.

Sharon M. Mahood, Davenport, Scott County, for appointment to the Optometry Examining Board pursuant to Section 147.14(6) for a term beginning immediately and ending April 30, 1994.

December 3, 1992

Sally Chandler, Halford, Des Moines, Polk County, for appointment as Director of the Department of Corrections pursuant to Section 904.107 for a term beginning January 4, 1992, and to serve at the pleasure of the Governor.

Kathy G. Kahue, Hamburg, Fremont County, for appointment to the Investment Board of the IPERS pursuant to Section 97B.8 to fulfill an unexpired term beginning immediately and ending April 30, 1995.

January 15, 1993

Cynthia S. Houlson, Cedar Falls, Black Hawk County, for appointment to the Job Service Advisory Council pursuant to Section 96.11(5) to fulfill an unexpired term beginning immediately and ending April 30, 1993.

Annette Scieszinski, Albia, Monroe County, for appointment to the State Board of Tax Review pursuant to Section 412.1 to fulfill an unexpired term beginning immediately and ending April 30, 1995.

Stanley S. Wierson, Marion, Linn County, for appointment to the State Citizen Foster Care Review Board pursuant to Section 237.16 for a term beginning immediately and ending April 30, 1997.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were referred to the committee on Rules and Administration.

SUBCOMMITTEE ASSIGNMENTS

Senate File 43

COMMERCE: Gettings, Chair; Deluhery and Jensen

Senate File 44

HUMAN RESOURCES: Buhr, Chair; Bartz and Sturgeon

SSB 54

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

SSB 55

BUSINESS AND LABOR RELATIONS: Giannetto, Chair; Fuhrman and Gettings

SSB 56

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Gettings and Slife

SSB 63

STATE GOVERNMENT: Gronstal, Chair; Kibbie and McLaren

SSB 64

STATE GOVERNMENT: Giannetto, Chair; Buhr and Kramer

SSB 65

STATE GOVERNMENT: Welsh, Chair; McKean and Sorensen

SSB 66

STATE GOVERNMENT: Fink, Chair; Gronstal and Pate

SSB 67

STATE GOVERNMENT: Buhr, Chair; Dieleman and Lind

SSB 68

STATE GOVERNMENT: Sorensen, Chair; Bisignano and Kramer

SSB 69

STATE GOVERNMENT: Fink, Chair; Drake and Kibbie

SSB 70

AGRICULTURE: Judge, Chair; Hester, Riordan, Sorensen and Zieman

SSB 73

WAYS AND MEANS: Szymoniak, Chair; Bennett and Riordan

SSB 74

WAYS AND MEANS: Palmer, Chair; Drake and Rosenberg

CERTIFICATE OF RECOGNITION

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

Pleasant Valley Community High School, Pleasant Valley — For "First in the Nation in Education". Senator Tinsman (2-1-93)

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 5, by committee on State Government, a concurrent resolution to designate Council Bluffs, Iowa, the Purple Martin Capital of Iowa.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 47, by Szymoniak, a bill for an act relating to the assessing of a service charge in lieu of property taxes for the providing of police and fire protection by a city for real property which is totally or partially exempt from property tax, including government-owned real property, and providing an applicability date.

Read first time and passed on file.

Senate File 48, by Jensen, a bill for an act designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund.

Read first time and passed on file.

Senate File 49, by Bennett, a bill for an act authorizing the use of bid bonds for drainage district projects.

Read first time and passed on file.

Senate File 50, by Szymoniak, a bill for an act expanding the definition of children requiring special education to include children who are functionally blind, and providing for teacher licensure to teach braille to functionally blind students, and providing for related matters.

Read first time and passed on file.

Senate File 51, by Dieleman, a bill for an act relating to the limitation of liability of auctioneers resulting from the sale of certain property.

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

Senate File 52, by Jensen, a bill for an act relating to the publication of legislative journals and providing an effective date.

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

Senate File 53, by Rosenberg, a bill for an act relating to the protection of public employees from reprisals with respect to certain disclosures of information, and providing criminal penalties.

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

Senate File 54, by Sorensen, a bill for an act authorizing United States armed forces retired, motor vehicle registration plates and providing an effective date.

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

Senate File 55, by committee on State Government, a bill for an act relating to the election of officers on the architectural examining board.

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

Senate File 56, by committee on State Government, a bill for an act relating to the payment of benefits pursuant to the state employees disability insurance program, and providing effective and retroactive applicability dates.

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

QUORUM CALL

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

The vote revealed 49 present, 1 absent and a quorum present.

ADOPTION OF RESOLUTION

Senate Joint Resolution 2

On motion of Senator Fink, Senate Joint Resolution 2, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of license fees and excise taxes received from hunting, fishing, and trapping activities or equipment, and other public or private funds appropriated, allocated, or given for fish, game, and wildlife protection purposes, was taken up for consideration.

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

Senate Joint Resolution 2, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of license fees and excise taxes received from hunting, fishing, and trapping activities or equipment, and other public or private funds appropriated, allocated, or given for fish, game, and wildlife protection purposes.

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: Article VII of the Constitution of the State of Iowa is amended by adding the following new section:

FISH AND GAME PROTECTION FUNDS. SEC. 9. The revenue from all license fees from hunting, fishing, and trapping activities and excise taxes from hunting, fishing, and trapping weapons, munitions, and equipment, and any public or private funds appropriated, allocated, or given for fish, game, or wildlife protection purposes, shall be used exclusively for activities related to the propagation, management, harvest, and protection of fish, game, and wildlife resources.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Seventy-fourth General Assembly, 1992 Session, thereafter duly published, and now adopted and agreed to by the Seventy-fifth General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred ninety-four

in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

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

Yeas, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Szymoniak	Taylor	Varn	Vilsack
Welsh	Zieman		

Nays, 3:

Fuhrman	Hedge	Tinsman
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Absent or not voting, 1:

Sturgeon

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

INTRODUCTION OF BILLS

Senate File 57, by committee on Ways and Means, a bill for an act relating to the collection and administration of property taxes, special assessments, and various rates, charges, and rentals and providing an effective date.

Read first time and placed on Ways and Means Calendar.

Senate File 58, by Taylor, Lind, and Slife, a bill for an act relating to department of human services procedures involving contracts and reimbursement of service providers.

Read first time and passed on file.

IMMEDIATELY MESSAGED

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

APPENDIX

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 5 (SSB 63), a concurrent resolution to designate Council Bluffs, Iowa, the Purple Martin Capital of Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 55 (SSB 37), a bill for an act relating to the election of officers on the architectural examining board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 56 (SSB 39), a bill for an act relating to the payment of benefits pursuant to the state employees disability insurance program, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 24, a bill for an act providing a new jobs income tax credit for small businesses and providing a retroactive applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3018.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 57 (formerly S.F. 9), a bill for an act relating to the purchase of subsequent years' taxes by a delinquent tax purchaser for purposes of real property taxation and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	45	Ways and Means
S. F.	46	Commerce
S. F.	47	Local Government
S. F.	48	Human Resources
S. F.	49	Local Government
S. F.	50	Education
S. F.	51	Judiciary
S. F.	52	Rules and Administration
S. F.	53	State Government
S. F.	54	Transportation

AMENDMENT FILED

S-3018 S.F. 24 Ways and Means

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:06 p.m., until 9:00 a.m., Tuesday, February 2, 1993.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 2, 1993

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

Prayer was offered by Rabbi Steven Fink, Rabbi of the Temple B'Nai Jeshurun, Des Moines, Iowa.

The Journal of the Monday, February 1, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Buhr and Giannetto until they arrive on request of Senator Horn; Senator Hester for the day and Senator Tinsman until she arrives on request of Senator Jensen; and Senator Riordan for the day on request of Senator Kibbie.

INTRODUCTION OF BILL

Senate File 59, by Fraise, a bill for an act relating to prohibiting fire fighters and certain emergency medical services personnel from being required to obtain a professional permit to carry weapons as a condition of employment.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 9:08 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: February 1, 1993, 3:49 p.m.

Members Present: Gettings, Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor.

Members Absent: Sturgeon, Vice Chair (excused).

Committee Business: Presentation by the department of employment services; assigned bills to subcommittees.

Adjourned: 4:35 p.m.

COMMERCE

Convened: February 1, 1993, 2:15 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gronstal, Lind, Priebe, Slife, Varn and Welsh.

Members Absent: Gettings, Kersten (excused), Pate and Sturgeon (excused).

Committee Business: Assigned bills to subcommittees; presentation by the chairperson of the Iowa utilities board.

Adjourned: 2:40 p.m.

NATURAL RESOURCES

Convened: February 1, 1993, 3:48 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink and Riordan.

Members Absent: Sturgeon (excused).

Committee Business: Presentations by the animal damage control program and DNR.

Adjourned: 4:30 p.m.

RULES AND ADMINISTRATION

Convened: February 1, 1993, 5:10 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Husak, Kramer, Lind and Palmer.

Members Absent: Gronstal.

Committee Business: Assigned new boards/commissions to standing committees; assigned governor's appointees to standing committees; approved photographer for photos of senators.

Adjourned: 5:30 p.m.

STATE GOVERNMENT

Convened: February 1, 1993, 1:35 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: none.

Committee Business: Approved SSBs 37 and 39 as committee bills; approved SSB 63 as a committee concurrent resolution.

Adjourned: 1:58 p.m.

WAYS AND MEANS

Convened: February 1, 1993, 3:02 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: Murphy (excused).

Committee Business: Amended and approved Senate File 9 as a committee bill; recommended passage of Senate File 24 as amended.

Adjourned: 3:25 p.m.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following governor's appointments to state boards, commissions and departments to Senate standing committees as indicated for investigation on February 1, 1993:

BUSINESS AND LABOR RELATIONS

Cynthia S. Houlson — Job Service Advisory Council.

EDUCATION

William A. Anderson and Richard C. BJORLO — Iowa Higher Education Loan Authority.

ENVIRONMENT AND ENERGY UTILITIES

Loren E. Luppé — Renewable Fuel Advisory Committee.

HUMAN RESOURCES

Glenda Griffin, Harriet Vande Hoef and Stanley S. Wierson — State Citizen Foster Care Review Board.

JUDICIARY

Sally Chandler Halford — Director of the Department of Corrections.

Jewell E. Brown — Director of the Iowa State Civil Rights Commission.

Gary G. Kimes — Criminal and Juvenile Justice Planning Advisory Council.

Dale P. Repass — Iowa State Civil Rights Commission.

LOCAL GOVERNMENT

Sharon McCrabb — County Finance Committee.

NATURAL RESOURCES

Richard E. Garrels — Natural Resource Commission.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Perry J. Chapin, Wayne T. Newton, Russell W. Teig and Nancy J. Tomes — Wallace Technology Transfer Foundation of Iowa.

Owen J. Newlin and Charese E. Yanney — Iowa Economic Development Board.

David L. Clemens — Iowa Product Development Corporation.

Christine R. Junker — Small Business Advisory Council.

STATE GOVERNMENT

Sharon M. Mahood — Optometry Examining Board.

Kathy G. Kahue — Investment Board of the IPERS.

Sylvia Tijerina — Administrator of the Division of Latino Affairs.

Elvin R. Soll — Dietetic Examining Board.

Jack J. Dack — Commandant of the Iowa Veterans Home.

Dale L. Renaud — Executive Director of the Commission of Veterans Affairs.

Muriel E. Allan, Mildred R. Dawson, Valore Likens, Mitchell L. O'Neel and Robert O. Steben - Commission of Veterans Affairs.

David E. Koos — State Board of Examiners for Nursing Home Administrators.

Suzanne J. Palmer — Barber Examining Board.

David J. Blair — State Racing and Gaming Commission.

Mary C. Hodges — Medical Examining Board.

WAYS AND MEANS

Annette Scieszinski — State Board of Tax Review.

Catherine J. Johnson — Iowa Railway Finance Authority.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of a standing committee on February 2, 1993, to investigate the appointment of the following governor's appointees:

WAYS AND MEANS

As a member of the Iowa Railway Finance Authority:

CATHERINE J. JOHNSON: Lloyd-Jones, Chair; Drake and McLaren

ANNETTE SCIESZINSKI: Rosenberg, Chair; Fuhrman and Palmer

STUDY BILLS RECEIVED

SSB 75 Transportation

Relating to salvage pool licenses and making existing penalties applicable.

SSB 76 Appropriations

Relating to annual operating budgets submitted by departments, agencies, and offices headed by certain elected officials.

SSB 77 Education

Relating to open enrollment procedures and reports.

SSB 78 Judiciary

Relating to plans for release of inmates committed to the custody of the department of corrections.

SSB 79 Judiciary

Relating to the operation of watercraft, snowmobiles, and all-terrain vehicles while intoxicated, establishing implied consent for chemical testing, and providing penalties.

SSB 80 Judiciary

Relating to motor vehicle laws by restricting transportation of open or unsealed receptacles containing alcohol and providing an enhanced penalty, by expanding the scope of public intoxication, by providing for the possession of a proper motor vehicle license and providing enhanced penalties, and by providing for motor vehicle laws of the road concerning turning and following too closely and establishing a provision on exhibition driving and a penalty.

SSB 81 Judiciary

Transferring the jurisdiction of seventeen-year-old delinquents from juvenile to adult court for certain crimes.

SSB 82 Judiciary

Relating to the liability of certain persons based on strict liability in tort or breach of implied warranties.

SSB 83 Judiciary

Relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court.

SSB 84 Judiciary

Relating to criminal proceedings, providing certain misdemeanor penalties, release of criminal defendants upon extensions of credit by a surety, a defendant's right to confront minor witnesses, and amounts available for victim reparation.

SSB 85 Judiciary

Relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants.

SSB 86 Small Business, Economic Development & Tourism

Relating to department of economic development operations.

SUBCOMMITTEE ASSIGNMENTS**Senate File 36**

JUDICIARY: Rosenberg, Chair; Bisignano and Slife

Senate File 47

LOCAL GOVERNMENT: Sorensen, Chair; Maddox and Szymoniak

Senate File 48

HUMAN RESOURCES: Lloyd-Jones, Chair; Buhr and Rittmer

Senate File 49

LOCAL GOVERNMENT: Vilsack, Chair; Jensen and Priebe

Senate File 51

JUDICIARY: Welsh, Chair; Drake and Vilsack

SSB 57

APPROPRIATIONS: Murphy, Chair; Boswell and McLaren

SSB 59

APPROPRIATIONS: Varn, Chair; Connolly and Kramer

SSB 60

APPROPRIATIONS: Murphy, Chair; Boswell and Husak

SSB 61

APPROPRIATIONS: Murphy, Chair; Lind and Varn

SSB 62

APPROPRIATIONS: Husak, Chair; Banks and Rosenberg

SSB 76

APPROPRIATIONS: Husak, Chair; Banks and Murphy

SSB 78

JUDICIARY: Rosenberg, Chair; Taylor and Welsh

SSB 79

JUDICIARY: Rosenberg, Chair; Lloyd-Jones and McKean

SSB 80

JUDICIARY: Sturgeon, Chair; Rosenberg and Taylor

SSB 81

JUDICIARY: Sturgeon, Chair; Fuhrman and Rosenberg

SSB 82

JUDICIARY: Vilsack, Chair; Connolly and McKean

SSB 83

JUDICIARY: Giannetto, Chair; McKean and Sturgeon

SSB 84

JUDICIARY: Sturgeon, Chair; Fuhrman, Giannetto, Slife and Szymoniak

SSB 85

JUDICIARY: Fuhrman, Chair; Lloyd-Jones and Sturgeon

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by Szymoniak, Vilsack, Lloyd-Jones, Rosenberg, Gronstal, Horn, Connolly, Deluhery, Fink, Murphy, Kibbie, Pate, Bennett, Maddox, Hedge, Borlaug, Fraise, Sorensen, Sturgeon, Rife, Lind, Kramer, and Jensen, a concurrent resolution to honor Rosa Parks, Mother of the Civil Rights Movement, on her 80th birthday, February 4, 1993.

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

INTRODUCTION OF BILLS

Senate File 60, by Jensen, a bill for an act providing that standing committee chairpersons and ranking members be sent the Iowa administrative bulletin and providing for committee meetings concerning rules.

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

Senate File 61, by Sturgeon, a bill for an act relating to the requirements for licensure and nonprofit status of a nonprofit health care facility.

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

Senate File 62, by Sturgeon, a bill for an act relating to the requirements for licensure of a nonprofit health care facility.

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

Senate File 63, by Palmer, a bill for an act relating to the establishment of a long-term care asset preservation program.

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

Senate File 64, by committee on Education, a bill for an act relating to the date by which the board of directors of a school district must certify for levy a property tax and providing an effective date.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	58	Appropriations
S. F.	59	Judiciary
S. F.	60	Rules and Administration
S. F.	61	Human Resources
S. F.	62	Human Resources
S. F.	63	Human Resources
S. C. R.	6	Human Resources

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 64 (SSB 72), a bill for an act relating to the date by which the board of directors of a school district must certify for levy a property tax and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:47 p.m., until 9:00 a.m., Wednesday, February 3, 1993.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 3, 1993

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

Prayer was offered by the Reverend Karl Giese, pastor of the Trinity United Methodist Church, Des Moines, Iowa.

The Journal of the Tuesday, February 2, 1993, was approved.

INTRODUCTION OF BILLS

Senate File 65, by Boswell, a bill for an act to establish a pharmaceutical assistance program for the elderly in the department of elder affairs, and providing a penalty.

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

Senate File 66, by Kibbie, a bill for an act abolishing the county compensation board.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester until he arrives on request of Senator Jensen.

RECESS

On motion of Senator Horn, the Senate recessed at 9:06 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 2, 1993, 9:35 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Toured the department of general services.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 2, 1993, 9:40 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member and Fink.

Members Absent: Hester (excused).

Committee Business: Budget presentation by the secretary of agriculture; sub-subcommittee D - revenue and expenditure issues.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 2, 1993, 9:40 a.m.

Members Present: Bisignano, Chair; Borlaug, Ranking Member; Boswell and Maddox.

Members Absent: Riordan, Vice Chair (excused).

Committee Business: Presentations given by DED's planning and research division and community and rural development division.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 2, 1993, 9:37 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentations by representatives of college students aid commission, board of regents and state auditor.

Adjourned: 11:29 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 2, 1993, 8:00 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member and Bennett.

Members Absent: Sturgeon (excused).

Committee Business: Tour of the Iowa Veterans Home in Marshalltown.

Adjourned: 1:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 2, 1993, 9:42 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Reports from field operation, computer equipment and expert operations.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 2, 1993, 9:32 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Budget presentations by the department of commerce - alcoholic beverages division, administrative services division and public employment relations board.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 2, 1993, 9:40 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member; Jensen and Lloyd-Jones.

Members Absent: none.

Committee Business: Budget presentation by the Iowa law enforcement academy council.

Adjourned: 11:40 a.m.

AGRICULTURE

Convened: February 2, 1993, 8:03 a.m.

Members Present: Priebe, Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Hedge, Husak, Judge, McLaren, Sorensen and Zieman.

Members Absent: Riordan, Vice Chair; Giannetto, Hester and Palmer (all excused).

Committee Business: Assigned bill to subcommittee; presentations by Iowa breed's council, Iowa beef expo, Iowa corn growers association, Iowa soybean association and Iowa State's center for agricultural and rural development.

Adjourned: 9:00 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 2, 1993, 3:50 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Presentations by Iowa finance authority, Iowa communications network and the department of general services.

Adjourned: 4:38 p.m.

EDUCATION

Convened: February 2, 1993, 2:25 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Taylor, Tinsman, Varn and Vilsack.

Members Absent: Szymoniak (excused).

Committee Business: Assigned bills to subcommittees; presentation of the blueprint for school transformation; approved SSB 72 as a committee bill.

Adjourned: 3:14 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 2, 1993, 1:40 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Discussed personnel needed at the department of natural resources to provide for current and future programs; presentations by the director of the department of management, and the department of natural resources.

Adjourned: 2:40 p.m.

HUMAN RESOURCES

Convened: February 2, 1993, 1:40 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Sturgeon and Varn.

Members Absent: Riordan and Rittmer (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:50 p.m.

LOCAL GOVERNMENT

Convened: February 2, 1993, 3:06 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:12 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: February 2, 1993, 3:45 p.m.

Members Present: Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Lloyd-Jones, Maddox and Sorensen.

Members Absent: Riordan, Chair and Kibbie (both excused).

Committee Business: Assigned bills to subcommittees; presentations by Iowa tourism division, Iowa petroleum council and phillips petroleum.

Adjourned: 4:30 p.m.

ANNOUNCEMENT OF APPOINTMENT

The President of the Senate announced the following appointment on February 3, 1993:

TITLE XX ADVISORY COUNCIL
(DHS Rule 153.7)

Senator Bill Fink - No set term; serves at the pleasure of Senate President.

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 3, 1993, to investigate the appointment and reappointment of the following Governor's appointees:

BUSINESS AND LABOR RELATIONS

As a member of the Job Service Advisory Council:

CYNTHIA S. HOULSON: Giannetto, Chair; Connolly and Taylor

EDUCATION

As a member of the Higher Education Strategic Planning Council:

WILLIAM A. ANDERSON: Szymoniak, Chair; Connolly and Kramer

As a member of the Iowa Higher Education Loan Authority:

RICHARD C. BJORLO: Murphy, Chair; Szymoniak and Tinsman

ENVIRONMENT AND ENERGY UTILITIES

As a member of the Renewable Fuel Advisory Committee:

LOREN E. LUPPES: Sorensen, Chair; Fink and Hedge

HUMAN RESOURCES

As members of the State Citizen Foster Care Review Board:

GLENDA GRIFFIN: Bartz, Chair; Rittmer and Lloyd-Jones

HARRIET VANDE HOEF: Rittmer, Chair; Kramer and Sturgeon

STANLEY S. WIERSON: Varn, Chair; Bennett and Judge

JUDICIARY

As a member of the Criminal and Juvenile Justice Planning Advisory Council:

GARY G. KIMES: Bisignano, Chair; Rosenberg and Taylor

As Director of the Department of Corrections:

SALLY CHANDLER HALFORD: Sturgeon, Chair; Bisignano and McKean

As Director of the Iowa State Civil Rights Commission:

JEWELL E. BROWN: Szymoniak, Chair; Connolly and Slife

As a member of the Iowa State Civil Rights Commission:

DALE P. REPASS: Lloyd-Jones, Chair; Connolly and Fuhrman

LOCAL GOVERNMENT

As a member of the County Finance Committee:

SHARON McCRABB: Fraise, Chair; Vilsack and Zieman

NATURAL RESOURCES

As a member of the Natural Resource Commission:

RICHARD E. GARRELS: Dieleman, Chair; Riordan and McKean

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

As members of the Iowa Economic Development Board:

OWEN J. NEWLIN: Bisignano, Chair; Giannetto and Zieman

CHARESE E. YANNEY: Lloyd-Jones, Chair; Maddox and Sorensen

As a member of the Iowa Product Development Corporation:

DAVID L. CLEMENS: Kibbie, Chair; Bennett and Lloyd-Jones

As a member of the Small Business Advisory Council:

CHRISTINE R. JUNKER: Sorensen, Chair; Bisignano and Borlaug

As members of the Wallace Technology Transfer Foundation of Iowa:

PERRY J. CHAPIN: Vilsack, Chair; Borlaug and Riordan

WAYNE T. NEWTON: Giannetto, Chair; Zieman and Judge

RUSSELL W. TEIG: Judge, Chair; Kibbie and Bartz

NANCY J. TOMES: Riordan, Chair; Vilsack and Bennett

STUDY BILLS RECEIVED

SSB 87 Transportation

Requiring revocation of motor vehicle licenses for drug offenses and providing an effective date.

SSB 88 Agriculture

Providing for the management of wildlife damage to agricultural production and making an appropriation.

SSB 89 Appropriations

Exempting merged area schools from reductions in the allotment of general fund moneys for general administration for the fiscal year beginning July 1, 1992, and providing an effective date.

SSB 90 Business & Labor Relations

Relating to time standards for workers' compensation alternate care decisions by the industrial commissioner.

SSB 91 Business & Labor Relations

Relating to public employee collective bargaining agreements concerning public employees excluded from coverage under chapter 20, providing for unrepresented state employees, and relating to the factors arbitrators consider in binding arbitration for public employees.

SSB 92 Business & Labor Relations

Relating to the public employment relations board concerning the board's review authority, certification elections, and making technical changes.

SUBCOMMITTEE ASSIGNMENTS**Senate File 41**

EDUCATION: Szymoniak, Chair; Fink and Slife

Senate File 42

EDUCATION: Varn, Chair; Dieleman and Kramer

Senate File 50

EDUCATION: Szymoniak, Chair; Deluhery and Rensink

Senate File 54

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

Senate File 58

APPROPRIATIONS: Varn, Chair; Buhr and Tinsman

SSB 11
(Reassignment)

APPROPRIATIONS: Gronstal, Chair; Pate and Rosenberg

SSB 60
(Reassignment)

APPROPRIATIONS: Murphy, Chair; Boswell and McLaren

SSB 71

EDUCATION: Murphy, Chair; Deluhery and Tinsman

SSB 72

EDUCATION: Kibbie, Chair; Connolly and Taylor

SSB 75

TRANSPORTATION: Jensen, Chair; Connolly and Fink

SSB 77

EDUCATION: Connolly, Chair; Murphy and Slife

SSB 86

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM:
Bisignano, Chair; Maddox and Sorensen

SSB 87

TRANSPORTATION: Fraise, Chair; Jensen and Lloyd-Jones

SSB 90

BUSINESS AND LABOR RELATIONS: Giannetto, Chair; Fuhrman and Gettings

SSB 91

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

SSB 92**BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Giannetto and Slife****AMENDMENT FILED****S-3019****S.F.****64****Mike Connolly**

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 3, by Jensen, a joint resolution supporting the granting of commonwealth status to the territory of Guam.

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

Senate Joint Resolution 4, by Murphy and Bartz, a joint resolution to request that the President of the United States and the Congress of the United States support the state's constitutional authority to regulate traffic and motor vehicle safety within their respective boundaries.

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

Senate File 67, by Rittmer, Deluhery, Rife, Tinsman, and Drake, a bill for an act relating to the authority of a county board of supervisors to license persons providing emergency medical service originating within the county and to establish a fee.

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

Senate File 68, by Bisignano, a bill for an act relating to the qualifications of county hospital trustees.

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

Senate File 69, by Bartz, a bill for an act relating to criminal activity, providing for notification of school officials of certain drug and alcohol offenses, increasing certain criminal penalties, providing for the development of a model curriculum concerning gangs and drugs, increasing parental liability for the actions of children, and eliminating notification requirements prior to searching a student's desk or locker.

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

Senate File 70, by Kibbie, a bill for an act to permit the participation in the voter-approved enrichment levy by newly reorganized school districts.

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

Senate File 71, by Rensink, a bill for an act authorizing the governor to obtain financial support for the construction of a rural water system.

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

Senate File 72, by Sturgeon, a bill for an act relating to certain grounds for the denial or revocation of licensure of a health care facility, providing civil and criminal penalties and providing an effective date.

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

Senate File 73, by McLaren, a bill for an act relating to hunting hours for geese.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	65	Human Resources
S. F.	66	Local Government
S. F.	67	Local Government
S. F.	68	State Government
S. F.	69	Judiciary
S. F.	70	Education
S. F.	71	Environment & Energy Utilities
S. F.	72	Human Resources
S. F.	73	Natural Resources
S. J. R.	3	Rules and Administration
S. J. R.	4	Transportation

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 74 (SSB 48), a bill for an act relating to the reestablishment of an energy conservation trust and providing for retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Horn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 6, a concurrent resolution to honor Rosa Parks, mother of the civil rights movement, on her 80th birthday, February 4, 1993.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer and Rittmer. Nays, none. Absent or not voting, 3: Riordan, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 75 (SSB 50), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 74, by committee on Appropriations, a bill for an act relating to the reestablishment of an energy conservation trust and providing for retroactive applicability.

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

Senate File 75, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:41 p.m., until 9:00 a.m., Thursday, February 4, 1993.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 4, 1993

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

Prayer was offered by the Reverend Greg Altizer, pastor of the Twin Pines Baptist Church, Cedar Rapids, Iowa.

The Journal of the Wednesday, February 3, 1993, was approved.

INTRODUCTION OF BILL

Senate File 76, by Gronstal, a bill for an act requiring general election ballots for certain offices to include the choice "None of These Candidates", providing for special elections and filing deadlines.

Read first time and passed on file.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 3, 1993, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dieleman and Judge for the day on request of Senator Horn.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 6.

Senate Concurrent Resolution 6

On motion of Senator Szymoniak, Senate Concurrent Resolution 6, a concurrent resolution to honor Rosa Parks, mother of the civil rights movement, on her 80th birthday, February 4, 1993, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

RECESS

On motion of Senator Horn, the Senate recessed at 9:11 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 3, 1993, 9:50 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Horn and Zieman.

Members Absent: Slife, Ranking Member.

Committee Business: Toured the department of personnel.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 3, 1993, 9:40 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentations were made by the bureau of community finance, and marketing and business expansion.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 3, 1993, 9:50 a.m.

Members Present: Kibbie, Chair; Bartz and Connolly.

Members Absent: Welsh, Vice Chair (excused) and Lind, Ranking Member.

Committee Business: Presentation by directors of cultural affairs and state historical society.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 3, 1993, 9:52 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Budget presentation by the department of public health.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 3, 1993, 9:55 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Budget presentation by the department of human services.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 3, 1993, 9:55 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy (excused).

Committee Business: Presentations on violator programs.

Adjourned; 11:43 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 3, 1993, 9:41 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Budget presentation - public defender.

Adjourned: 10:38 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 3, 1993, 9:55 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member; Jensen and Lloyd-Jones.

Members Absent: none.

Committee Business: Appointed sub-subcommittees.

Adjourned: 10:12 a.m.

APPROPRIATIONS

Convened: February 3, 1993, 3:22 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Palmer (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 48 as a committee bill; appointed standing subcommittee on privatization: Vilsack, Chair; Husak, Gronstal, Judge, McLaren, Kramer and Tinsman.

Adjourned: 3:35 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 3, 1993, 3:50 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Jensen and Kersten.

Members Absent: Fraise (excused).

Committee Business: Approved SSB 30 as a committee bill.

Adjourned: 4:15 p.m.

HUMAN RESOURCES

Convened: February 3, 1993, 4:44 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer and Rittmer.

Members Absent: Riordan, Sturgeon and Varn.

Committee Business: Recommended passage of Senate Concurrent Resolution 6.

Adjourned: 4:46 p.m.

JUDICIARY

Convened: February 3, 1993, 2:35 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the division of criminal and juvenile justice planning agency; approved SSB 50 as a committee bill.

Adjourned: 3:15 p.m.

TRANSPORTATION

Convened: February 3, 1993, 1:38 p.m.

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

Members Absent: Dieleman (excused).

Committee Business: Presentation by the director of the department of transportation; assigned bills to subcommittees; amended and approved SSB 53 as a committee bill.

Adjourned: 2:25 p.m.

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 3, 1993, to investigate the appointment of the following Governor's appointees:

STATE GOVERNMENT

As Administrator of the Division of Latino Affairs:

SYLVIA TIJERINA: McLaren, Chair; Sorensen and Bisignano

As a member of the Barber Examining Board:

SUZANNE J. PALMER: Rittmer, Chair; Priebe and Kramer

As Commandant of the Iowa Veterans Home:

JACK J. DACK: Kramer, Chair; Kibbie and Fink

As members of the Commission of Veterans Affairs:

MURIEL E. ALLAN: McKean, Chair; Welsh and Giannetto

MILDRED R. DAWSON: Pate, Chair; Priebe and Sorensen

VALORE LIKENS: Kramer, Chair; Dieleman and Welsh

MITCHELL L. O'NEEL: Pate, Chair; Welsh and Giannetto

ROBERT O. STEBEN: Sorensen, Chair; Lind and Kibbie

As a member of the Dietetic Examining Board:

ELVIN R. SOLL: McKean, Chair; Gronstal and Priebe

As Executive Director of the Commission of Veterans Affairs:

DALE L. RENAUD: Bisignano, Chair; Fink and McKean

As a member of the Investment Board of the IPERS:

KATHY G. KAHUE: Rittmer, Chair; Kibbie and Gronstal

As a member of the Medical Examining Board:

MARY C. HODGES: Fink, Chair; Welsh and Lind

As a member of the State Board of Examiners for Nursing Home Administrators:

DAVID E. KOOS: McLaren, Chair; Buhr and Giannetto

As a member of the Optometry Examining Board:

SHARON M. MAHOOD: Buhr, Chair; Dieleman and McKean

As a member of the State Racing and Gaming Commission:

DAVID J. BLAIR: Lind, Chair; Buhr and Dieleman

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: *SENATE FILE 78 (SSB 53), a bill for an act making technical changes to transportation Code provisions relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Drake, Connolly, Fink, Gettings, Jensen, Kersten and Pate. Nays, none. Absent or not voting, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 78 and they were attached to the committee report.

CERTIFICATES OF RECOGNITION

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

Tavian Banks, Bettendorf — For being named to Parade Magazine's 1992 All-American High School Football Team. Senator Tinsman (2-4-93).

Scott Hayes, Davenport — For attaining the coveted rank of Eagle Scout. Senator Tinsman (2-4-93).

Alvin C. Miller, Kalona — For saving Erick Christensen's life. Senator Hedge (1-15-93).

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 6

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Buhr

Senate File 61

HUMAN RESOURCES: Sturgeon, Chair; Judge and Tinsman

Senate File 62

HUMAN RESOURCES: Sturgeon, Chair; Judge and Tinsman

Senate File 63

HUMAN RESOURCES: Szymoniak, Chair; Buhr and Kramer

Senate File 65

HUMAN RESOURCES: Riordan, Chair; Kramer and Lloyd-Jones

Senate File 70

EDUCATION: Kibbie, Chair; Fink and Rensink

Senate File 72

HUMAN RESOURCES: Sturgeon, Chair; Bartz and Riordan

AFTERNOON SESSION

The Senate reconvened at 2:37 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 77, by McKean and Taylor, a bill for an act relating to county designation on motor vehicle registration plates.

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

Senate File 78, by committee on Transportation, a bill for an act making technical changes to transportation Code provisions concerning applications for registration and title, relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations.

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

The Senate stood at ease at 2:39 p.m. until the fall of the gavel.

The Senate resumed session at 3:11 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Slife for the remainder of the day on request of Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 64.

Senate File 64

On motion of Senator Kibbie, Senate File 64, a bill for an act relating to the date by which the board of directors of a school district must certify for levy a property tax and providing an effective date, was taken up for consideration.

Senator Connolly offered amendment S—3019 filed by him on February 3, 1993, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3019 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. 64) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Dieleman	Slife	Varn
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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 24

On motion of Senator Vilsack, Senate File 24, a bill for an act providing a new jobs income tax credit for small businesses and providing a retroactive applicability date, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3018 filed by the committee on Ways and Means on February 1, 1993, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3018 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Hester.

BUSINESS PENDING

Senate File 24

The Senate resumed consideration of Senate File 24.

Senator Vilsack moved that the bill be read the last time now and placed upon its passage, 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, 44:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Sorensen	Sturgeon	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none

Absent or not voting, 6:

Dieleman	Jensen	Rife	Slife
Szymoniak	Varn		

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 56

On motion of Senator Kibbie, Senate File 56, a bill for an act relating to the payment of benefits pursuant to the state employees disability insurance program, and providing effective and retroactive applicability dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 56) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Varn for the remainder of the day on request of Senator Horn.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 57

On motion of Senator Deluhery, Senate File 57, a bill for an act relating to the collection and administration of property taxes, special assessments, and various rates, charges, and rentals and providing an effective date, 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. 57) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

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

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Concurrent Resolution 5

On motion of Senator Gronstal, Senate Concurrent Resolution

5, a concurrent resolution to designate Council Bluffs, Iowa, the Purple Martin Capital of Iowa, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 5.

Senator Hester asked unanimous consent that action on Senate Concurrent Resolution 5 be deferred.

Senator Hester withdrew his request that action on Senate Concurrent Resolution 5 be deferred.

Senator Gronstal renewed his motion for the adoption of Senate Concurrent Resolution 5.

A non record roll call was requested.

The ayes were 26, nays 17.

The resolution was adopted.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 22 and 37** be referred from the Regular Calendar to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that the following Senate Files be immediately messaged to the House:

Senate Concurrent Resolutions 5 and 6; and Senate Files 24, 56, 57 and 64.

WITHDRAWN

Senator Kibbie asked and received unanimous consent that **Senate File 9** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF BILLS

Senate File 79, by committee on Communications and

Information Policy, a bill for an act permitting school districts to use fully interactive telecommunications systems as the exclusive means to provide required courses in grades seven through twelve.

Read first time and placed on calendar.

Senate File 80, by Riordan and Jensen, a bill for an act relating to the provision of emergency medical services by a physician assistant, and providing for exemption from liability in certain situations.

Read first time and passed on file.

APPENDIX**STUDY BILLS RECEIVED****SSB 93 Local Government**

Relating to rates and charges for city utility and drug enterprise services by authorizing their collection as combined service accounts, authorizing the discontinuance of services in the event of nonpayment, and providing uniform notice procedures prior to discontinuance of service and prior to certification of lien for nonpayment.

SSB 94 Local Government

Authorizing city utilities to include cable communication or television systems.

SSB 95 Appropriations

Making appropriations and related provisions involving the general fund of the state.

SUBCOMMITTEE ASSIGNMENTS**Senate File 66**

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Jensen

Senate File 67

LOCAL GOVERNMENT: Priebe, Chair; Fraise and Rittmer

SSB 93

LOCAL GOVERNMENT: Szymoniak, Chair; Maddox and Vilsack

SSB 94

LOCAL GOVERNMENT: Buhr, Chair; Priebe and Rittmer

BILLS ASSIGNED TO COMMITTEE

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

S. F.	76	State Government
S. F.	77	Transporation
S. F.	80	Human Resources

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 81 (SSB 95), a bill for an act making appropriations and related provisions involving the general fund of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 19: Murphy, Boswell, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kibbie, Kramer, Palmer, Pate, Rosenberg, Tinsman, Varn and Vilsack. Nays, 5: McLaren, Banks, Kersten, Lind and Rensink. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 81 and they were attached to the committee report.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 79 (SSB 30), a bill for an act permitting school districts to use fully interactive telecommunications systems as the exclusive means to provide required courses in grades seven through twelve.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Varn, Welsh, Fuhman, Deluhery, Fraise, Jensen and Kersten. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 4, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3020.

Final Vote: Ayes, 11: Connolly, Kibbie, Kramer, Deluhery, Fink, Lind, Rensink, Szymoniak, Taylor, Tinsman and Vilsack. Nays, none. Absent or not voting, 4: Dieleman, Murphy, Slife and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 26, a bill for an act raising the compulsory school attendance age.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kibbie, Kramer, Deluhery, Lind, Murphy, Rensink, Szymoniak, Tinsman and Vilsack. Nays, 3: Connolly, Fink and Taylor. Absent or not voting, 3: Dieleman, Slife and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 81, by committee on Appropriations, a bill for an act making appropriations and related provisions involving the general fund of the state.

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

AMENDMENT FILED

S-3020 S.F. 4 Education

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:18 p.m., until 10:30 a.m., Monday, February 8, 1993.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 8, 1993

The Senate met in regular session at 10:34 a.m., President Boswell presiding.

Prayer was offered by the Reverend James King, pastor of the First United Methodist Church, Des Moines, Iowa.

The Journal of the Thursday, February 4, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 3, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 65, a bill for an act relating to the elements of the public offense of stalking.

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

ALSO: That the House has on February 4, 1993, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 18, a bill for an act providing for special motor vehicle plates for fire fighters. (S—3022).

ALSO: That the House has on February 4, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 50, a bill for an act discontinuing a requirement that entrance fees be collected at the Montauk governor's mansion.

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

INTRODUCTION OF BILL

Senate File 82, by Rosenberg, a bill for an act relating to the establishment of a chemical emergency preparedness fund, providing for expenditure and use of the moneys in the fund, and establishing fees and a penalty.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon until he arrives on request of Senator Fraise.

QUORUM CALL

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

The vote revealed 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 81.

Senate File 81

On motion of Senator Murphy, Senate File 81, a bill for an act making appropriations and related provisions involving the general fund of the state, was taken up for consideration.

The Senate stood at ease at 11:12 a.m. until the fall of the gavel.

The Senate resumed session at 11:25 a.m., President Boswell presiding.

Senator McLaren offered amendment S—3025 filed by him from the floor, to strike everything after the enacting clause of the bill.

(Action on Senate File 81 was **deferred**).

The Senate stood at ease at 11:26 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:09 p.m., President Boswell presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 12:10 p.m., until 1:15 p.m.

APPENDIX**COMMUNICATIONS FROM THE GOVERNOR**

The following communications from the Governor were received:

February 4, 1993

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Secretary Dwyer:

Due to the resignation of Jewell E. Brown as Director of the Iowa State Civil Rights Commission, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

ALSO:

Dear Secretary Dwyer:

Due to the resignation of Owen Newlin from the Iowa Economic Development Board, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 4, 1993, 9:45 a.m.

Members Present: Slife, Ranking Member and Zieman.

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

Committee Business: Toured the state treasurer's office, department of revenue and finance and the secretary of state's office.

Adjourned: 9:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 4, 1993, 9:50 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Presentations by department of management; executive secretary of the national conference on weights and measurers; Nebraska department of agriculture; Iowa corn growers association and Iowa soybean association.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 4, 1993, 9:50 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by the department of economic development on business incentive programs, marketing and business development, tourism and welcome centers.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 4, 1993, 9:45 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentations by representatives of the Iowa new schools development corporation and the department of education and vocational education.

Adjourned: 11:37 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 4, 1993, 9:52 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member and Bennett.

Members Absent: Sturgeon (excused).

Committee Business: Budget request VAC.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 4, 1993, 9:46 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Reviewed adult, children and family services' budget report.

Adjourned: 11:34 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 4, 1993, 9:40 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Budget presentation by the department of employment services, division of industrial services.

Adjourned: 11:35 a.m.

APPROPRIATIONS

Convened: February 4, 1993, 2:50 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Tinsman, Varn and Vilsack.

Members Absent: Slife (excused).

Committee Business: Approved SSB 95 as a committee bill.

Adjourned: 3:10 p.m.

EDUCATION

Convened: February 4, 1993, 1:35 p.m.

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

Members Absent: Dieleman and Slife (both excused).

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended passage of Senate File 4 as amended; recommended passage of Senate File 26; presentation by the superintendent of Des Moines schools and a representative from Waterloo on open enrollment.

Adjourned: 2:40 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 3

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Lind

Senate File 45

WAYS AND MEANS: Husak, Chair; Dieleman and Hester

Senate File 46

COMMERCE: Bisignano, Chair; Gronstal, Palmer, Slife, Jensen and Varn.

Senate File 52

RULES AND ADMINISTRATION: Husak, Chair; Boswell and Kramer

Senate File 53

STATE GOVERNMENT: Giannetto, Chair; Pate and Sorensen

Senate File 60

RULES AND ADMINISTRATION: Boswell, Chair; Gronstal and Rife

Senate File 68

STATE GOVERNMENT: Bisignano, Chair; Buhr and Kramer

Senate File 76

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 80

HUMAN RESOURCES: Riordan, Chair; Judge and Kramer

SSB 88

AGRICULTURE: Priebe, Chair; Boswell, Hedge, Judge and Zieman

SSB 89

APPROPRIATIONS: Kibbie, Chair; Boswell and Lind

AMENDMENTS FILED

S—3021	S.F.	81	Brad Banks
S—3022	S.F.	18	House amendment
S—3023	S.F.	81	William W. Dieleman Larry Murphy
S—3024	S.F.	81	Michael Gronstal
S—3025	S.F.	81	Derryl McLaren
S—3026	S.F.	81	Derryl McLaren

AFTERNOON SESSION

The Senate reconvened at 1:16 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 49 present, 1 absent and a quorum present.

BUSINESS PENDING

Senate File 81

The Senate resumed consideration of Senate File 81, a bill for an act making appropriations and related provisions involving the general fund of the state, and amendment S—3025 by Senator McLaren to strike everything after the enacting clause of the bill, pending on recess.

Senator McLaren offered amendment S—3026 filed by him from the floor to amendment S—3025 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3026 to amendment S—3025 be adopted?" (S.F. 81) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Absent or not voting, 1:

Bisignano

Amendment S—3026 lost.

Senator McLaren moved the adoption of amendment S—3025.

A record roll call was requested.

On the question "Shall amendment S—3025 be adopted?" (S.F. 81) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Absent or not voting, 1

Bisignano

Amendment S—3025 lost.

Senator Dieleman offered amendment S—3023 filed by Senators Dieleman and Murphy from the floor to pages 1 and 2 of the bill.

Senator Gronstal offered amendment S—3024 filed by him from the floor to page 5 of amendment S—3023.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano until he arrives on request of Senator Horn.

BUSINESS PENDING

Senate File 81

The Senate resumed consideration of Senate File 81.

Senator Gronstal moved the adoption of amendment S—3024 to amendment S—3023 and requested a record roll call.

On the question "Shall amendment S—3024 to amendment S—3023 be adopted?" (S.F. 81) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Bisignano

Amendment S—3024 was adopted.

Senator Dieleman moved the adoption of amendment S—3023 as amended, which motion prevailed by voice vote.

Senator Banks offered amendment S—3021 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 16, nays 30.

Amendment S—3021 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. 81) the vote was:

Ayes, 43:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lloyd-Jones	Maddox	McKean	Murphy
Palmer	Pate	Priebe	Rensink
Riordan	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	

Nays, 7:

Banks	Fuhrman	Lind	McLaren
Rife	Rittmer	Zieman	

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

The Senate stood at ease at 2:50 p.m. until the fall of the gavel.

The Senate resumed session at 3:47 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 7, by Lloyd-Jones, a concurrent resolution honoring America's hospitalized veterans during Salute to Hospitalized Veterans Week from February 14-20, 1993.

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

INTRODUCTION OF BILLS

Senate File 83, by Husak, a bill for an act related to terms of appointments to the state veterans affairs commission.

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

Senate File 84, by Gronstal, a bill for an act relating to taking of geese in hunting zones.

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

Senate File 85, by Taylor, a bill for an act relating to county and township ambulance service.

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

Senate File 86, by Priebe, a bill for an act relating to motor vehicle registration periods and providing an applicability provision.

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

The Senate stood at ease at 3:50 p.m. until the fall of the gavel.

The Senate resumed session at 4:42 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 87, by Kibbie, a bill for an act exempting from the state sales, services, and use taxes purchases of tangible goods and services by certain hospitals.

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

Senate File 88, by committee on Appropriations, a bill for an act relating to state budgeting processes and providing applicability provisions and an effective date.

Read first time and **placed on Appropriations Calendar**.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: *SENATE FILE 88 (SSB 7), a bill for an act relating to state budgeting processes and providing applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 88 and they were attached to the committee report.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 88.

Senate File 88

On motion of Senator Varn, Senate File 88, a bill for an act relating to state budgeting processes and providing applicability provisions and an effective date, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on Senate File 88 be deferred.

The Senate stood at ease at 5:03 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 6:00 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 88

The Senate resumed consideration of Senate File 88, previously deferred.

Senator McLaren offered amendment S—3027 filed by him from the floor to pages 18 and 19 of the bill and moved its adoption.

Amendment S—3027 was adopted by a voice vote.

Senator Bartz offered amendment S—3028 filed by him from the floor to pages 12 and 13 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3028 be adopted?" (S.F. 88) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

Nays, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Amendment S—3028 lost.

The Senate stood at ease at 6:10 p.m. until the fall of the gavel.

The Senate resumed session at 6:15 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 88

The Senate resumed consideration of Senate File 88, previously deferred.

Senator Banks offered amendment S—3029 filed by him from the floor to pages 3-9 of the bill and moved its adoption.

Amendment S—3029 lost by a voice vote.

The Senate stood at ease at 6:25 p.m. until the fall of the gavel.

The Senate resumed session at 6:28 p.m., President Boswell presiding.

Senator Drake offered amendment S—3030 filed by him from the floor to pages 11 and 12 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3030 be adopted?" (S.F. 88) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

Nays, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Amendment S—3030 lost.

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

On the question "Shall the bill pass?" (S.F. 88) the vote was:

Ayes, 45:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
Murphy	Palmer	Pate	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh			

Nays, 5:

Banks	Borlaug	McLaren	Rife
Zieman			

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

SENATE INSISTS

House File 22

Senator Connolly called up for consideration House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions, 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.

MOTION TO RECONSIDER WITHDRAWN

Senator Murphy withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 81 passed the Senate on February 8, 1993.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 22, Senate Files 81 and 88** be **immediately messaged** to the House.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 22** on the part of the Senate: Senators Connolly, Chair; Murphy, Kibbie, Lind and Kramer.

Senator Lind raised the point of order that the House should appoint their members to the conference committee prior to the Senate naming their members since the bill is a House file.

The Chair ruled the point not well taken.

INTRODUCTION OF BILLS

Senate File 89, by Tinsman, McKean, Fuhrman, and Szymoniak, a bill for an act relating to criminal trial testimony by minors and certain victims and witnesses.

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

Senate File 90, by committee on Ways and Means, a bill for an act relating to the administration of the state tax system, to waiver of penalty for failure to timely pay the tax required to be paid by electronic funds transfer, cancellation of outstanding warrants, tax on the service of solid waste collection and disposal, property tax relief for low-income persons, a criminal penalty for failure to file an inheritance or estate tax return, permits and licenses issued by the department of revenue and finance, and the procedure for allowing motor fuel tax credits.

Read first time and **placed on Ways and Means Calendar**.

APPENDIX**STUDY BILLS RECEIVED****SSB 96 Agriculture**

Prohibiting the regulation of pesticides by local governmental entities.

SSB 97 Environment & Energy Utilities

Requiring waste reduction for packages and packaging components and providing penalties, applicability provisions, and effective dates.

SSB 98 Education

Relating to state aid to school corporations for special education and providing effective date and applicability provisions.

SSB 99 Education

Repealing the starting date for elementary and secondary schools.

SSB 100 State Government

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

SSB 101 State Government

Authorizing the board of nursing to appoint investigators with peace officer powers.

SSB 102 State Government

Relating to food service inspections by the department of inspections and appeals by increasing certain fees and by authorizing contractual agreements with municipal corporations and by imposing a ten percent license fee penalty for late renewals.

SSB 103 Human Resources

Relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

SSB 104 Human Resources

Relating to technical corrections in areas of the Code under the purview of the Iowa Department of public health.

SSB 105 Agriculture

Providing for the management of damage to agricultural production by wildlife, including coyotes, and making an appropriation.

SUBCOMMITTEE ASSIGNMENTS**SSB 96**

AGRICULTURE: Priebe, Chair; Banks, Bartz, Husak and Judge

SSB 100

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Rittmer

SSB 101

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Rittmer

SSB 102

STATE GOVERNMENT: Buhr, Chair; McLaren and Welsh

SSB 103

HUMAN RESOURCES: Szymoniak, Chair; Buhr and Tinsman

SSB 104

HUMAN RESOURCES: Buhr, Chair; Bennett and Sturgeon

BILLS ASSIGNED TO COMMITTEE

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

S.F.	82	Environment & Energy Utilities
S.F.	83	State Government
S.F.	84	Natural Resources
S.F.	85	Local Government

S.F.	86	Transportation
S.F.	87	Ways and Means
S.C.R.	7	Human Resources
H.F.	50	Ways and Means
H.F.	65	Judiciary

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 90 (SSB 12), a bill for an act relating to the administration of the state tax system, to waiver of penalty for failure to timely pay the tax required to be paid by electronic funds transfer, cancellation of outstanding warrants, tax on the service of solid waste collection and disposal, property tax relief for low-income persons, a criminal penalty for failure to file an inheritance or estate tax return, permits and licenses issued by the department of revenue and finance, and the procedure for allowing motor fuel tax credits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan and Rosenberg. Nays, none. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3027	S.F.	88	Derryl McLaren
S-3028	S.F.	88	Merlin Bartz
S-3029	S.F.	88	Brad Banks
S-3030	S.F.	88	Richard Drake

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:58 p.m., until 9:00 a.m., Tuesday, February 9, 1993.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 9, 1993

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

Prayer was offered by the Reverend Mark Pries, pastor of the Peace Lutheran Church, Pella, Iowa.

The Journal of the Monday, February 8, 1993, was approved.

INTRODUCTION OF BILL

Senate File 91, by Boswell, a bill for an act relating to dependent adult abuse and crimes against elders and dependent adults and providing a cause of action and a civil penalty.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:07 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 8, 1993, 3:26 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Approved LSB 1757 as an amendment to SSB 7; substituted LSB 2034 for SSB 7 as amended and approved LSB 2034 as a committee bill.

Adjourned: 3:36 p.m.

NATURAL RESOURCES

Convened: February 8, 1993, 3:55 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: McKean.

Committee Business: Assigned bill to a subcommittee; presentation regarding the super fund program.

Adjourned: 4:27 p.m.

WAYS AND MEANS

Convened: February 8, 1993, 2:56 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan and Rosenberg.

Members Absent: Murphy (excused) and Szymoniak.

Committee Business: Assigned bills to subcommittees and approved SSB 12 as a committee bill.

Adjourned: 3:15 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 81, the following corrections were made:

1. Page 7, line 21, the words "Sections 100 through 104" were changed to the words "Sections 4 through 8".

2. Page 7, line 23, the words "Sections 100, 101, 103, and 104" were changed to the words "Sections 4, 5, 7 and 8".

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: *SENATE FILE 94 (SSB 96), a bill for an act prohibiting the regulation of pesticides by local governmental entities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Riordan, Bartz, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 2: Banks and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 94 and they were attached to the committee report.

STUDY BILLS RECEIVED

SSB 106 Appropriations

Relating to indigent defense, the determination of indigency and partial indigency, and rulemaking by the state public defender.

SSB 107 Education

Providing for an alternative method of accreditation for public and nonpublic schools.

SSB 108 Education

Relating to school administration, accreditation, finance, transportation, and official newspaper publication.

SUBCOMMITTEE ASSIGNMENTS**Senate File 73**

NATURAL RESOURCES: Judge, Chair; McKean and Riordan

Senate File 85

LOCAL GOVERNMENT: Priebe, Chair; Fraise and Zieman

SSB 98

EDUCATION: Deluhery, Chair; Fink and Tinsman

SSB 99

EDUCATION: Connolly, Chair; Kibbie and Kramer

SSB 107

EDUCATION: Vilsack, Chair; Kramer and Varn

SSB 108

EDUCATION: Deluhery, Chair; Fink and Slife

REPORT OF STANDING COMMITTEE

(Place nominee on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointment, completed its investigation on February 9, 1993, and recommended the appointee be confirmed:

William A. Anderson as a member of the Higher Education Strategic Planning Council.

AMENDMENT FILED

AFTERNOON SESSION

The Senate reconvened at 4:48 p.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the members of the conference committee, appointed February 9, 1993, on House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions, on the part of the House are: The Representative from Scott, Mr. Grubbs, Chair; the Representative from Story, Mrs. Garman; the Representative from Wright, Mr. Iverson, Jr.; the Representative from Clinton, Mr. Ollie; the Representative from Lee, Mr. Wise.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 8, by McKean, a concurrent resolution to designate Anamosa, Iowa, the Pumpkin Capital of Iowa.

Read first time and passed on file.

Senate Concurrent Resolution 9, by Lloyd-Jones, Kramer, Tinsman, Buhr, Judge, Szymoniak, Gronstal, Fink, Vilsack, Connolly, Rosenberg, Sturgeon, Taylor, Hester, Jensen, Pate, McKean, and Fuhrman, a concurrent resolution to condemn the atrocities of systematic rape of women and abandonment of children in Bosnia.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate Joint Resolution 5, by Fraise, a joint resolution relating to mandatory driver's license revocations for drug offenses.

Read first time and passed on file.

Senate File 92, by Bartz, McLaren, Banks, Borlaug, McKean, and Hedge, a bill for an act relating to exempting gross receipts from the sales and services tax imposed on the Iowa state fair authority and societies managing local fairs.

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

Senate File 93, by Murphy, a bill for an act relating to the parties involved in release of custody, termination of parental rights, and adoption proceedings, and providing penalties.

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

Senate File 94, by committee on Agriculture, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities.

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

Senate File 95, by Sturgeon, a bill for an act to permit payment of compensation to school board members under certain circumstances.

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

Senate File 96, by Bartz, a bill for an act exempting from the local option sales and services tax service charges of financial institutions.

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

Senate File 97, by committee on Human Resources, a bill for an act relating to the Iowa adoption exchange system.

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

Senate File 98, by McKean, Lloyd-Jones, and Slife, a bill for an act relating to evidentiary restrictions regarding the nonuse of safety belts, safety harnesses, and child restraint devices in civil proceedings.

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

Senate File 99, by Priebe, a bill for an act relating to appropriations required by law to be paid to state agencies or political subdivisions by a certain date and providing for payment of interest under certain circumstances.

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

Senate File 100, by Gronstal and Tinsman, a bill for an act requiring licensure of social workers, providing an effective date, imposing fees, and making penalties applicable.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 79** be referred from the Regular Calendar to the committee on **Education**.

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 97 (SSB 47), a bill for an act relating to the Iowa adoption exchange system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan and Rittmer. Nays, none. Absent or not voting, 2: Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 49, a bill for an act authorizing the use of bid bonds for drainage district projects.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Sorensen, Buhr, Maddox, Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following Governor's appointment, completed its investigation on February 9, 1993, and recommended the appointee be confirmed:

Sharon McCrabb as a member of the County Finance Committee.

BILLS ASSIGNED TO COMMITTEE

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

S.F. 89 Judiciary

S. F.	91	Judiciary
S. F.	92	Ways and Means
S. F.	93	Human Resources
S. F.	95	Education
S. F.	96	Ways and Means
S. F.	98	Judiciary
S. F.	99	Appropriations
S. F.	100	State Government
S. C. R.	8	State Government
S. C. R.	9	Human Resources

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Wednesday, February 10, 1993.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 10, 1993

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

Prayer was offered by Harriet Vande Hoef, House Secretary from Harris, Iowa, who sang "The Lord's Prayer".

The Journal of the Tuesday, February 9, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 8, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 64, a bill for an act extending deadlines for activities related to school districts as a result of previous legislation and providing an effective date.

ALSO: That the House has on February 8, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 79, a bill for an act relating to criminal trial testimony by minors and certain victims and witnesses.

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

House File 101, a bill for an act relating to the election of officers on the architectural examining board.

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 46 present, 4 absent and a quorum present.

RECESS

On motion of Senator Horn, the Senate recessed at 9:30 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 9, 1993, 9:50 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member and Ziemann.

Members Absent: Horn (excused).

Committee Business: Joint meeting with the education committee and presentation by the Iowa communications network.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 9, 1993, 10:15 a.m.

Members Present: Bisignano, Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Riordan, Vice Chair and Boswell (both excused).

Committee Business: Presentations by the DED workforce division and the administrative services division.

Adjourned: 12:01 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 9, 1993, 9:50 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentation by representatives of the Iowa communications network.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 9, 1993, 10:10 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Budget presentations from the Iowa civil rights commission and the department of public health.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 9, 1993, 10:54 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Report on child care FY 94 budget.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 9, 1993, 10:20 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy (excused).

Committee Business: Presentation by the criminal and juvenile justice planning agency.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 9, 1993, 9:40 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member and Hedge.

Members Absent: Palmer.

Committee Business: Budget presentations by the department of inspections and appeals; state racing and gaming commission, employment appeal board and foster care review board.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 9, 1993, 8:05 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Sorensen and Zieman.

Members Absent: Palmer (excused).

Committee Business: Amended and approved SSB 96 as a committee bill; assigned bills to subcommittees; presentation by the Iowa center for agricultural safety and health.

Adjourned: 8:55 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 9, 1993, 3:50 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Assigned study bill to a subcommittee.

Adjourned: 4:51 p.m.

EDUCATION

Convened: February 9, 1993, 2:36 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack.

Members Absent: Deluhery and Varn (both excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; approved SSB 99 as a committee bill.

Adjourned: 2:52 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 9, 1993, 1:12 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Sorensen and Welsh.

Members Absent: Hedge (excused).

Committee Business: Presentations by: the director of the Izaak Walton League's midwest energy efficiency program regarding needed changes in the Iowa utilities board energy efficiency plan; a former Wisconsin state representative on Wisconsin's integrated resource planning; and representatives of the Iowa utilities board on the progress of the state's energy efficiency program; assigned bills to subcommittees.

Adjourned: 2:50 p.m.

HUMAN RESOURCES

Convened: February 9, 1993, 1:10 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan and Rittmer.

Members Absent: Sturgeon and Varn.

Committee Business: Approved SSB 47 as a committee bill; assigned bills to subcommittees; presentation by a representative of the department of human services.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: February 9, 1993, 3:19 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; recommended passage of Senate File 49.

Adjourned: 3:38 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT, AND TOURISM

Convened: February 9, 1993, 3:49 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Lloyd-Jones, Maddox and Sorensen.

Members Absent: Kibbie (excused).

Committee Business: Assigned governor's appointees to subcommittees; recommended confirmation of three governor's appointees; presentation by West Liberty Oil Co. and petroleum marketers on SSB 46.

Adjourned: 4:31 p.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

SMALL BUSINESS AND ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development, and Tourism assigned to investigate the following Governor's reappointments, completed its investigations on February 9, 1993, and recommended the appointees be confirmed:

Christine R. Junker as a member of the Small Business Advisory Council.

As members of the Wallace Technology Transfer Foundation of Iowa:

Perry J. Chapin and Nancy J. Tomes.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Stan Slessor, Independence — For "Citizen of the Year", a true servant of the people and their children. Senator Murphy (2-8-93).

Robert (Jag) Jaggard, MD, Oelwein — For service above and beyond the call of duty; 40 years of medical and social service to the Oelwein community. Senator Murphy (2-8-93).

Joan McShane, Davenport — For 1993 Iowa Teacher of the Year. Senator Tinsman (2-12-93).

COMMITTEE REPORTS

EDUCATION

Final Bill Action: *SENATE FILE 103 (SSB 99), a bill for an act repealing the starting date for elementary and secondary schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, and Vilsack. Nays, none. Absent or not voting, 2: Deluhery and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 103 and they were attached to the committee report.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 3, a resolution relating to gubernatorial appointments requiring Senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Lind and Palmer. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 109 Judiciary

Relating to the enforcement of child custody and visitation orders.

SSB 110 Judiciary

Relating to the duties of the county recorder and auditor.

SSB 111 Judiciary

Relating to persons and institutions subject to the authority of the department of corrections.

SSB 112 Judiciary

Relating to the consumption of alcoholic beverages while carrying a weapon and establishing a penalty.

SSB 113 Judiciary

Relating to the arrest, fingerprinting and photographing, and disposition of juvenile delinquents.

SSB 114 Communications & Information Policy

Establishing the offense of criminal voyeurism and providing a penalty.

SSB 115 Human Resources

Relating to health care provider referrals, and providing civil penalties.

SSB 116 Environment and Energy Utilities

Relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment disposal facilities.

SSB 117 Environment & Energy Utilities

To allow an electric generation and transmission cooperative to establish classes of memberships.

SSB 118 Transportation

Relating to motorcycle rider education

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 7**

HUMAN RESOURCES: Judge, Chair; Bennett and Rittmer

Senate Concurrent Resolution 9

HUMAN RESOURCES: Lloyd-Jones, Chair; Kramer and Szymoniak

Senate Joint Resolution 4

TRANSPORATION: Dieleman, Chair; Fink and Pate

Senate File 59

JUDICIARY: Welsh, Chair; Drake and Giannetto

Senate File 69

JUDICIARY: Rosenberg, Chair; Slife and Welsh

Senate File 71

ENVIRONMENT AND ENERGY UTILITIES: Sorensen, Chair; Banks and Gronstal

Senate File 77

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

Senate File 82

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Deluhery and Kersten

Senate File 86

TRANSPORTATION: Connolly, Chair; Gettings and Kersten

House File 65

JUDICIARY: Sturgeon, Chair; Pate and Welsh

SSB 109

JUDICIARY: Bisignano, Chair; Connolly and Fuhrman

SSB 110

JUDICIARY: Sturgeon, Chair; Taylor and Vilsack

SSB 111

JUDICIARY: Rosenberg, Chair; McKean and Szymoniak

SSB 112

JUDICIARY: Szymoniak, Chair; Bisignano and McKean

SSB 113

JUDICIARY: Rosenberg, Chair; Fuhrman and Lloyd-Jones

SSB 114

COMMUNICATIONS AND INFORMATION POLICY: Welsh, Chair; Deluhery and Fuhrman

SSB 115

HUMAN RESOURCES: Riordan, Chair; Judge and Rittmer

SSB 116

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Borlaug and Rosenberg

SSB 117

ENVIRONMENT AND ENERGY UTILITIES: Sorensen, Chair; Fink and Hedge

SSB 118

TRANSPORTATION: Fraise, Chair; Dieleman and Jensen

AMENDMENT FILED

S—3032

S.F.

85

Merlin E. Bartz

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 3, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring Senate confirmation.

Read first time and placed on calendar.

Senate Concurrent Resolution 10, by Lind and Slife, a concurrent resolution commemorating coach Eldon Miller's five hundredth career basketball coaching victory.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 101, by Lind, a bill for an act expanding the definition of operating while intoxicated to include operating while under the influence of any substance which impairs the mental or physical faculties to a degree which impairs the ability of the operator to operate a motor vehicle and making penalties applicable.

Read first time and passed on file.

Senate File 102, by Lind, a bill for an act relating to the construction of diagonal roads.

Read first time and passed on file.

Senate File 103, by committee on Education, a bill for an act repealing the starting date for elementary and secondary schools.

Read first time and placed on calendar.

Senate File 104, by Murphy, a bill for an act prohibiting trapping along public roads and near fences separating properties, and providing a penalty.

Read first time and passed on file.

Senate File 105, by Jensen and Dieleman, a bill for an act relating to the establishment of an income tax checkoff for restoration of the state capitol building and providing a retroactive applicability date.

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.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	101	Judiciary
S. F.	102	Transportation
S. F.	104	Natural Resources
S. F.	105	Ways and Means
S. J. R.	5	Judiciary
S. C. R.	10	Education
H. F.	79	Judiciary

PRESENTATION OF VISITOR

Senator Horn presented the Honorable Tom Harkin, United States Senator from Iowa, who was present in the Senate chamber.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Thursday, February 11, 1993.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 11, 1993

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

Prayer was offered by the Reverend Boyd Mather, pastor of the Maple Grove United Methodist Church, Des Moines, Iowa.

The Journal of the Wednesday, February 10, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 9, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 5, a joint resolution to request that the President of the United States, the Office of Management and Budget, the Administrator of the United States Environmental Protection Agency, and the Congress of the United States support the ethanol fuel industry by ensuring the continued development of the renewable fuel.

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

ALSO: That the House has on February 9, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 111, a bill for an act updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates.

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

INTRODUCTION OF BILL

Senate File 106, by Vilsack, a bill for an act relating to criminal fines and surcharges by providing for collection by private attorneys and community service in lieu of payment of the fine or surcharge, and providing an effective date.

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 43 present, 7 absent and a quorum present.

ADOPTION OF RESOLUTION

(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 3.

Senate Resolution 3

On motion of Senator Rife, Senate Resolution 3, a resolution relating to gubernatorial appointments requiring Senate confirmation, was taken up for consideration.

Senator Rife moved the adoption of Senate Resolution 3, which motion prevailed by a voice vote.

INTRODUCTION OF BILL

Senate File 107, by Kersten, Maddox, Bartz, Borlaug, Hedge, Rensink, Drake, Pate, Hester, Kramer, Taylor, Rittmer, Banks, Slife, Zieman, McLaren, Lind and McKean, a bill for an act limiting the number of terms a person may serve as Iowa secretary of agriculture and providing an applicability date.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:21 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 10, 1993, 9:40 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentations by: the presidents of the university of northern Iowa and Iowa state university; vice president for research, university of Iowa; and other representatives from Iowa state university.

Adjourned: 12:08 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 10, 1993, 9:40 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentations by: the presidents of the university of northern Iowa and Iowa state university; vice president for research, university of Iowa; and other representatives from Iowa state university.

Adjourned: 12:08 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 10, 1993, 9:45 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon,

Members Absent: none.

Committee Business: Budget presentations by DFTB, DED and DHR.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 10, 1993, 9:50 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Reports from juvenile institutions and MH-MR-DD-BI.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 10, 1993, 9:35 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Budget presentation by the auditor of state.

Adjourned: 10:40 a.m.

EDUCATION

Convened: February 10, 1993, 3:50 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Approved SSB 13 as a committee bill.

Adjourned: 4:22 p.m.

JUDICIARY

Convened: February 10, 1993, 2:25 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Connolly (excused).

Committee Business: Assigned bills to subcommittees and presentation by the attorney general.

Adjourned: 3:25 p.m.

RULES AND ADMINISTRATION

Convened: February 10, 1993, 11:55 a.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Lind and Palmer.

Members Absent: Kramer (excused).

Committee Business: Approved proposed senate resolution relating to gubernatorial appointments requiring senate confirmation.

Adjourned: 11:58 a.m.

TRANSPORTATION

Convened: February 10, 1993, 1:34 p.m.

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

Members Absent: Connolly (excused).

Committee Business: Presentation by the department of transportation on the federal intermodal surface transportation efficiency act; assigned bills to subcommittees.

Adjourned: 2:18 p.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Steve Kephart, Korey Robinson and Scott Wilson, Manchester — For attaining the distinguished rank of Eagle Scout. Senator Murphy (2-12-93).

ANNOUNCEMENT OF APPOINTMENTS

The President of the Senate announced the following appointments on February 11, 1993:

COMMISSION ON CHILDREN, YOUTH & FAMILIES (Code 601K.33)

Senator Merlin Bartz, 2/11/93 - 1/1/95

COMMUNICATION REVIEW (Code 2.35)

Senator Jim Kersten, convening of new general assembly

IOWA CRIMINAL & JUVENILE JUSTICE ADVISORY COUNCIL (Code 601K.132)

Senator Gene Maddox, 2/11/93 - 6/30/94

RURAL DEVELOPMENT COUNCIL (Request of IDED)

Senator Wayne Bennett

TITLE XX ADVISORY COUNCIL (DHS Rule 153.7)

Senator Mary Kramer, no set term

ENERGY FUND DISBURSEMENT COUNCIL (Senate File 517, 1987)

Senator Allen Borlaug, term expires with convening of 76th General Assembly

WALLACE TECHNOLOGY TRANSFER BOARD (Code 15E.154)

Senator Brad Banks, replace Senator Jim Lind, 2/11/93 - 6/30/93

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 11th day of February, 1993:

Senate File 64.

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORT**EDUCATION**

Final Bill Action: *SENATE FILE 108 (SSB 13), a bill for an act relating to the hours of employment of persons under the age of eighteen, restricting the hours of employment during the time when school is in session, restricting the hours that a person can be employed during a day, and providing an exemption from the hourly restriction for certain persons from a public school superintendent or the authorities in charge of a nonpublic school.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Deluhery, Dieleman, Fink, Murphy, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 4: Kramer, Lind, Rensink and Slife.

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 108 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate File 37

APPROPRIATIONS: Husak, Chair; Banks and Judge

Senate File 93

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Sturgeon

SSB 13
(Reassignment)

EDUCATION: Connolly, Chair; Kramer and Murphy

SSB 95

APPROPRIATIONS: Murphy, Chair; Boswell and McLaren

SSB 105

AGRICULTURE: Priebe, Chair; Boswell, Hedge, Judge and Zieman

AFTERNOON SESSION

The Senate reconvened at 2:39 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Kersten, Maddox, Bartz, Borlaug, Hedge, Rensink, Drake, Pate, Hester, Kramer, Taylor, Banks, Slife, Zieman, McLaren, Lind, and McKean, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the term of office and years of service for members of the Senate and House of Representatives and to limit the term of office of Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

Read first time and passed on file.

Senate File 108, by committee on Education, a bill for an act relating to the hours of employment of persons under the age of eighteen, restricting the hours of employment during the time when school is in session, restricting the hours that a person can be employed during a day, and providing exemptions from the hourly restriction for certain persons.

Read first time and placed on calendar.

Senate File 109, by Jensen and Fraise, a bill for an act relating to bicycles by requiring registration and fees, prohibiting certain operations, creating the bicycle trail fund and providing fines for violations.

Read first time and passed on file.

Senate File 110, by Rensink, a bill for an act relating to the exemption from regulation of certain homeowners' association swimming pools.

Read first time and passed on file.

SPECIAL GUEST

Senator Deluhery presented Catharine Lemkau, Miss Iowa from

Davenport, Iowa, who was here on behalf of the Iowa Chapter of the National Committee for the prevention of child abuse.

Ms. Lemkau is a graduate of the Muscatine public schools and the University of Iowa. She was first runner-up in the September, 1992, national competition.

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 Varn for the remainder of the day on request of Senator Horn.

HOUSE AMENDMENT CONSIDERED

Senate File 18

Senator Dieleman called up for consideration Senate File 18, a bill for an act providing for special motor vehicle plates for fire fighters, amended by the House, and moved that the Senate concur in House amendment S—3022 filed February 8, 1993.

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. 18) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal

Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, 1:

Fuhrman

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.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 90

On motion of Senator Rosenberg, Senate File 90, a bill for an act relating to the administration of the state tax system, to waiver of penalty for failure to timely pay the tax required to be paid by electronic funds transfer, cancellation of outstanding warrants, tax on the service of solid waste collection and disposal, property tax relief for low-income persons, a criminal penalty for failure to file an inheritance or estate tax return, permits and licenses issued by the department of revenue and finance, and the procedure for allowing motor fuel tax credits, was taken up for consideration.

Senator Rosenberg offered amendment S—3033 filed by him from the floor to pages 1 and 4 of the bill.

President pro tempore Palmer took the chair at 3:02 p.m.

Senator Rosenberg moved the adoption of amendment S—3033, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 90) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, 1:

Bartz

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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 4

On motion of Senator Kibbie, Senate File 4, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S-3020 filed by the committee on Education on February 4, 1993, to strike everything after the enacting clause of the bill, and moved its adoption.

Amendment S—3020 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. 4) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, 1:

Murphy

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.

Senate File 78

On motion of Senator Lloyd-Jones, Senate File 78, a bill for an act making technical changes to transportation Code provisions concerning applications for registration and title, relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations, 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. 78) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, 1:

Priebe

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.

Senate File 75

On motion of Senator Sturgeon, Senate File 75, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 75) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones

Maddox
Palmer
Riordan
Sorensen
Tinsman

McKean
Pate
Rittmer
Sturgeon
Vilsack

McLaren
Rensink
Rosenberg
Szymoniak
Welsh

Murphy
Rife
Slife
Taylor
Zieman

Nays, 1:

Priebe

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.

Senate File 49

On motion of Senator Vilsack, Senate File 49, a bill for an act authorizing the use of bid bonds for drainage district projects, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 49) the vote was:

Ayes, 49:

Banks
Borlaug
Deluhery
Fraise
Gronstal
Husak
Kibbie
Maddox
Palmer
Rife
Slife
Taylor
Zieman

Bartz
Boswell
Dieleman
Fuhrman
Hedge
Jensen
Kramer
McKean
Pate
Riordan
Sorensen
Tinsman

Bennett
Buhr
Drake
Gettings
Hester
Judge
Lind
McLaren
Priebe
Rittmer
Sturgeon
Vilsack

Bisignano
Connolly
Fink
Giannetto
Horn
Kersten
Lloyd-Jones
Murphy
Rensink
Rosenberg
Szymoniak
Welsh

Nays, none.

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.

The Senate stood at ease at 3:47 p.m. until the fall of the gavel.

The Senate resumed session at 3:52 p.m., President Boswell presiding.

The Senate stood at ease at 3:53 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:35 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 11, by Tinsman, Rife, Rittmer, and Deluhery, a concurrent resolution relating to maintaining the Rock Island District of the U.S. Army Corps of Engineers and discouraging its proposed reorganization.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offences which may be summarily tried without indictment.

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

Senate File 111, by Pate, a bill for an act relating to the patents depository library within the state library.

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

Senate File 112, by Pate, a bill for an act relating to the establishment of a corporate and personal income tax credit for capital expenditures in connection with the manufacture of products composed of postconsumer waste.

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

Senate File 113, by Tinsman, Banks, Maddox, Hedge, Rife, Bisignano, Husak, Dieleman, and Deluhery, a bill for an act relating to a property tax exemption for machinery and computer equipment.

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.

The Senate stood at ease at 9:47 p.m. until the fall of the gavel.

The Senate resumed session at 9:56 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 114, by committee on Education, a bill for an act establishing the state percent of growth under the state school foundation program for the school budget year beginning July 1, 1993, and providing effective and applicability date provisions.

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

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 114 (LSB 2158), a bill for an act establishing the state percent of growth under the state school foundation program for the school budget year beginning July 1, 1993, and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, and Vilsack. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 114.

Senate File 114

On motion of Senator Connolly, Senate File 114, a bill for an act establishing the state percent of growth under the state school foundation program for the school budget year beginning July 1, 1993, and providing effective and applicability date provisions, was taken up for consideration.

Senator Taylor raised the point of order that pursuant to Joint Rule 13, subsection 7, consideration of Senate File 114 was not in order.

The Chair ruled the point not well taken.

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

On the question "Shall the bill pass?" (S.F. 114) the vote was:

Ayes, 40:

Bartz	Bisignano	Boswell	Buhr
Connolly	Deluhery	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Tinsman	Vilsack	Welsh	Zieman

Nays, 9:

Banks	Bennett	Borlaug	Hedge
Hester	Jensen	Pate	Rensink
Taylor			

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 Horn asked and received unanimous consent that **Senate File 114** be immediately messaged to the House.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	106	Judiciary
S.F.	107	State Government
S.F.	109	Transportation
S.F.	110	Human Resources
S.J.R.	6	State Government
H.J.R.	5	Small Business & Economic Development

STUDY BILLS RECEIVED

SSB 119 Ways & Means

Authorizing the department of revenue and finance to enter into tax agreements with Indian tribes.

SSB 120 Ways & Means

Relating to the state commission of veterans affairs, to employees and duties of county commissions of veterans affairs, and to the salary of the commandant of the veterans home, and providing a retroactive applicability date.

SUBCOMMITTEE ASSIGNMENT

Senate File 22

APPROPRIATIONS: Kibbie, Chair; Connolly and Lind

COMMUNICATIONS RECEIVED

The following communications have been received and placed on file in the office of the Secretary of the Senate from:

STATE BOARD OF REGENTS

A report on Environmental Mandates, pursuant to Chapter 262.9, Code of Iowa.

DEPARTMENT OF GENERAL SERVICES**Capitol Planning Commission**

Annual Report highlighting the work of the Commission for the past year.

DEPARTMENT OF HUMAN SERVICES

A copy of "A process for Developing a Minimum Child Support Payment Program in Iowa", pursuant to Chapter 512, Code of Iowa.

DEPARTMENT OF GENERAL SERVICES

Annual report of the 1992 Recycling Program, pursuant to Chapter 18.18, Code of Iowa.

LINKED INVESTMENTS FOR TOMORROW

A report on horticulture and alternative crops, pursuant to Chapter 12, Code of Iowa.

INTERIM STUDY REPORTS

Final reports of the interim study committees on Enhanced 911, Iowa Boundary Commission, Mental Health, Regulation of Telephone Utilities, Swine Production, K-12 Education Reform, and Iowa's Medical Assistance Program.

DEPARTMENT OF HUMAN SERVICES

A report on the AIDS-HIV Health Insurance Premium Payment Program, pursuant to Chapter 1241.36, 1992 Acts of the 74th General Assembly.

IOWA COLLEGE AID COMMISSION

A physician survey tracking Iowa medical school graduates, pursuant to Chapter 1246.8(a), 1992 Acts of the Seventy-fourth General Assembly.

DEPARTMENT OF HUMAN RIGHTS

Annual report on the Commission on the Status of Women, pursuant to Chapter 216A, Code of Iowa.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 2, a bill for an act relating to the time limit for executions on garnishments.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3036.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 20, a bill for an act relating to the completion dates of the juvenile justice system study, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 7 (SSB 18), a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offenses which may be summarily tried without indictment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3033	S. F.	90	Ralph Rosenberg
S—3034	H. F.	111	William W. Dieleman
S—3035	S. C. R.	10	Harry Slife
S—3036	S. F.	2	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:25 p.m., until 11:00 a.m., Monday, February 15, 1993.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 15, 1993

The Senate met in regular session at 11:05 a.m., President Boswell presiding.

Prayer was offered by the Reverend Perry DeGroot, pastor of the Hope Reformed Church, Spencer, Iowa.

The Journal of the Thursday, February 11, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 10, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 113, a bill for an act relating to computing the time for filings with the clerk of the district court and providing a retroactive applicability date.

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

House File 138, a bill for an act relating to the time limitation within which an administratively dissolved corporation may apply for reinstatement.

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

INTRODUCTION OF BILLS

Senate File 115, by Lind, a bill for an act requiring motor vehicle dealers to furnish upon request information issued by the manufacturer that relates to vehicles and making penalties applicable.

Read first time and passed on file.

Senate File 116, by Lind, a bill for an act establishing procedures for a memorial hospital or county hospital supported by revenue to become a county hospital supported by a tax levy.

Read first time and passed on file.

Senate File 117, by Szymoniak, a bill for an act to amend the title and scope and responsibilities of the council on chemically exposed infants to include children.

Read first time and passed on file.

Senate File 118, by McLaren, a bill for an act relating to the deposit of use tax revenues and providing effective dates.

Read first time and passed on file.

President pro tempore Palmer took the chair at 11:17 a.m.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Sturgeon until he arrives and Senator Lloyd-Jones for the day on request of Senator Horn.

QUORUM CALL

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

President Boswell took the chair at 11:34 a.m.

The vote revealed 46 present, 4 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kersten until he arrives on request of Senator Fuhrman.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Joint Resolution 7.

Senate Joint Resolution 7

On motion of Senator Vilsack, Senate Joint Resolution 7, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offences which may be summarily tried without indictment, was taken up for consideration.

Senator Vilsack offered amendment S—3037 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3037 was adopted by a voice vote.

Senator Vilsack 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 7, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the limitation on fines for offences which may be summarily tried without indictment.

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

All offences less than felony and in which the punishment does not exceed ~~a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a justice of the peace, or other~~ an officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offence, unless on presentment or indictment by a grand jury, except in cases arising in the army, or navy, or in the militia, when in actual service, in time of war or public danger.

Sec. 2. The foregoing 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 same to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the resolution pass?" (S.J.R. 7) the vote was:

Yeas, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Lind	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Kersten	Lloyd-Jones	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.

INTRODUCTION OF BILL

Senate File 119, by committee on Judiciary, a bill for an act relating to a parent's right of action for the injury or death of a child.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 11:59 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 11, 1993, 9:45 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member and Ziemann.

Members Absent: Horn.

Committee Business: Presentation by LFB: spreadsheet comparison of FY '93 to FY '94; leasing information; DOM and governor's office staffing targets.

Adjourned: 10:17 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 11, 1993, 9:46 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentations on the Iowa international development foundation, Iowa sister states and professional developers of Iowa.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 11, 1993, 9:49 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentations by representatives from the Iowa academy of family physicians, Iowa medical society and the university of Iowa.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 11, 1993, 9:47 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member and Bennett.

Members Absent: Sturgeon (excused).

Committee Business: Budget presentation by the department of public health.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 11, 1993, 10:06 a.m.

Members Present: Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: Varn, Chair (excused).

Committee Business: Discussed committee's future goals.

Adjourned: 11:38 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 11, 1993, 9:40 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Presentation by the State Racing and Gaming Commission.

Adjourned: 11:20 a.m.

AGRICULTURE

Convened: February 11, 1993, 8:05 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman.

Members Absent: none.

Committee Business: Presentation by the director of animal damage control in Missouri and Iowa on wildlife damage control, specifically that of coyotes.

Adjourned: 8:55 a.m.

EDUCATION

Convened: February 11, 1993, 9:45 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack.

Members Absent: Varn (excused).

Committee Business: Approved LSB 2158 as a committee bill.

Adjourned: 9:48 p.m.

JUDICIARY

Convened: February 11, 1993, 1:40 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Connolly.

Committee Business: Recommended confirmation of governor's appointee; recommended passage of Senate File 2 as amended; recommended passage of Senate File 20; approved SSB 18 as a committee bill; amended and approved SSB 15 as a committee bill.

Adjourned: 2:08 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 12, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 64 — Extending deadlines for activities related to school districts as a result of previous legislation and providing an effective date.

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointment, completed its investigation on February 11, 1993, and recommended the appointee be confirmed:

Gary G. Kimes as a member of the Criminal & Juvenile Justice Planning Advisory Council.

PRESENTATION OF VISITORS

Senator Dieleman presented Dwayne Faidley, the 1992-93 State FFA president from Colfax, who is a sophomore at Iowa State University majoring in animal science.

Mr. Faidley was visiting the Senate to promote attendance at the ninth annual FFA legislative symposium on February 16 at the Iowa Historical Building. The event celebrates National FFA Week, February 20-27.

Senator Jensen presented Ms. Chin-Ning Chu, president of Asian Marketing Consultants, Inc. from Mill Valley, California. Ms. Chu is an international lecturer, corporate trainer, consultant, author and is considered a leading authority on the inner workings of Asian affairs.

Senator Jensen extended an open invitation to a meeting at which Ms. Chu would be the guest speaker.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	111	State Government
S.F.	112	Ways and Means
S.F.	113	Ways and Means
S.F.	115	Transportation
S.F.	116	Local Government
S.F.	117	Human Resources
S.C.R.	11	Environment & Energy Utilities
H.F.	113	Judiciary
H.F.	138	Commerce

COMMITTEE REPORT

JUDICIARY

Final Bill Action: *SENATE FILE 119 (SSB 15), a bill for an act relating to a parent's right of action for the injury or death of a child.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, McKean, Bisignano, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Pass, 1: Drake. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 119 and they were attached to the committee report.

STUDY BILLS RECEIVED

SSB 28.1 Ways & Means

Relating to the sales, services, and use tax on limousine services and providing an effective date.

SSB 121 Transportation

Relating to the use of protective headgear when operating or riding certain motor vehicles and the sale of such headgear and providing penalties.

SSB 122 Transportation

Relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of

transportation, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports.

SSB 123 Natural Resources

Relating to the receipt and expenditure of federal forest and forest management funds.

SSB 124 Natural Resources

Providing a penalty for violations of rules relating to state lands and waters.

SSB 125 Natural Resources

Relating to the protection of state parks, recreation areas, and preserves.

SSB 126 Natural Resources

Relating to the transportation of minnows for personal use.

SSB 127 Natural Resources

Relating to the protection of nongame species.

SSB 128 Natural Resources

Relating to the harvesting of ginseng and subjecting violators to criminal and civil penalties.

SSB 129 Environment & Energy Utilities

Relating to a deduction of amounts received as grants by sanitary disposal projects in determining net income.

SSB 130 Environment & Energy Utilities

Relating to beverage container deposits by expanding the definition of beverages and requiring acceptance of certain flattened beverage containers.

SSB 131 Environment & Energy Utilities

Relating to waste reduction programs, including funding waste reduction programs and increasing hazardous waste fees.

SSB 132 Environment & Energy Utilities

Requiring the collection of waste oil by certain retailers.

SSB 133 Environment & Energy Utilities

Relating to publicly owned treatment works effluent limitations.

SSB 134 Environment & Energy Utilities

Relating to recycling by requiring the collection of recyclables in certain construction and requiring governmental office recycling and procurement policies.

SSB 135 Environment & Energy Utilities

Authorizing compliance with federal air quality regulations and creating penalties.

SSB 136 Business & Labor Relations

Relating to railroad sanitation laws and appeal rights under the occupational safety and health laws and making other technical changes.

SSB 137 Agriculture

Relating to requirements for the certification of certain pesticide applicators.

SSB 138 Agriculture

Allowing the use of mobile transmitters to hunt coyotes and subjecting violators to an existing scheduled fine.

SSB 139 Agriculture

Providing for the destruction of coyotes and providing an appropriation.

SSB 140 Agriculture

Relating to the liability of a person, firm, or corporation constructing or installing a telegraph or telephone line or cable system for costs of new tile construction.

SSB 141 Human Resources

Relating to substances regulated under the Iowa uniform controlled substances Act.

SSB 142 Natural Resources

Relating to the use of mobile radio transmitters while taking game or fur-bearing animals, and subjecting violators to a scheduled fine.

SSB 143 Local Government

Relating to secondary road right-of-way.

SSB 144 Local Government

Relating to the selection of trustees for water districts and sanitary districts, and providing for retroactive applicability and an effective date.

SSB 145 Local Government

Relating to civil service.

SSB 146 Ways & Means

Relating to the sales, services, and use tax in connection with printing activities and providing effective and applicability dates.

SSB 147 Human Resources

Relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 8**

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate Joint Resolution 6

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Drake

Senate File 83

STATE GOVERNMENT: Dieleman, Chair; Buhr and McKean

Senate File 87

WAYS AND MEANS: Riordan, Chair; Lloyd-Jones and McLaren

Senate File 92

WAYS AND MEANS: Husak, Chair; Dieleman and Hester

Senate File 96

WAYS AND MEANS: Husak, Chair; Bennett and Dieleman

Senate File 100

STATE GOVERNMENT: Welsh, Chair; Kibbie and McKean

Senate File 105

WAYS AND MEANS: Dieleman, Chair; Hedge and Husak

Senate File 107

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Drake

Senate File 110

HUMAN RESOURCES: Buhr, Chair; Rittmer and Tinsman

House File 50

WAYS AND MEANS: Fuhrman, Chair; Palmer and Szymoniak

SSB 8

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Deluhery and Kersten

SSB 28.1

WAYS AND MEANS: Dieleman, Chair; Hedge and Husak

SSB 119

WAYS AND MEANS: Murphy, Chair; Drake and Riordan

SSB 120

WAYS AND MEANS: Husak, Chair; Dieleman and Drake

SSB 123

NATURAL RESOURCES: Judge, Chair; Hester and Kibbie

SSB 124

NATURAL RESOURCES: McKean, Chair; Kibbie and Riordan

SSB 125

NATURAL RESOURCES: Fink, Chair; Hester and Riordan

SSB 126

NATURAL RESOURCES: Fink, Chair; Hester and Sturgeon

SSB 127

NATURAL RESOURCES: Priebe, Chair; Hedge and Kibbie

SSB 128

NATURAL RESOURCES: McKean, Chair; Banks and Sturgeon

SSB 136

BUSINESS AND LABOR RELATIONS: Connolly, Chair; Maddox and Murphy

SSB 137

AGRICULTURE: Fraise, Chair; McLaren and Priebe

SSB 138

AGRICULTURE: Priebe, Chair; Boswell, Hedge, Judge and Zieman

SSB 139

AGRICULTURE: Priebe, Chair; Boswell, Hedge, Judge and Zieman

SSB 140

AGRICULTURE: Giannetto, Chair; Bartz and Sorensen

SSB 141

HUMAN RESOURCES: Sturgeon, Chair; Bartz and Lloyd-Jones

SSB 143

LOCAL GOVERNMENT: Fraise, Chair; Vilsack and Zieman

SSB 144

LOCAL GOVERNMENT: Priebe, Chair; Buhr and Jensen

SSB 145

LOCAL GOVERNMENT: Vilsack, Chair; Rittmer and Szymoniak

SSB 146

WAYS AND MEANS: Riordan, Chair; Bennett and Szymoniak

SSB 147

HUMAN RESOURCES: Szymoniak, Chair; Buhr and Kramer

CERTIFICATE OF RECOGNITION

The secretary of senate issued the following certificate of recognition:

Terry Goeldner, Des Moines — For attaining the distinguished rank of Eagle Scout. Senator Szymoniak (10-6-92).

AMENDMENT FILED

S—3037

S. J. R. 7

Tom Vilsack

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 120, by Kibbie, a bill for an act exempting certain homeowners' association swimming pools from regulation.

Read first time and passed on file.

Senate File 121, by Palmer, a bill for an act requiring state agencies to inform persons of the authority for taking certain actions, and the appeal procedures available.

Read first time and passed on file.

Senate File 122, by Priebe, a bill for an act relating to county expenditures for services to persons with mental illness, mental retardation, or developmental disabilities by providing a mechanism for state reimbursement of counties for a portion of those services.

Read first time and passed on file.

Senate File 123, by Rensink, a bill for an act relating to rural water districts, by providing for authority to execute agreements for the administration of services, and the incorporation of real property.

Read first time and passed on file.

Senate File 124, by McLaren, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach.

Read first time and passed on file.

APPENDIX

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 15, 1993, and recommended the appointees be confirmed:

Sylvia Tijerina as Administrator of the Division of Latino Affairs.

Suzanne J. Palmer as a member of the Barber Examining Board.

Jack J. Dack as Commandant of the Iowa Veterans Home.

As members of the Commission of Veterans Affairs:

Muriel E. Allan, Mildred R. Dawson, Valore Likens, Mitchell L. O'Neel and Robert O. Steben.

Elvin R. Soll as a member of the Dietetic Examining Board.

Dale L. Renaud as Executive Director of the Commission of Veterans Affairs.

Kathy G. Kahue as a member of the Investment Board of the IPERS.

Mary C. Hodges as a member of the Medical Examining Board.

Sharon M. Mahood as a member of the Optometry Examining Board.

David E. Koos as a member of the State Board of Examiners for Nursing Home Administrators.

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 15, 1993, and recommended the appointees be confirmed:

Catherine J. Johnson as a member of the Iowa Railway Finance Authority.

Annette Scieszinski as a member of the State Board of Tax Review.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointment, completed its investigation on February 15, 1993, and recommended the appointee be confirmed:

David J. Blair as a member of the State Racing and Gaming Commission.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 125 (SSB 28.1), a bill for an act relating to the sales, services, and use tax on limousine services and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, McLaren, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: Lloyd-Jones and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 125, by committee on Ways and Means, a bill for an act relating to the sales, services, and use tax on limousine services and providing an effective date.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	118	Ways and Means
S. F.	120	Human Resources
S. F.	121	State Government
S. F.	122	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Tuesday, February 16, 1993.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 16, 1993

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

A liturgy was offered by the Reverend Lynn Ryon, pastor of the St. John's Methodist Church, Davenport, Iowa, and daughter Anna Ryon.

The Journal of the Monday, February 15, 1993, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 88, a bill for an act relating to the use of stickers on government vehicles notifying the traveling public that the vehicles are being operated on gasoline blended with ethanol, and providing an effective date.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 126, by committee on Ways and Means, a bill for an act relating to the processing exemption for the sales, services, and use taxes.

Read first time and placed on Ways and Means Calendar.

Senate File 127, by committee on Business and Labor Relations, a bill for an act relating to employees' use of lawful products during nonworking hours, and providing civil enforcement procedures.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 9:13 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: February 15, 1993, 3:05 p.m.

Members Present: Gettings, Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor.

Members Absent: Sturgeon, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 54 as a committee bill; recommended confirmation of governor's appointee; presentation on second injury fund.

Adjourned: 3:50 p.m.

NATURAL RESOURCES

Convened: February 15, 1993, 3:55 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean and Rensink.

Members Absent: Priebe (excused), Riordan and Sturgeon (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees.

Adjourned: 4:00 p.m.

STATE GOVERNMENT

Convened: February 15, 1993, 1:30 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, orensen and Welsh.

Members Absent: Priebe.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees.

Adjourned: 1:52 p.m.

WAYS AND MEANS

Convened: February 15, 1993, 2:20 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, McLaren, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: Lloyd-Jones and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 73 and 28.1 as committee bills; recommended confirmation of governor's appointees.

Adjourned: 2:58 p.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 following governor's appointment, completed its investigation on February 16, 1993, and recommended the appointee be confirmed:

Richard C. Bjarlo as a member of the Iowa Higher Education Loan Authority.

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 16, 1993, and recommended the appointees be confirmed:

Glenda Griffin and Harriet Vande Hoef as members of the State Citizen Foster Care Review Board.

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following governor's appointment, completed its investigation on February 15, 1993, and recommended the appointee be confirmed:

Richard E. Garrels as a member of the Natural Resource Commission.

STUDY BILLS RECEIVED**SSB 148 Natural Resources**

Relating to filter strips along streams and sovereign lakes.

SSB 149 Environment & Energy Utilities

Relating to the refund values and reimbursement amounts for redemption of beverage containers.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 11**

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Banks and Welsh

Senate File 99

APPROPRIATIONS: Murphy, Chair; Boswell and Slife

Senate File 117

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Judge

Senate File 120

HUMAN RESOURCES: Judge, Chair; Kramer and Riordan

House Joint Resolution 5

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM: Riordan, Chair; Judge and Zieman

SSB 97

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Banks and Rosenberg

SSB 129

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

SSB 130

ENVIRONMENT AND ENERGY UTILITIES: Fink, Chair; Kersten and Rosenberg

SSB 131

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Banks and Fink

SSB 132

ENVIRONMENT AND ENERGY UTILITIES: Fink, Chair; Borlaug and Sorensen

SSB 134

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Borlaug and Fink

SSB 149

ENVIRONMENT AND ENERGY UTILITIES: Fink, Chair; Kersten and Rosenberg

LSB 2158

EDUCATION: Connolly, Chair; Kibbie, Kramer, Lind and Murphy

COMMITTEE REPORTS**BUSINESS AND LABOR RELATIONS**

Final Bill Action: SENATE FILE 127 (SSB 54), a bill for an act relating to employees' use of lawful products during nonworking hours, and providing civil enforcement procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gettings, Fuhrman, Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 7, a concurrent resolution honoring America's hospitalized veterans during Salute to Hospitalized Veterans Week from February 14-20, 1993.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer and Sturgeon. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 48, a bill for an act designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 126 (SSB 73), a bill for an act relating to the processing exemption for the sales, services, and use taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dieleman, Husak, Bennett, Hedge, Hester, McLaren, Riordan, Rosenberg and Szymoniak. Nays, 2: Fuhrman and Palmer. Pass, 2: Deluhery and Drake. Absent or not voting, 2: Lloyd-Jones and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 126 and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 12, by Fraise, Lind, and Horn, a concurrent resolution honoring Robins H. Jackson of Waterloo, Iowa, for achieving the office of President of the Associated General Contractors of America, the highest elected office in American construction.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 128, by Szymoniak, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Read first time and passed on file.

Senate File 129, by McKean, a bill for an act relating to interest on judgments and decrees of courts and providing effective and applicability dates.

Read first time and passed on file.

Senate File 130, by Szymoniak, a bill for an act relating to a continuing appropriation for a city.

Read first time and passed on file.

Senate File 131, by Lloyd-Jones, a bill for an act regulating the sale and possession of fireworks, and making a penalty applicable.

Senate File 132, by Bartz, a bill for an act relating to foster care services and reimbursements.

Read first time and passed on file.

Senate File 133, by Tinsman, Banks, Rittmer, Rife, Lind, Priebe, Lloyd-Jones, and Giannetto, a bill for an act relating to the taxation of pensions, annuities, and retirement allowances received for the purposes of state individual income tax and providing an applicability date.

Read first time and passed on file.

Senate File 134, by Tinsman, Banks, Rittmer, Lind, and Giannetto, a bill for an act relating to the taxation of pensions, annuities, and retirement allowances received for the purposes of state individual income tax and providing a retroactive applicability date.

Read first time and passed on file.

Senate File 135, by Palmer, a bill for an act relating to requirements of state funding for community-based services for persons with mental illness, mental retardation, developmental disability, or brain injury in the fiscal year beginning July 1, 1993, and providing for applicability and an effective date.

Read first time and passed on file.

Senate File 136, by Bennett, a bill for an act relating to the establishment of county toll roads and bridges and creating a penalty.

Read first time and passed on file.

Senate File 137, by Buhr, a bill for an act to provide for school conference and activities leave.

Read first time and passed on file.

Senate File 138, by committee on Agriculture, a bill for an act providing for the destruction of coyotes, providing an appropriation, and making penalties applicable.

Read first time and placed on calendar.

Senate File 139, by Murphy, a bill for an act increasing the registration fees for motor homes.

Read first time and passed on file.

Senate File 140, by committee on Environment and Energy Utilities, a bill for an act to allow an electric generation and transmission cooperative to establish classes of memberships.

Read first time and placed on calendar.

Senate File 141, by committee on Education, a bill for an act to permit the participation in the voter-approved enrichment levy by newly reorganized school districts.

Read first time and placed on calendar.

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 138 (SSB 139), a bill for an act providing for the destruction of coyotes and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 138 and they were attached to the committee report.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 10, a concurrent resolution commemorating coach Eldon Miller's five hundredth career basketball coaching victory.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3039.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 141 (formerly Senate File 70), a bill for an act to permit the participation in the voter-approved enrichment levy by newly reorganized school districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 140 (SSB 117), a bill for an act to allow an electric generation and transmission cooperative to establish classes of memberships.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 3, a bill for an act relating to the establishment and regulation of elder group homes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3038.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	123	Local Government
S. F.	124	Education
S. F.	128	Human Resources
S. F.	129	Judiciary
S. F.	130	Local Government
S. F.	131	Judiciary
S. F.	132	Appropriations
S. F.	133	Ways and Means
S. F.	134	Ways and Means
S. F.	135	Appropriations
S. F.	136	Local Government
S. F.	137	Education

S.F.	139	Ways and Means
S.C.R.	12	Transportation
H.F.	88	Transportation

AMENDMENTS FILED

S-3038	S.F.	3	Human Resources
S-3039	S.C.R.	10	Education

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:33 p.m., until 9:00 a.m., Wednesday, February 17, 1993.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 17, 1993

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

Prayer was offered by the Reverend Eugene Benda, pastor of the St. Mary's Catholic Church, Tipton, Iowa.

The Journal of the Tuesday, February 16, 1993, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution honoring America's hospitalized veterans during Salute to Hospitalized Veterans Week from February 14-20, 1993.

This bill was read first time and passed on file.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings until he arrives on request of Senate Kibbie.

RECESS

On motion of Senator Horn, the Senate recessed at 9:06 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 16, 1993, 9:45 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Presentations by: the director of the department of general services regarding leases in the Des Moines area; a representative of the centralized purchasing division of the department of general services.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 16, 1993, 9:40 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Presentation on exports, foreign trade and economic development through agriculture.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 16, 1993, 9:47 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentations by representatives of the Decatur County Development Network: town of Lisbon, Emmetsburg development corporation, DED, Siouxland interstate metropolitan planning council, Sioux City chamber

of commerce, Iowa rural water association, and the rural development administration.

Adjourned: 11:46 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 16, 1993, 9:38 a.m.

Members Present: Kibbie, Chair; Welsh, Vice Chair; Lind, Ranking Member; Bartz and Connolly.

Members Absent: none.

Committee Business: Presentation by a representative of the governor's office regarding funding for education and FINE representatives discussed their program.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 16, 1993, 9:42 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member and Bennett.

Members Absent: Sturgeon (excused).

Committee Business: Program-performance-based budgeting.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 16, 1993, 9:45 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Presentation by the director of human services.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 10, 1993, 9:57 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy (excused).

Committee Business: Presentations by the department of corrections and management.

Adjourned: 11:33 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 11, 1993, 9:30 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy (excused).

Committee Business: Toured the courts.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 16, 1993, 9:45 a.m.

Members Present: Gronstal, Chair; Rosenberg, Vice Chair; Pate, Ranking Member and Taylor.

Members Absent: Murphy (excused).

Committee Business: Discussed all budget presentations made.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 16, 1993, 9:35 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member and Hedge.

Members Absent: Palmer.

Committee Business: Reviewed budget presentations.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 16, 1993, 9:42 a.m.

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

Members Absent: Kersten, Ranking Member (excused).

Committee Business: Reports from sub-subcommittees.

Adjourned: 10:50 a.m.

AGRICULTURE

Convened: February 16, 1993, 8:02 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Ziemann.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 139 as amended; presentation on Iowa agriculture relating to foreign trade by a representative of the great river consulting in Clermont.

Adjourned: 9:00 a.m.

EDUCATION

Convened: February 16, 1993, 2:20 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Concurrent Resolution 10 as amended; approved Senate File 70 as a committee bill; recommended confirmation of governor's appointee.

Adjourned: 2:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 16, 1993, 1:38 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen.

Members Absent: Welsh.

Committee Business: Approved SSB 117 as a committee bill; presentations by representatives from the Iowa utilities association, office of consumer advocate and a private intervener regarding Iowa's energy efficiency plan.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: February 16, 1993, 1:34 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Presentation by the department of human services; recommended confirmation of governor's appointees; recommended passage of Senate Concurrent Resolution 7 and Senate File 48; recommended passage of Senate File 3 as amended; assigned bills to subcommittees.

Adjourned: 2:20 p.m.

LOCAL GOVERNMENT

Convened: February 16, 1993, 3:04 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Vilsack and Zieman.

Members Absent: Szymoniak.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:09 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Convened: February 16, 1993, 3:52 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; placed governor's appointees on en bloc and individual confirmation calendars; presentation by great river consulting, Clermont.

Adjourned: 4:35 p.m.

REPORTS OF STANDING COMMITTEES

(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointment, completed its investigation on February 17, 1993, and recommended the appointee be confirmed:

Dale P. Repass as a member of the Iowa State Civil Rights Commission.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development & Tourism assigned to investigate the following governor's appointments, completed its investigations on February 16, 1993, and recommended the appointees be confirmed:

David L. Clemens for appointment as a member of the Iowa Product Development Corporation.

Wayne T. Newton and Russell W. Teig for reappointment as members of the Wallace Technology Transfer Foundation of Iowa.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development & Tourism assigned to investigate the following governor's appointment, completed its investigation on February 16, 1993, and made no recommendation:

Charese E. Yanney as a member of the Iowa Economic Development Board.

STUDY BILLS RECEIVED

SSB 150 Communications & Information Policy

Relating to the provision of facilities for Part III of the state communications network by local exchange telephone utilities and providing an effective date.

SSB 151 Education

Relating to educational finances, activities, and procedures and providing effective and applicability date provisions.

SSB 152 Transportation

Allocating RISE moneys to the road use tax fund and allocating motor vehicle use tax moneys for Amtrak.

SSB 153 Judiciary

Relating to domestic abuse, expanding the definition of domestic abuse, creating a criminal offense for violation of certain orders, establishing a mandatory minimum term of confinement, and providing penalties.

SSB 154 Judiciary

Relating to probate, including certain notice provisions and statutory shares.

SSB 155 Judiciary

Relating to limited liability companies.

SSB 156 Judiciary

Relating to the statute of limitations for marketable title.

SSB 157 Judiciary

Relating to funeral escorts and creating a penalty.

SSB 158 Judiciary

Relating to dependent adult abuse and establishing criminal penalties.

SSB 159 Judiciary

Relating to burglary and establishing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 10**

EDUCATION: Slife, Chair; Connolly and Murphy

Senate Concurrent Resolution 12

TRANSPORTATION: Fraise, Chair; Connolly and Drake

Senate Joint Resolution 5

JUDICIARY: Rosenberg, Chair; Connolly and McKean

Senate File 79

EDUCATION: Connolly, Chair; Kramer and Varn

Senate File 89

JUDICIARY: Sturgeon, Chair; Pate and Rosenberg

Senate File 91

JUDICIARY: Sturgeon, Chair; Drake and Szymoniak

Senate File 95

EDUCATION: Deluhery, Chair; Lind and Murphy

Senate File 98

JUDICIARY: Giannetto, Chair; McKean and Vilsack

Senate File 101

JUDICIARY: Connolly, Chair; Taylor and Welsh

Senate File 102

TRANSPORTATION: Connolly, Chair; Fink and Pate

Senate File 106

JUDICIARY: Vilsack, Chair; Fuhrman and Rosenberg

Senate File 109

TRANSPORTATION: Gettings, Chair; Fink and Kersten

Senate File 115

TRANSPORTATION: Jensen, Chair; Connolly and Fink

Senate File 122

APPROPRIATIONS: Bisignano, Chair; Horn and Slife

Senate File 129

JUDICIARY: Vilsack, Chair; Giannetto and Slife

Senate File 131

JUDICIARY: Lloyd-Jones, Chair; McKean and Welsh

Senate File 132

APPROPRIATIONS: Varn, Chair; Connolly and Kramer

Senate File 135

APPROPRIATIONS: Varn, Chair; Palmer and Rensink

House File 79

JUDICIARY: Sturgeon, Chair; Pate and Rosenberg

House File 88

TRANSPORTATION: Fink, Chair; Dieleman and Kersten

House File 113

JUDICIARY: Giannetto, Chair; Bisignano and Taylor

House File 138

COMMERCE: Palmer, Chair; Gettings and Slife

SSB 121

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Fraise

SSB 122

TRANSPORTATION: Fink, Chair; Gettings and Pate

SSB 142

NATURAL RESOURCES: Fink, Chair; Hester and Judge

SSB 150

COMMUNICATIONS AND INFORMATION POLICY: Varn, Chair; Kersten and Welsh

SSB 152

TRANSPORTATION: Connolly, Chair; Lloyd-Jones and Pate

SSB 153

JUDICIARY: Sturgeon, Chair; Fuhrman, Lloyd-Jones, Slife and Szymoniak

SSB 154

JUDICIARY: Giannetto, Chair; McKean and Sturgeon

SSB 155

JUDICIARY: Giannetto, Chair; Bisignano and Drake

SSB 156

JUDICIARY: Vilsack, Chair; Giannetto and Pate

SSB 157

JUDICIARY: Welsh, Chair; Bisignano and Taylor

SSB 158

JUDICIARY: Sturgeon, Chair; Rosenberg and Slife

SSB 159

JUDICIARY: Sturgeon, Chair; Connolly and Fuhrman

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate from:

WALLACE TECHNOLOGY TRANSFER FOUNDATION

Annual Report relating to performance goals and efforts to improve the modernization of industrial facilities, pursuant to Chapter 1244.6, 1992 Acts of the 74th General Assembly.

AMENDMENT FILED

S—3040

S.F.

119

**Andy McKean
Tom Vilsack**

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Boswell presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 17, 1993, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 8, a house concurrent resolution relating to a biennial memorial session.

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

House Concurrent Resolution 9, a house concurrent resolution relating to Pioneer Lawmakers.

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

BILLS ASSIGNED TO COMMITTEE

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

H.C.R.	8	Rules and Administration
H.C.R.	9	Rules and Administration

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: *SENATE FILE 142 (formerly Senate File 25), a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Lloyd-Jones, Fraise, Drake, Connolly, Fink and Jensen. Nays, 3: Dieleman, Kersten and Pate. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 142 and they were attached to the committee report.

INTRODUCTION OF BILL

Senate File 142, by the committee on Transportation, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S—3041

S. F.

2

Randal Giannetto
Tom Vilsack
Andy McKean
Linn Fuhrman
Richard F. Drake

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:58 p.m., until 9:00 a.m., Thursday, February 18, 1993.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 18, 1993

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by Rabbi Neil Sandler from the Tifereth Israel Synagogue, Des Moines, Iowa.

The Journal of the Wednesday, February 17, 1993, was approved.

RECESS

On motion of Senator Horn, the Senate recessed at 9:33 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 17, 1993, 10:05 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Presentation by representatives from five island lake.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 17, 1993, 9:54 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation from internet and LFB overview.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 17, 1993, 9:50 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member and Bennett.

Members Absent: Sturgeon (excused).

Committee Business: Program performance-based budgeting.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 17, 1993, 9:55 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Presentation by a representative of the department of human services.

Adjourned: 11:04 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 17, 1993, 9:53 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 11:27 a.m.

APPROPRIATIONS

Convened: February 17, 1993, 3:51 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Palmer (excused).

Committee Business: Assigned bills to subcommittees; assigned standing subcommittee on government efficiency: Gronstal, Chair; Vilsack, Fraise, Rosenberg, McLaren, Tinsman and Slife.

Adjourned: 4:27 p.m.

JUDICIARY

Convened: February 17, 1993, 2:20 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Pate and Slife (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee.

Adjourned: 2:40 p.m.

TRANSPORTATION

Convened: February 17, 1993, 1:36 p.m.

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

Members Absent: Gettings (excused).

Committee Business: Presentation by the administrator of the state historical society on ISTE A; amended Senate File 25 and approved as a committee bill; assigned bills to subcommittees.

Adjourned: 2:18 p.m.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Edward White Elementary School, Eldridge — For First in the Nation in Education (FINE) recognition. Senator Tinsman (2-18-93).

SUBCOMMITTEE ASSIGNMENT

Senate File 128

HUMAN RESOURCES: Szymoniak, Chair; Kramer, Riordan, Tinsman and Varn.

AMENDMENTS FILED

S—3042	S. F.	55	William W. Dieleman
S—3043	S. C. R.	7	Patty Judge

AFTERNOON SESSION

The Senate reconvened at 3:25 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 143, by Lind, a bill for an act relating to silver or bronze star motor vehicle registration plates.

Read first time and passed on file.

Senate File 144, by Lind, a bill for an act making educational materials available upon request to accredited nonpublic school pupils, to the extent funds are appropriated by the general assembly, under terms comparable to those made available to pupils attending public schools.

Read first time and passed on file.

Senate File 145, by Giannetto, a bill for an act allowing amounts owed as victim restitution to be set off against a person's income tax refund or rebate and providing for the set off of criminal fines and surcharges, victim restitution, and court costs from moneys owed the person pursuant to a claim against the state.

Read first time and passed on file.

Senate File 146, by Giannetto, a bill for an act relating to the design of roadway ditches.

Read first time and passed on file.

Senate File 147, by Lind and Priebe, a bill for an act relating to a treatment funding application process administered by the Iowa department of public health and providing an effective date.

Read first time and passed on file.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 7

On motion of Senator Judge, Senate Concurrent Resolution 7,

a concurrent resolution honoring America's hospitalized veterans during Salute to Hospitalized Veterans Week from February 14-20, 1993, with report of committee recommending passage, was taken up for consideration.

Senator Judge offered amendment S—3043 filed by her from the floor to page 1 of the resolution and moved its adoption.

Amendment S—3043 was adopted by a voice vote.

Senator Judge asked and received unanimous consent that **House Concurrent Resolution 5** be substituted for **Senate Concurrent Resolution 7** as amended.

Senator Judge moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

Senator Lloyd-Jones asked and received unanimous consent that **Senate Concurrent Resolution 7** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 55

On motion of Senator Dieleman, Senate File 55, a bill for an act relating to the election of officers on the architectural examining board, was taken up for consideration.

Senator Dieleman offered amendment S—3042 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3042 was adopted by a voice vote.

Senator Dieleman asked and received unanimous consent that **House File 101** be substituted for **Senate File 55** as amended.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gettings until he arrives on request of Senator Horn and Senator Tinsman until she returns on request of Senator Kersten.

BUSINESS PENDING

House File 101

The Senate resumed consideration of House File 101.

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. 101) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings	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.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 35

On motion of Senator Szymoniak, Senate File 35, a bill for an act updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates, was taken up for consideration.

Senator Dieleman withdrew amendment S—3031 filed by him on February 9, 1993, to page 1 of the bill.

Senator Szymoniak asked and received unanimous consent that **House File 111** be substituted for **Senate File 35**.

Senator Szymoniak asked and received unanimous consent that **Senate File 35** be withdrawn from further consideration of the Senate.

Senator Dieleman offered amendment S—3034 filed by him on February 11, 1993, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3034 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 111) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Tinsman

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 55** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 125

On motion of Senator Dieleman, Senate File 125, a bill for an act relating to the sales, services, and use tax on limousine services and providing an effective date, 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. 125) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Tinsman

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 26

On motion of Senator Kibbie, Senate File 26, a bill for an act raising the compulsory school attendance age, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 26) the vote was:

Ayes, 33:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Deluhery	Dieleman
Drake	Fraise	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Murphy	Pate	Priebe
Linsink	Rife	Riordan	Rosenberg
Slife	Szymoniak	Varn	Vilsack
Welsh			

Nays, 15:

Banks	Connolly	Fink	Fuhrman
Giannetto	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Rittmer	Sorensen
Sturgeon	Taylor	Zieman	

Absent or not voting, 2:

Gettings	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.

Senate File 94

On motion of Senator Priebe, Senate File 94, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **Senate File 94** be deferred.

Senate File 97

On motion of Senator Judge, **Senate File 97**, a bill for an act relating to the Iowa adoption exchange system, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 97) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings	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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent to refer **Senate File 94** to the committee on **Environment and Energy Utilities** to be returned to the Senate Calendar by 4:00 p.m., Tuesday, February 23, 1993.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 20

On motion of Senator Rosenberg, Senate File 20, a bill for an act relating to the completion dates of the juvenile justice system study, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 20) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluherg	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Tinsman

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

Senate File 48

On motion of Senator Lloyd-Jones, Senate File 48, a bill for an act designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services

fund, 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. 48) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Tinsman

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 74

On motion of Senator Rosenberg, Senate File 74, a bill for an act relating to the reestablishment of an energy conservation trust and providing for retroactive applicability, was taken up for consideration.

Senator Rosenberg offered amendment S—3044 filed by him from the floor to pages 3, 5 and the title page of the bill and moved its adoption.

Amendment S—3044 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 74) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Tinsman

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 20** and **House Concurrent Resolution 5** be **immediately messaged** to the House.

APPENDIX

STUDY BILLS RECEIVED

SSB 160 Education

Establishing the campus care program and the community service assistance program to organize student volunteers in service to a local community, and providing for the establishment of funds and making of appropriations.

SSB 161 State Government

Relating to the recovery of administrative hearing costs and fees.

SSB 162 State Government

Relating to scope of practice for dental hygienists.

SSB 163 State Government

Relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters.

SSB 164 State Government

Relating to audits of governmental subdivisions by requiring certain procedures be followed when contracting with a certified public accountant and specifying under what conditions the auditor of state may perform an audit or reaudit.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	143	Transportation
S. F.	144	Education
S. F.	145	Judiciary
S. F.	146	Transportation
S. F.	147	Appropriations

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 59, a bill for an act relating to prohibiting fire fighters and certain emergency medical services personnel from being required to obtain a professional permit to carry weapons as a condition of employment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3046.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 113, a bill for an act relating to computing the time for filings with the clerk of the district court and providing a retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3044	S. F.	74	Ralph Rosenberg
S—3045	S. F.	123	Merlin E. Bartz
S—3046	S. F.	59	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:55 p.m., until 10:00 a.m., Monday, February 22, 1993.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 22, 1993

The Senate met in regular session at 10:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Leonard Sjogren, pastor of the Hope United Methodist Church, Marshalltown, Iowa.

The Journal of the Thursday, February 18, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body hat the House has on February 16, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 4, a bill for an act to permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district.

ALSO: That the House has on February 16, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 170, a bill for an act relating to department of economic development operations.

This bill was read first time and passed on file.

INTRODUCTION OF BILL

Senate File 148, by Taylor, a bill for an act relating to boards of trustees of city hospitals or health care facilities.

Read first time and passed on file.

SPECIAL GUEST

Senator Horn presented the Honorable Neal Smith, United States Congressman from Iowa, who was accompanied by his wife Bea.

Congressman Smith addressed the Senate with brief remarks in which he encouraged the body to be ever mindful that all levels of government need to be cognizant of their effect on other levels. He pledged that those representing constituents in Washington would cooperate with the state level and would also seek their cooperation.

The Senate stood at ease at 10:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:39 a.m., President Boswell presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Tinsman, Lind, Pate and Banks until they arrive on request of Senator Fuhrman and Senators Deluhery, Connolly, Sturgeon and Vilsack until they arrive on request of Senator Horn.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 141

On motion of Senator Kibbie, Senate File 141, a bill for an act to permit the participation in the voter-approved enrichment levy by newly reorganized school districts, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 141) the vote was:

Ayes, 42:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Varn
Welsh	Zieman		

Nays, none.

Absent or not voting, 8:

Banks	Connolly	Deluhery	Lind
Pate	Sturgeon	Tinsman	Vilsack

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 141** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 149, by committee on Judiciary, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants.

Read first time and placed on calendar.

Senate File 150, by Dieleman and Lind, a bill for an act to conform a provision of the state minimum wage law regarding tips to federal law.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 10:58 a.m., until 4:30 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 165 Environment & Energy Utilities

Relating to pesticides by increasing pesticide registration fees and allocating moneys, increasing the size of certain pesticide application signs, requiring prior notification of certain applications, mandating pesticide use reductions, and making penalties applicable.

SSB 166 Ways & Means

Relating to the provision of facilities for Part III of the state communications network by local exchange telephone utilities.

SSB 167 Ways & Means

Exempting from the state sales tax the sale or rental of orthopedic devices prescribed by a chiropractor.

SSB 168 Ways & Means

Relating to the levy of taxes for school libraries in certain school districts.

SSB 169 Ways & Means

Relating to the state communications network by indefinitely suspending all construction and operation activities and providing an effective date.

SSB 170 State Government

Relating to mandatory retirement provisions and retirement dividends under the Iowa public employees' retirement system.

SSB 171 State Government

Relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits, by imposing civil penalties, by appropriating moneys collected through civil penalties, by removing certain restrictions on the sale of alcoholic beverages, and by providing for other properly related matters.

SSB 172 State Government

Relating to the procedures of and requirements enforced by the campaign finance disclosure commission; changing filing and other procedural requirements placed on candidates and political committees; changing the procedures for the hearing of complaints before the commission; providing for administrative penalties and judicial review; and providing an effective date.

SSB 173 Local Government

Relating to civil service eligibility lists in certain cities.

SSB 174 State Government

Relating to the office of secretary of state, the conduct of elections in the state, and relating to corrective and technical changes to Iowa's election laws.

SSB 175 Human Resources

Relating to programs and services under the purview of the Iowa department of public health, including programs and services relating to chemically exposed infants, operations of radiation equipment, respiratory care, massage therapy, state and local substitute medical decision-making boards, environmental toxins, homemaker-home health aide transportation, training devices enforcement, water treatment devices, indoor air, lead poisoning, and termination of pregnancy reporting, and providing criminal penalties.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 18, 1993, 10:50 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Zieman.

Members Absent: none.

Committee Business: Reviewed responses by departments to reduction of the governor's recommended budget and reviewed initiatives appearing in the governor's proposed subcommittee bill.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 18, 1993, 10:30 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Presentations by the Iowa state fair blue ribbon foundation; director of the Iowa waste reduction center and the Iowa auto dealers association.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 18, 1993, 10:30 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Discussed proposals for appropriations bill.

Adjourned: 11:15 a.m.

EDUCATION

Convened: February 18, 1993, 2:45 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Amended SSB 107 and ordered redrafted for final approval as a committee bill.

Adjourned: 3:19 p.m.

JUDICIARY

Convened: February 18, 1993, 1:45 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 59 as amended; recommended passage of House File 113; approved SSB 85 as a committee bill; amended and approved SSB 110 as a committee bill.

Adjourned: 2:42 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of February, 1993:

Senate File 18.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee 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 February 15, 1993, and recommended the appointee be confirmed:

Cynthia S. Houlson as a member of the Job Service Advisory Council.

SUBCOMMITTEE ASSIGNMENTS

Senate File 111

STATE GOVERNMENT: Dieleman, Chair; Pate and Sorensen

Senate File 112

WAYS AND MEANS: Rosenberg, Chair; McLaren and Murphy

Senate File 113

WAYS AND MEANS: Palmer, Chair; Bennett and Lloyd-Jones

Senate File 118

WAYS AND MEANS: Husak, Chair; Deluhery and Drake

Senate File 121

STATE GOVERNMENT: Priebe, Chair; Lind and Sorensen

Senate File 124

EDUCATION: Fink, Chair; Lind and Murphy

Senate File 133

WAYS AND MEANS: Dieleman, Chair; Hester and Lloyd-Jones

Senate File 134

WAYS AND MEANS: Dieleman, Chair; Hester and Lloyd-Jones

Senate File 137

EDUCATION: Varn, Chair; Szymoniak and Tinsman

Senate File 139**WAYS AND MEANS: Husak, Chair; Drake and Murphy****SSB 151****EDUCATION: Connolly, Chair; Kramer and Murphy****SSB 160****EDUCATION: Connolly, Chair; Murphy and Slife****SSB 161****STATE GOVERNMENT: Buhr, Chair; Giannetto and McKean****SSB 162****STATE GOVERNMENT: Kibbie, Chair; Dieleman and Rittmer****SSB 163****STATE GOVERNMENT: Fink, Chair; Buhr and Pate****SSB 164****STATE GOVERNMENT: Gronstal, Chair; Kramer and Welsh****SSB 166****WAYS AND MEANS: Husak, Chair; Dieleman and Hester****SSB 167****WAYS AND MEANS: Fuhrman, Chair; Deluhery and Rosenberg****SSB 168****WAYS AND MEANS: Lloyd-Jones, Chair; McLaren and Szymoniak****SSB 169****WAYS AND MEANS: Husak, Chair; Dieleman and Hedge****SSB 170****STATE GOVERNMENT: Kibbie, Chair; Dieleman, Drake, Gronstal and Rittmer**

SSB 171

STATE GOVERNMENT: Welsh, Chair; Dieleman and Kramer

SSB 172

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

SSB 174

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

SSB 175

HUMAN RESOURCES: Buhr, Chair; Bennett and Riordan

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 149 (SSB 85), a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sturgeon, McKean, Bisignano, Connolly, Drake, Fuhrman, Lloyd-Jones and Welsh. Nays, 6: Rosenberg, Giannetto, Pate, Slife, Szymoniak and Vilsack. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 121, a bill for an act requiring state agencies to inform persons of the authority for taking certain actions, and the appeal procedures available.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3047	S.F.	108	Merlin Bartz
S—3048	S.F.	108	Merlin Bartz
S—3049	S.F.	108	Mary Kramer John Jensen Jim Kersten Harry Slife
S—3050	S.F.	108	Mary Kramer John Jensen Jim Kersten Harry Slife
S—3051	S.F.	126	William Palmer

AFTERNOON SESSION

The Senate reconvened at 4:46 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 13, by Giannetto, a concurrent resolution to request that the legislative council establish a committee to study methods to reform the structure and operations of state government, by utilizing the perspectives and opinions of public employees.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 8, by Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayers' rights by limiting taxes, revenue, and spending of the state and local governments.

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

Senate File 151, by Taylor, a bill for an act establishing the crime of assault against a peace officer and providing a penalty.

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

Senate File 152, by Bennett, a bill for an act relating to the filing of a claim for the family farm tax credit and providing an applicability provision.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	148	Local Government
S.F.	150	Business and Labor Relations
S.F.	151	Judiciary
S.F.	152	Ways and Means
S.C.R.	13	Rules and Administration
H.F.	170	Small Business, Econ. Dev., and Tourism

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 153 (SSB 64), a bill for an act authorizing certified public accountants and accounting practitioners to practice as limited liability companies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Kibbie, Rittmer, Buhr, Dieleman, Drake, Fink, Giannetto, Priebe and Sorensen. Nays, none. Absent or not voting, 7: Bisignano, Kramer, Lind, McKean, McLaren, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 153, by committee on State Government, a bill for an act authorizing certified public accountants and accounting practitioners to practice as limited liability companies.

Read first time under Rule 28 and placed on calendar.

AMENDMENT FILED

S-3052 S.F. 108 Ray Taylor

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Tuesday, February 23, 1993.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 23, 1993

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

Prayer was offered by the Reverend William Cotton, pastor of the Grace United Methodist Church, Des Moines, Iowa.

The Journal of the Monday, February 22, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan until he arrives on request of Senator Horn.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 18, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution commemorating coach Eldon Miller's five hundredth career basketball coaching victory.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 14, by Judge and Rosenberg, a concurrent resolution to prohibit the establishment of a repository for the disposal of nuclear waste, including a monitored retrievable storage facility, in Iowa.

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 43 present, 7 absent and a quorum present.

RECESS

On motion of Senator Horn, the Senate recessed at 9:19 a.m., until 4:30 p.m.

APPENDIX

CONFERENCE COMMITTEE REPORT RECEIVED (House File 22)

A conference committee report signed by the following Senate and House members was filed February 23, 1993, on House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions:

On the Part of the Senate:

MIKE CONNOLLY, Chair
JOHN P. KIBBIE
MARY KRAMER
JIM LIND
LARRY MURPHY

On the Part of the House:

STEVE GRUBBS, Chair
TERESA A. GARMAN
STEWART IVERSON, JR.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES

Convened: February 22, 1993, 3:52 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: McKean.

Committee Business: Presentation by the administrator for parks and preserves division of the department of natural resources; approved SSB 142 as a committee bill.

Adjourned: 4:46 p.m.

STATE GOVERNMENT

Convened: February 22, 1993, 1:40 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: McKean.

Committee Business: Assigned bills to subcommittees; approved SSB 64 as a committee bill; recommended passage of Senate File 121; Senate File 76 failed recommendation for passage.

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: February 22, 1993, 2:20 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Rosenberg and Szymoniak.

Members Absent: Murphy and Riordan.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:25 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 23, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 18 — Providing for special motor vehicle plates for fire fighters and providing an effective date.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointment, completed its investigation on February 23, 1993, and recommended the appointee be confirmed:

Loren E. Luppas as a member of the Renewable Fuel Advisory Committee.

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointment, completed its investigation on February 23, 1993, and recommended the appointee be confirmed:

Stanley S. Wierson as a member of the State Citizen Foster Care Review Board.

STUDY BILLS RECEIVED

SSB 176 Human Resources

Relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care and providing an effective date.

SSB 177 Communications & Information Policy

Relating to purchase of information technology not subject to the state competitive bidding procedures.

SSB 178 Communications & Information Policy

Relating to the establishment of an information policy council.

SSB 179 Communications & Information Policy

Relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date.

SSB 180 Judiciary

Providing immunity for an employer who in good faith provides information about a current or former employee of the employer.

SSB 181 Judiciary

Relating to the presence of victim counselors in proceedings pertaining to the offense.

SSB 182 Judiciary

Prohibiting off-duty peace officers from carrying a weapon in places where alcoholic beverages are served for consumption on the premises.

SSB 183 Judiciary

Relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 116

LOCAL GOVERNMENT: Szymoniak, Chair; Jensen and Priebe

Senate File 123

LOCAL GOVERNMENT: Fraise, Chair; Rittmer and Sorensen

Senate File 130

LOCAL GOVERNMENT: Szymoniak, Chair; Vilsack and Ziemann

Senate File 136

LOCAL GOVERNMENT: Priebe, Chair; Fraise and Maddox

Senate File 145

JUDICIARY: Giannetto, Chair; Fuhrman, Rosenberg, Slife and Vilsack

Senate File 151

JUDICIARY: Rosenberg, Chair; Lloyd-Jones and Taylor

SSB 173

LOCAL GOVERNMENT: Buhr, Chair; Fraise and Maddox

SSB 176

HUMAN RESOURCES: Kramer, Chair; Riordan and Szymoniak

SSB 180

JUDICIARY: Vilsack, Chair; Rosenberg and Slife

SSB 181

JUDICIARY: Rosenberg, Chair; Pate and Szymoniak

SSB 182

JUDICIARY: Bisignano, Chair; McKean and Welsh

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 94, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulation by local governmental entities.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 9, a concurrent resolution to condemn the atrocities of systematic rape of women and abandonment of children in Bosnia.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer and Sturgeon. Nays, none. Absent or not voting, 2: Kramer and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 63, a bill for an act relating to the establishment of a long-term care asset preservation program.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Rittmer, Sturgeon and Varn. Nays, none. Pass, 1: Riordan. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 80, a bill for an act relating to the provision of emergency medical services by a physician assistant, and providing for exemption from liability in certain situations.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 117, a bill for an act to amend the title and scope and responsibilities of the council on chemically exposed infants to include children.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 157 (SSB 142), a bill for an act relating to the use of mobile radio transmitters while taking game or fur-bearing animals, and subjecting violators to a scheduled fine.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Dieleman, Hester, Banks, Hedge, Judge, Kibbie, Priebe, Rensink, Riordan and Sturgeon. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3053	S. F.	142	Merlin E. Bartz
S-3054	S. F.	108	Ray Taylor
S-3055	S. F.	142	William W. Dieleman
			Jim Kersten
			Ray Taylor
			Allen Borlaug
			Larry Murphy
			Merlin E. Bartz

AFTERNOON SESSION

The Senate reconvened at 4:48 p.m., Senator Boswell presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 144, a bill for an act relating to government ethics, providing penalties, transition provisions, providing for retroactive applicability, and an effective date.

This bill was read first time and passed on file.

ALSO: That the House has on February 23, 1993, adopted the conference committee report and passed **House File 22**, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions.

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Sturgeon, a joint resolution nullifying an administrative rule of the Iowa law enforcement academy relating to a law enforcement officer's hearing qualifications and providing an effective date.

Read first time and passed on file.

Senate File 154, by Rife, a bill for an act requiring use of seat belts in truck beds by certain minors and making existing penalties applicable.

Read first time and passed on file.

Senate File 155, by Boswell, a bill for an act relating to the establishment of an Iowa universal health insurance plan.

Read first time and passed on file.

Senate File 156, by Kibbie, a bill for an act relating to funding for supplementary weighting by certain districts for purposes of the state school foundation program and providing an effective date.

Read first time and passed on file.

Senate File 157, by committee on Natural Resources, a bill for an act relating to the use of mobile radio transmitters while taking game or fur-bearing animals, and subjecting violators to a scheduled fine.

Read first time and placed on calendar.

Senate File 158, by Palmer, a bill for an act relating to the simultaneous telecast or televising of races for the purpose of pari-mutuel wagering at a dog or horse racetrack.

Read first time and passed on file.

Senate File 159, by Fraise, a bill for an act relating to accidents by road workers and motor vehicle insurance policies.

Read first time and passed on file.

Senate File 160, by committee on Education, a bill for an act providing for an alternative method of accreditation for public and nonpublic schools.

Read first time and placed on calendar.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 22

Senator Connolly called up the conference committee report on House File 22, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1993, for purposes of the state school foundation program and providing effective and applicability date provisions, filed on February 23, 1993, 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 Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 22) the vote was:

Ayes, 48:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, 1:

Banks

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Varn for the remainder of the day on request of Senator Horn.

UNFINISHED BUSINESS (Deferred February 18, 1993)

Senate File 94

The Senate resumed consideration of Senate File 94, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities, deferred February 18, 1993, referred to the committee on Environment

and Energy Utilities on February 18, 1993, reported out with recommendation for passage and returned to the Unfinished Business Calendar on February 23, 1993.

Senator Rosenberg offered amendment S—3058 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3058 lost by a voice vote.

Senator Rosenberg offered amendment S—3057 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3057 lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 94) the vote was:

Ayes, 37:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	McKean	McLaren
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Szymoniak	Taylor	Vilsack
Zieman			

Nays, 11:

Buhr	Connolly	Deluhery	Gronstal
Lind	Lloyd-Jones	Maddox	Murphy
Rosenberg	Sturgeon	Tinsman	

Absent or not voting, 2:

Varn	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.

Senator Horn asked and received unanimous consent that **House File 22** and **Senate File 94** be **immediately messaged** to the House.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 160 (SSB 107), a bill for an act providing for an alternative method of accreditation for public and nonpublic schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Lind and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

Final Bill Action: HOUSE JOINT RESOLUTION 5, a joint resolution to request that the President of the United States, the Office of Management and Budget, the Administrator of the United States Environmental Protection Agency, and the Congress of the United States support the ethanol fuel industry by ensuring the continued development of the renewable fuel.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3059.

Final Vote: Ayes, 7: Riordan, Bartz, Bennett, Bisignano, Borlaug, Giannetto and Judge. Nays, none. Absent or not voting, 6: Vilsack, Zieman, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	154	Transportation
S.F.	155	Human Resources

S. F.	156	Education
S. F.	158	State Government
S. F.	159	Transportation
S. J. R.	8	Ways and Means
S. J. R.	9	Judiciary
S. C. R.	14	Environment & Energy Utilities
H. F.	144	Ethics

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the vote was taken on House File 22.

Had I been present, I would have voted "aye".

AL STURGEON

AMENDMENTS FILED

§—3056	H. C. R.	6	Harry Slife
§—3057	S. F.	94	Ralph Rosenberg
§—3058	S. F.	94	Ralph Rosenberg
§—3059	H. J. R.	5	Small Business, Econ. Dev. & Tourism

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:22 p.m., until 9:00 a.m., Wednesday, February 24, 1993.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 24, 1993

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

Prayer was offered by the Reverend Mickey Farlow, pastor of the First Baptist Church, Eldora, Iowa.

The Journal of the Tuesday, February 23, 1993, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 10, a concurrent resolution to designate the City of New London, Iowa, the "City of Redbuds."

This bill was read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 9:08 a.m., until 4:30 p.m.

APPENDIX

LEGISLATIVE COUNCIL RESOLUTION

Pursuant to Senate Concurrent Resolution 2, the following resolution relating to the compensation of central legislative staff agencies was adopted by the legislative council on February 23, 1993:

1 LEGISLATIVE COUNCIL RESOLUTION
 2 A Resolution relating to the compensation of employees
 3 of the central legislative staff agencies for the
 4 Seventy-fifth General Assembly.
 5 WHEREAS, past Senate Concurrent Resolutions of the
 6 General Assembly have provided that it is the intent
 7 of the General Assembly that the Legislative Council
 8 adopt a resolution to provide for the compensation and
 9 benefits of all central legislative staff agency
 10 employees, and that the resolution be adopted as soon
 11 as practicable after the convening of each new General
 12 Assembly, NOW THEREFORE,
 13 BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That the
 14 compensation of the central legislative staff agency
 15 employees of the Seventy-fifth General Assembly shall
 16 be set, effective from January 11, 1993, until January
 17 9, 1995, in accordance with the following salary
 18 schedule:

19 #8	#9	#10	#11	#12
20 \$11,564.80	\$12,126.40	\$12,750.40	\$13,395.20	\$14,060.80
21 5.56	5.83	6.13	6.44	6.76
22				
23 #13	#14	#15	#16	#17
24 \$14,768.00	\$15,537.60	\$16,348.80	\$17,160.00	\$17,950.40
25 7.10	7.47	7.86	8.25	8.63
26				
27 #18	#19	#20	#21	#22
28 \$18,824.00	\$19,697.60	\$20,696.00	\$21,652.80	\$22,713.60
29 9.05	9.47	9.95	10.41	10.92
30				

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1 #23	#24	#25	#26	#27
2 \$23,816.00	\$24,918.40	\$26,145.60	\$27,372.80	\$28,683.20
3 11.45	11.98	12.57	13.16	13.79
4				
5 #28	#29	#30	#31	#32
6 \$30,076.80	\$31,532.80	\$33,030.40	\$34,652.80	\$36,254.40
7 14.46	15.16	15.88	16.66	17.43
8				

9 #33	#34	#35	#36	#37
10 \$38,064.00	\$39,852.80	\$41,745.60	\$43,763.20	\$45,884.80
11 18.30	19.16	20.07	21.04	22.06
12				
13 #38	#39	#40	#41	#42
14 \$48,068.80	\$50,398.40	\$52,832.00	\$55,369.60	\$58,032.00
15 23.11	24.23	25.40	26.62	27.90

16 In this schedule, each numbered block shall be the
 17 yearly and hourly compensation for the pay grade of
 18 the number heading the block. Within each grade there
 19 shall be six steps numbered "1" through "6". In the
 20 above schedule the steps for all grades are determined
 21 in the following manner. Each numbered block is
 22 counted as the "1" step for that grade. The next
 23 higher block is counted as the "2" step; the next
 24 higher block is the "3" step; the next higher block is
 25 the "4" step; the next higher block is the "5" step;
 26 and the next higher block is the "6" step.

27 All employees shall be available to work daily
 28 until completion of the needed work of the central
 29 legislative staff agencies. The directors of the
 30 central legislative staff agencies shall schedule all

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1 employees' working hours to, as far as possible,
 2 maintain regular working hours.

3 All employees, other than those designated "part-
 4 time" and those on leave without pay, shall generally
 5 be compensated for 40 hours of work in a one-week pay
 6 period. Except for the personnel designated to the
 7 contrary in this resolution, employees who are
 8 required to work in excess of 40 hours in a one-week
 9 pay period shall either be compensated at a rate of
 10 pay equal to one and one-half times the hourly pay
 11 provided in this resolution or be allowed compensatory
 12 time off at a rate of one and one-half hours for each
 13 hour of overtime as provided in the personnel
 14 guidelines for central legislative staff agencies
 15 adopted by the Legislative Council.

16 BE IT FURTHER RESOLVED, That, notwithstanding the
 17 above salary schedule, the compensation for the
 18 following agency directors for the period commencing
 19 January 1, 1993, and ending January 10, 1995, shall be
 20 within the following ranges:

21 Computer Support Bureau Director	\$45,890 to \$62,400
22 Legislative Fiscal Bureau Director	\$52,832 to \$72,956
23 Legislative Service Bureau Director	\$52,832 to \$72,956
24 Citizens' Aide/Ombudsman	\$43,758 to \$61,503

25 Within the indicated ranges, the exact compensation

- 26 shall be set or adjusted by the Service Committee and
 27 the Legislative Council.
 28 The following personnel shall not be paid an
 29 overtime premium:
 30 CITIZENS' AIDE/OMBUDSMAN

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- 1 Citizens' Aide/Ombudsman
 2 Deputy Citizens' Aide/Ombudsman
 3 Legal Counsel
 4 All Assistants
 5 COMPUTER SUPPORT BUREAU
 6 Director
 7 All Division Administrators
 8 All Computer Systems Analysts
 9 All Computer Systems Engineers
 10 LEGISLATIVE FISCAL BUREAU
 11 Director
 12 Deputy Director
 13 All Division Administrators
 14 All Legislative Analysts
 15 All Computer Systems Analysts
 16 LEGISLATIVE SERVICE BUREAU
 17 Director
 18 Deputy Director
 19 Iowa Code Editor
 20 Deputy Iowa Code Editor
 21 Administrative Code Editor
 22 Legal Services Administrator
 23 Committee Services Administrator
 24 Legislative Information Office Director
 25 Senior Finance Officer
 26 All Legal Counsels
 27 All Research Analysts
 28 All Computer Systems Analysts
 29 All Legislative Information Officers
 30 The lists of positions may be modified pursuant to

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- 1 the annual review authorized in this resolution.
 2 BE IT FURTHER RESOLVED, That all session-only and
 3 part-time employees shall be compensated at the
 4 scheduled hourly rate for their pay grade and step.
 5 BE IT FURTHER RESOLVED, That compensatory time off
 6 shall be granted to employees not eligible for the
 7 overtime premium in a uniform manner for all
 8 legislative employees as determined by the Legislative
 9 Council.

10 BE IT FURTHER RESOLVED, That in the event the
 11 salary schedule for employees of the State of Iowa as
 12 promulgated by the Personnel Commission pursuant to
 13 section 19A.9, subsection 2, Code 1993, is revised
 14 upward at any time during the Seventy-fifth General
 15 Assembly, such revised schedule shall simultaneously
 16 be adopted for the compensation of the central
 17 legislative staff agency employees of the Seventy-
 18 fifth General Assembly assigned a grade by this
 19 resolution. The pay ranges of those positions
 20 specifically listed on page 3 of this resolution shall
 21 be automatically adjusted to reflect any cost of
 22 living increases granted to those employees not
 23 included in the collective bargaining agreements made
 24 final under Iowa Code chapter 20 or to reflect any
 25 increases provided by the Legislative Council.
 26 BE IT FURTHER RESOLVED, That changes in pay grades
 27 authorized for positions listed in this resolution and
 28 authorizations for new central legislative staff
 29 agency positions may be made through an annual interim
 30 review of all legislative employees for internal

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1 equity and to assure compliance with appropriate legal
 2 standards for granting of overtime and compensatory
 3 time off. Such review shall be conducted by a
 4 legislative committee made up of members of the
 5 Service Committee of the Legislative Council and the
 6 appropriate salary subcommittees of the Senate and
 7 House. Only one such review may be conducted in any
 8 fiscal year and changes or authorizations proposed by
 9 such a review for central legislative staff agency
 10 positions must be approved by the Service Committee
 11 and Legislative Council.

12 BE IT FURTHER RESOLVED, That the central
 13 legislative staff agency employees of the Seventy-
 14 fifth General Assembly be placed in the following pay
 15 grades:

16 CITIZENS' AIDE/OMBUDSMAN OFFICE

17 <u>Position Classification</u>	<u>Pay Grade</u>
18 Senior Deputy Citizens' Aide/Ombudsman	41
19 Deputy Citizens' Aide/Ombudsman	38
20 Senior Legal Counsel	38
21 Senior Assistant	38
22 Assistant 3	35
23 Legal Counsel 2	35
24 Assistant 2	32
25 Legal Counsel 1	32
26 Legal Counsel	30

27 Assistant I	29
28 Assistant	27
29 Finance Officer 1	24
30 Executive Secretary	24

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1 Assistant Finance Officer	21
2 Administrative Secretary	21
3 Citizens' Aide/Ombudsman Secretary	19
4	COMPUTER SUPPORT BUREAU
5 <u>Position Classification</u>	<u>Pay Grade</u>
6 Division Administrator 2	38
7 Division Administrator 1	35
8 Senior Computer Systems Analyst	35
9 Senior Computer Systems Engineer	35
10 Computer Systems Analyst 3	32
11 Computer Systems Engineer 2	32
12 Computer Systems Analyst 2	29
13 Computer Systems Engineer 1	29
14 Computer Systems Analyst 1	27
15 Computer Systems Analyst Trainee	24
16 Computer Operator 2	24
17 Executive Secretary	24
18 Computer Operator 1	21
19 Administrative Secretary	21
20	LEGISLATIVE FISCAL BUREAU
21 <u>Position Classification</u>	<u>Pay Grade</u>
22 Deputy Director	41
23 Division Administrator 2	41
24 Division Administrator 1	38
25 Senior Legislative Analyst	38
26 Legislative Analyst 3	35
27 Senior Computer Systems Analyst	35
28 Legislative Analyst 2	32
29 Computer Systems Analyst 3	32
30 Legislative Analyst 1	29

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1 Computer Systems Analyst 2	29
2 Legislative Analyst	27
3 Computer Systems Analyst 1	27
4 Executive Secretary	24
5 Administrative Secretary	21
6 Page	Minimum Wage
7	LEGISLATIVE SERVICE BUREAU
8 <u>Position Classification</u>	<u>Pay Grade</u>
9 Deputy Director	41
10 Division Administrator 2	41

11	Division Administrator 1	38
12	Iowa Code Editor	38
13	Administrative Code Editor	38
14	Senior Legal Counsel	38
15	Senior Research Analyst	38
16	Legal Counsel 2	35
17	Research Analyst 3	35
18	Senior Computer Systems Analyst	35
19	Deputy Iowa Code Editor	35
20	Deputy Administrative Code Editor	35
21	Legal Counsel 1	32
22	Research Analyst 2	32
23	Computer Systems Analyst 3	32
24	Senior Finance Officer	31
25	Legal Counsel	30
26	Legislative Information Office Director	30
27	Assistant Editor 3	30
28	Research Analyst 1	29
29	Computer Systems Analyst 2	29
30	Index Supervisor	28

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1	Text Processor Supervisor	28
2	Research Analyst	27
3	Computer Systems Analyst 1	27
4	Senior Librarian	27
5	Assistant Editor 2	27
6	Confidential Secretary	27
7	Finance Officer 2	27
8	Indexer 2	25
9	Senior Text Processor	25
10	Document Processor Supervisor	25
11	Computer Systems Analyst Trainee	24
12	Legislative Information Officer	24
13	Assistant Editor 1	24
14	Librarian	24
15	Executive Secretary	24
16	Finance Officer 1	24
17	Assistant Librarian	22
18	Indexer 1	22
19	Text Processor 2	22
20	Senior Document Processor	22
21	Proofreader Supervisor	22
22	Publications Assistant	21
23	Administrative Secretary	21
24	Assistant Finance Officer	21
25	Legislative Information Office Assistant	19
26	Assistant Indexer	19
27	Text Processor 1	19

28 Document Processor 2	19
29 Proofreader 2	19
30 Document Processor 1	16

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1 Proofreader 1	16
2 Capitol Tour Guide Supervisor	14
3 Assistant Document Processor	13
4 Capitol Tour Guide	12
5 Legislative Service Bureau Page	Minimum Wage
6 BE IT FURTHER RESOLVED, That there shall be four	
7 classes of appointments as employees of the central	
8 legislative staff agencies:	
9 A "permanent full-time" or "permanent part-time"	
10 employee is one who is employed year round and	
11 eligible to receive state benefits.	
12 An "exempt full-time" employee is one who is	
13 employed for the period of the session with extensions	
14 post-session and pre-session as scheduled. This class	
15 is eligible to receive state benefits as provided in	
16 section 2.40.	
17 A "session-only" employee is one who is employed	
18 for only a portion of the year, usually the	
19 legislative session. This class is not eligible for	
20 state benefits, except IPERS.	
21 A temporary "part-time" employee is one who is	
22 employed to work less than 40 hours per week and is	
23 not employed year round. This class is not eligible	
24 for state benefits, except IPERS if eligible.	
25 BE IT FURTHER RESOLVED, That the exact	
26 classification for individuals in a job series created	
27 by this resolution shall be set or changed by the	
28 agency directors subject to the review of the Service	
29 Committee and approved by the Legislative Council.	
30 The agency directors shall base the classification	

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- 1 upon all of the following factors:
- 2 1. The extent of formal education required of the
- 3 position.
- 4 2. The extent of the responsibilities to be
- 5 assigned to the position.
- 6 3. The amount of supervision placed over the
- 7 position.
- 8 4. The number of persons the position is assigned
- 9 to supervise and skill and responsibilities of those
- 10 positions supervised.
- 11 The agency directors shall report the exact

12 classifications assigned to each individual to the
13 Service Committee of the Legislative Council.
14 Recommendations for a pay grade for a new position
15 shall be developed in accordance with the factor
16 scores in the comparable worth report. Beginning in
17 1995, every four years the Senate Rules and
18 Administration Committee, the House Administration
19 Committee, and the Legislative Council shall review
20 all positions in the legislative branch to assure
21 conformity to comparable worth.

22 BE IT FURTHER RESOLVED, That employees of the
23 central legislative staff agencies of the General
24 Assembly may be eligible for promotion within a job
25 series and increases within a pay grade as provided in
26 the personnel guidelines for central legislative staff
27 agencies adopted by the Legislative Council.
28 For promotions between classes with a three or more
29 pay grade difference, the employee shall be given a
30 two-step increase in pay or the employee's salary

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1 shall be adjusted to the entry level in the grade of
2 the new position, whichever is greater.

3 Increases within a pay grade shall be in accord
4 with the following schedule:

5 1. Progression from step "1" to "2" for a newly
6 hired employee -- six months of actual employment.

7 2. Progression from step "1" to "2" following
8 promotion within a job series -- twelve months of
9 actual employment.

10 3. Progression from step "2" to "3", and step "3"
11 to "4", and step "4" to "5", and step "5" to "6" --
12 twelve months of actual employment.

13 BE IT FURTHER RESOLVED, That the entrance salary
14 for central legislative staff employees of the General
15 Assembly shall be at step 1 in the grade of the
16 position held. Such employee may be hired above the
17 entrance step if possessing outstanding and unusual
18 experience for the position, provided that the
19 entrance is not beyond step 3. Such employee who is
20 hired above the entrance step shall be mobile above
21 that step in the same period of time as other
22 employees in that same step. An employee who is moved
23 to another position may be considered for partial or
24 full credit for their experience in the former
25 position in determining the step in the new grade.

26 The entry level for the position of Analyst shall
27 be Legislative Analyst, or Research Analyst, unless
28 extraordinary conditions justify increasing that entry

29 level; however, that entry level shall not be
30 increased beyond Legislative Analyst 1 or Research

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1 Analyst 1. An Analyst must have shown knowledge of
2 legislative rules and procedures as well as the Code
3 of Iowa to be considered at any level above a
4 Legislative Analyst or Research Analyst. The entry
5 level for the position of Legal Counsel shall be Legal
6 Counsel unless extraordinary conditions justify
7 increasing that entry level; however, that entry level
8 shall not be increased beyond Legal Counsel 1. A
9 Legal Counsel shall be a person who at a minimum has
10 graduated from an accredited school of law. A Legal
11 Counsel must have shown knowledge of legislative rules
12 and procedures as well as the Code of Iowa to be
13 considered at any level above a Legal Counsel.

14 BE IT FURTHER RESOLVED, That a pay increase for
15 exceptionally meritorious service may be made in
16 accordance with the personnel guidelines for central
17 legislative staff agencies adopted by the Legislative
18 Council.

19 BE IT FURTHER RESOLVED, That each agency director
20 shall receive applications for employment, arrange for
21 any necessary examinations and contacting of
22 references, and make hirings. The agency director
23 shall report the names of those hired for the filling
24 of any vacancies.

25 On the legislative day following the adoption of
26 this resolution, the director of each central
27 legislative staff agency shall submit to the Service
28 Committee of the Legislative Council and the
29 Legislative Council the list of names, titles,
30 classifications, and pay grade and step for each

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1 employee. The Legislative Council shall publish the
2 lists in the journals of both houses.

3 BE IT FURTHER RESOLVED, That permanent central
4 legislative staff employees of the General Assembly
5 shall receive those vacation allowances, sick leave,
6 health and accident insurance, life insurance, and
7 disability income insurance as are provided for full-
8 time, permanent state employees, and as provided in
9 the personnel guidelines for central legislative staff
10 agencies adopted by the Legislative Council. The
11 computations shall be maintained by each central
12 legislative staff agency and coordinated with the

- 13 department of revenue and finance.
 14 BE IT FURTHER RESOLVED, That should any central
 15 legislative staff employee have a grievance concerning
 16 their compensation, hours or work, performance of
 17 work, or other matter, the grievance shall be resolved
 18 as provided by procedures determined by the
 19 Legislative Council pursuant to section 2.42,
 20 subsection 14, Code 1991, and the personnel guidelines
 21 for central legislative staff agencies adopted by the
 22 Legislative Council.

REPORT FROM THE LEGISLATIVE COUNCIL

MR. PRESIDENT: Pursuant to the pay resolution adopted by the legislative council on February 23, 1993, the Iowa legislative council submits the following names of employees of the central legislative staff agencies, and their respective classifications, grades and steps:

		<u>Class</u>	<u>Grade</u>	<u>Step</u>
<u>CITIZENS' AIDE/OMBUDESMAN</u>				
Citizens' Aide/Ombudsman	William P. Angrick, II	P-FT	\$61,503.26 annual	
Senior Deputy	Ruth L. Mosher	P-FT	41	2
Legal Counsel II	Ruth H. Cooperrider	P-FT	35	-1
Assistant Citizens' Aide Ombudsman III	Michael J. Ferjak	P-FT	35	-1
Assistant Citizens' Aide/ Ombudsman I	Connie L. Bencke	P-FT	29	2
Assistant Citizens' Aide/ Ombudsman I	Wendy L. Sheetz	P-FT	29	2
Assistant Citizens' Aide/ Ombudsman I	Judith Milosevich	P-FT	29	3
Assistant Citizens' Aide/ Ombudsman	Jeffrey Burnham	P-FT	27	2
Assistant Citizens' Aide/ Ombudsman	Steven L. Exley	P-FT	27	2
Executive Secretary	Judith L. Green	P-FT	24	6
Administrative Secretary	Patricia Nett	P-FT	21	6
Citizens' Aide/Ombudsman Secretary	Maureen Lee	P-FT	19	4

LEGISLATIVE COMPUTER SUPPORT BUREAU

Director	Sanford Scharf	P-FT	\$62,410.66 annual	
Division Administrator I	Ed Damman	P-FT	35	-1
Division Administrator I	Kay Evans	P-FT	35	4
Division Administrator I	Roger Murtfeld	P-FT	35	2

Computer Systems Analyst II	Roel Campos	P-FT	29	1
Computer Systems Analyst I	Cheryl Ritter	P-FT	27	4
Computer Systems Analyst Trainee	Virginia Rowen	P-FT	24	6
Computer Systems Engineer I	Bryan Boyd	P-FT	29	1
Computer Operator I	Steve Nelson	P-FT	21	3
Executive Secretary	Sherry Frederick	P-FT	24	4

LEGISLATIVE FISCAL BUREAU

Director	Dennis Prouty	P-FT	\$72,956 annual	
Deputy Director	Timothy Faller	P-FT	41	4
*Division Administrator I	Glen Dickinson	P-FT	38	4
Division Administrator I	Miller Ferguson	P-FT	38	3
*Division Administrator I	Holly Lyons	P-FT	38	4
Division Administrator I	Douglas Wulf	P-FT	38	4
Sr. Legislative Analyst	Susan Lerdal	P-FT	38	-2
Sr. Legislative Analyst	Jon Neiderbach	P-FT	38	1
Sr. Legislative Analyst	Robert Snyder	P-FT	38	-2
Legislative Analyst 3	Paul Durand	P-FT	35	-1
Legislative Analyst 3	Bradley Hudson	P-FT	35	-1
Legislative Analyst 3	Jeffrey Robinson	P-FT	35	-1
Legislative Analyst 3	Alice Wisner	P-FT	35	-1
Legislative Analyst 2	David Reynolds	P-FT	32	-1
Legislative Analyst 2	Mary Shipman	P-FT	32	-1
Legislative Analyst 2	Jon Studer	P-FT	32	-1
Legislative Analyst	Tamara Fujinaka	P-FT	27	1
*Legislative Analyst	Leroy McGarity	P-FT	27	3
Legislative Analyst	Jonathon Muller	P-FT	27	1
Legislative Analyst	Sharon Ramsay	P-FT	27	1
*Legislative Analyst	Larry Sigel	P-FT	27	3
Sr. Comp Systems Analyst	Raymond Knapp	P-FT	35	4
Comp. Systems Analyst 1	David Hinman	P-FT	27	1
Executive Secretary	Charlotte Mosher	P-FT	24	2
Executive Secretary	Lynn Sevedge	P-FT	24	4
Administrative Secretary	Nicole Navara	P-FT	21	2
Page	Trevor Porath	S-O	Minimum Wage	

*On December 17, the Legislative Council approved promotions for Glen Dickinson and Holly Lyons from Division Administrator 1 to Division Administrator 2 (Grade 38-4 to 41-3) and for Larry Sigel and Leroy McGarity from Legislative Analyst to Legislative Analyst 1 (Grade 27-3 to 29-2) pending satisfactory promotion review prior to June 30, 1993.

LEGISLATIVE SERVICE BUREAU

Director	Diane Bolender	P-FT	\$72,956.00 annual	
Deputy Director	Richard Johnson	P-FT	41	3
Committee Services Administrator	John Pollak	P-FT	38	-1
Iowa Code Editor	Loanne Dodge	P-FT	38	1

Administrator Code Editor	Phyllis Barry	P-FT	38	4
Senior Legal Counsel	Michael Goedert	P-FT	38	4
Senior Research Analyst	Thane Johnson	P-FT	38	3
Legal Counsel 2	Mark Johnson	P-FT	35	4
Legal Counsel 2	Douglas Adkisson	P-FT	35	5
Legal Counsel 2	Leslie Hickey	P-FT	35	5
Legal Counsel 2	Patricia Funaro	P-FT	35	3
Legal Counsel 1	Mary Carr	P-FT	32	3
Legal Counsel 1	Julie Smith	P-FT	32	3
Legal Counsel	Susan Crowley	P-FT	30	2
Legal Counsel	Michael Kuehn	P-FT	30	2
Legal Counsel	Edwin Cook	P-FT	30	1
Legal Counsel	Carolyn Lumbard	P-FT	30	1
Research Analyst	Kathleen Hanlon	P-FT	27	3
Computer Systems Analyst 2	Gary Rudicil	P-FT	29	3
Computer Systems Analyst Trainee	Susan Weddell	P-FT	24	1
Legislative Information Office Director	Julie Livers	P-FT	30	3
Legislative Information Officer	Lucinda Parker	P-FT	24	1
Legislative Information Officer	Gary Thompson	P-FT	24	1
Librarian	Jonetta Douglas	P-FT	24	3
Assistant Librarian	Judy Neff	P-FT	22	1
Capitol Tour Guide Supervisor	Henrietta Macaulay	P-FT	14	6
Capitol Tour Guide	Joan Arnett	P-FT	12	6
Capitol Tour Guide	Kathryn Farrell	P-FT	12	6
Capitol Tour Guide	Karen Nichols	P-FT	12	6
Capitol Tour Guide	Susan Wallace	P-FT	12	1
Deputy Iowa Code Editor	Janet Wilson	P-FT	35	4
Assistant Editor 2	Kathleen Bates	P-FT	27	4
Assistant Editor 1	Rosemary Drake	P-FT	24	3
Assistant Editor 1	Peter Dubec	P-FT	24	5
Assistant Editor 1	Sheila Mauck	P-FT	24	2
Assistant Editor 1	Joanne Walroth	P-FT	24	1
Publications Assistant	Bonnie King	P-FT	21	6
Publications Assistant	Gerry Rydell	P-FT	21	3
Iowa Code Index Supervisor	Richard Schulze	P-FT	28	2
Admin. Code Index Supervisor	Pamela Worden	P-FT	28	2
Indexer 2	Doris Stoner	P-FT	25	1
Indexer 2	Sarah Pedersen	P-FT	25	1
Administrative Secretary	Mary Ann Scott	P-FT	21	2
Assistant Indexer	Janet Hawkins	P-FT	19	2
Senior Finance Officer	Marge Knudsen	P-FT	31	5
Finance Officer I	K'Ann Brandt	P-FT	24	1
Confidential Secretary	Donna Greenwood	P-FT	27	5
Text Processor Supervisor	Jean Wyer	P-FT	28	6
Senior Text Processor	Sarah Craig	P-FT	25	6
Senior Text Processor	Chris Fisher	P-FT	25	6
Text Processor 2	Marva Cross	P-FT	22	3
Text Processor 2	Jody Jennings	P-FT	22	2
Text Processor 1	Kimberly McKnight	P-FT	19	1

Text Processor 1	Helen DeBartolo	P-FT	19	1
Document Processor Supervisor	Bridget McNerney	P-FT	25	1
Document Processor 2	Betty Snuggs	P-FT	19	2
Document Processor 1	Jennifer Clark	P-FT	16	1
Asst. Document Processor	Shelly Hinshaw	S-O	13	1
Proofreader Supervisor	Andrea Meier	P-FT	22	1
Proofreader 2	Catherine Young	P-FT	19	4
Proofreader 2	Donna Munzenmaier	P-FT	19	3
Proofreader 1	Sue Fetters	P-FT	16	2
Proofreader 1	Jolene Lenth	P-FT	16	2
Proofreader 1	Steven Hansen	S-O	16	1
Proofreader 1	Beverly Burkett	S-O	16	1
Page	Kate Chartier	S-O	Minimum Wage	
Page	Steven Grote	S-O	Minimum Wage	

STUDY BILLS RECEIVED

SSB 184 Small Business, Economic Development & Tourism

Authorizing a city or county to impose an economic development levy consisting of a property tax levy, income surtax, or both.

SSB 185 Environment & Energy Utilities

Relating to lead abatement by establishing a lead inspection and abatement program, and providing a penalty.

SSB 186 Transportation

Relating to the offense of operating while intoxicated, providing for minimum hours of community service for certain offenders, minimum periods of license revocation, and other related matters.

SSB 187 Local Government

Relating to the compensation of deputy county sheriffs.

SSB 188 Human Resources

Relating to child support and providing effective and retroactive applicability dates.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 23, 1993, 10:10 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Discussed budget.

Adjourned: 12:02 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 23, 1993, 10:10 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Discussed Iowa veterans home and federal block grant.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 23, 1993, 10:08 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Presentation by the department of labor; reviewed bill draft.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 23, 1993, 10:10 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member and Lloyd-Jones.

Members Absent: Jensen (excused).

Committee Business: Discussed proposed appropriations bill.

Adjourned: 11:25 a.m.

AGRICULTURE

Convened: February 23, 1993, 8:02 a.m.

Members Present: Priebe, Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman.

Members Absent: Riordan, Vice Chair (excused).

Committee Business: Presentation by the director of the department of economic development.

Adjourned: 9:05 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 23, 1993, 4:08 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:47 p.m.

EDUCATION

Convened: February 23, 1993, 2:10 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; approved SSB 107 as amended as a committee bill; presentation by ethnic minorities.

Adjourned: 3:50 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 23, 1993, 1:10 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 94; recommended confirmation of governor's appointee; discussed staffing needs of DNR and capacity to implement or enforce existing environmental laws.

Adjourned: 1:50 p.m.

HUMAN RESOURCES

Convened: February 23, 1993, 1:07 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: Kramer (excused).

Committee Business: Recommended passage of Senate Concurrent Resolution 9 and Senate Files 80, 117 and 63; recommended confirmation of governor's appointee; assigned bill to subcommittee.

Adjourned: 1:55 p.m.

JUDICIARY (Corrected)

Convened: February 18, 1993, 1:45 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 59 as amended; recommended passage of House File 113; approved SSB 85 as a committee bill; amended SSB 110 and ordered redrafted for final approval as a committee bill.

Adjourned: 2:42 p.m.

LOCAL GOVERNMENT

Convened: February 23, 1993, 3:32 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: none.

Committee Business: Reassigned a bill to subcommittee; assigned bills to subcommittees; amended and approved SSB 145 as a committee bill.

Adjourned: 4:05 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: February 23, 1993, 3:55 p.m.

Members Present: Riordan, Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Maddox and Sorensen.

Members Absent: Vilsack, Vice Chair; Kibbie and Lloyd-Jones (all excused).

Committee Business: Recommended passage of House Joint Resolution 5 as amended; assigned bills to subcommittees.

Adjourned: 4:10 p.m.

PRESENTATION OF VISITORS

Senator Riordan, temporary chair of the International Relations Committee of the Legislative Council, invited Senators Welsh, Rife, Horn, Kramer, Lloyd-Jones and McLaren to the well of the Senate to assist him in welcoming the thirty-three members and six chaperones of the Shchedryk Childrens Choir from Kiev, Ukraine. The senators presented the choir with "Welcome to Iowa" pins and their director, Ivina Sablina, with a flag flown over the Iowa Capitol building on February 24, 1993.

The choir had previously performed in the rotunda of the Capitol and received a warm welcome, from appreciative spectators.

Senator Riordan then welcomed the following five faculty members of the Stavropol State Pedagogical Institute from Stavropol, Russia: Dr. Boris Zhogin, General Director of the North Caucasus Center for Education and Economic Development, Victor A. Khitrov, Nikolai I. Atamanichenko, Tatyana Pantyukhina and Tatyana Lometra.

The guests were presented with "Welcome to Iowa" pins and tins of candy.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 18, 1993, when the final votes were taken on Senate Files 20, 26, 48, 74, 97, and 125 and House Files 101 and 111.

Had I been present, I would have voted "aye" on all the bills.

MAGGIE TINSMAN

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 22, 1993, when the final vote was taken on Senate File 141.

Had I been present, I would have voted "aye" on the bill.

MAGGIE TINSMAN

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 9

JUDICIARY: Sturgeon, Chair; Lloyd-Jones and McKean

Senate File 143

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

Senate File 144

EDUCATION: Connolly, Chair; Lind and Varn

Senate File 146

TRANSPORTATION: Kersten, Chair; Fink and Fraise

Senate File 154

TRANSPORTATION: Lloyd-Jones, Chair; Dieleman and Jenserr

Senate File 155

HUMAN RESOURCES: Szymoniak, Chair; Buhr and Kramer

Senate File 159

TRANSPORTATION: Dieleman, Chair; Gettings and Pate

House File 170

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM:
Bisignano, Chair; Maddox and Sorensen

SSB 173

(Reassigned)

LOCAL GOVERNMENT: Vilsack, Chair; Fraise and Maddox

SSB 177

COMMUNICATIONS AND INFORMATION POLICY: Welsh, Chair; Fraise and Kersten

SSB 178

COMMUNICATIONS AND INFORMATION POLICY: Varn, Chair; Fuhrman and Welsh

SSB 179

COMMUNICATIONS AND INFORMATION POLICY: Deluhery, Chair; Kersten and Varn

SSB 183

JUDICIARY: Sturgeon, Chair; Fuhrman, Lloyd-Jones, Slife and Szymoniak

SSB 184

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Judge, Chair; Bennett and Kibbie

SSB 186

TRANSPORTATION: Gettings, Chair; Connolly and Drake

SSB 187

LOCAL GOVERNMENT: Sorensen, Chair; Jensen and Szymoniak

SSB 188

HUMAN RESOURCES: Lloyd-Jones, Chair; Bartz and Judge

COMMITTEE REPORT**LOCAL GOVERNMENT**

Final Bill Action: *SENATE FILE 163 (SSB 145), a bill for an act relating to civil service.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Rittmer, Szymoniak, Vilsack and Zieman. Nays, 2: Jensen 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 145 and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 161, by Rittmer, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

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

Senate File 162, by Kibbie, a bill for an act to prohibit trapping with conibear-type traps, and subjecting violators to an existing penalty.

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

Senate File 163, by committee on Local Government, a bill for an act relating to civil service.

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

Senate File 164, by Hester, a bill for an act regulating the custody and maintenance of dogs threatening the public safety, and providing penalties.

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

Senate File 165, by committee on Judiciary, a bill for an act relating to the duties of the county recorder and auditor.

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

Senate File 166, by Deluhery, a bill for an act relating to the statewide target for group foster care placements and providing an applicability provision and effective date.

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

Senate File 167, by committee on Judiciary, a bill for an act relating to the statute of limitations for marketable title.

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

Senate File 168, by Connolly, a bill for an act relating to the establishment of a bone marrow donor program, including the establishment of a bone marrow donation fund, and providing for the appropriation of moneys in the fund.

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

Senate File 169, by Zieman, a bill for an act exempting the sale of plants, bushes, and trees from the state sales, services, and use taxes.

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

APPENDIX

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of February, 1993:

Senate File 4.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointment, completed its investigation on February 24, 1993, and recommended the appointee be confirmed:

Sally Chandler Halford as Director of the Department of Corrections.

PRESENTATION OF VISITOR

Senator Deluhery presented Lee Heung-Hwan, staff writer, The Sisa Journal, International Media Institution, from Seoul, Korea, who was present in the Senate Chamber.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	161	Ways and Means
S. F.	162	Natural Resources
S. F.	164	Local Government
S. F.	166	Human Resources
H. C. R.	10	Local Government

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE JOINT RESOLUTION 9, a joint resolution nullifying an administrative rule of the Iowa law enforcement academy relating to a law enforcement officer's hearing qualifications and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, 2: Fuhrman and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 165 (SSB 110), a bill for an act relating to the duties of the county recorder and auditor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 167 (SSB 156), a bill for an act relating to the statute of limitations for marketable title.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 170, by Connolly, a bill for an act relating to the regulation of wholesale motor vehicle fuel distribution and providing penalties and a remedy.

Read first time under Rule 28 and passed on file.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:34 p.m., until 9:00 a.m., Thursday, February 25, 1993.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 25, 1993

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

Prayer was offered by the Reverend Brian Carter, pastor of the United Methodist Church, Montezuma, Iowa.

The Journal of the Wednesday, February 24, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 22, 1993, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 16, a bill for an act authorizing certain merged areas to certify an additional equipment replacement tax levy for the fiscal year beginning July 1, 1993 (S—3060).

ALSO: That the House has on February 22, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 182, a bill for an act relating to the expansion of the state historical society board of trustees.

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

INTRODUCTION OF BILL

Senate File 171, by committee on Judiciary, a bill for an act relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 9:25 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 189 Communications & Information Policy**

Relating to the Iowa communications network by establishing a board and a council, expanding the definitions of private and public agencies, amending financing provisions, providing for the right of the state to locate and construct the network on public and private property, and exempting the network from certain state department of transportation charges.

SSB 190 Local Government

Relating to the award of a contract by a city.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: February 24, 1993, 9:50 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member and Ziemann.

Members Absent: Horn.

Committee Business: Reviewed proposed appropriations bill.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 24, 1993, 9:55 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Discussed appropriations bill.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 24, 1993, 10:00 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member; Boswell and Maddox.

Members Absent: none.

Committee Business: Reviewed budget.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 24, 1993, 9:55 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Approved federal block grant bill; discussed and acted on FY '94 appropriations bill.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 24, 1993, 9:55 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Considered proposals in appropriations bill.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 24, 1993, 9:55 a.m.

Members Present: Fraise, Chair; Gettings, Vice Chair; Kersten, Ranking Member; Jensen and Lloyd-Jones.

Members Absent: none.

Committee Business: Subcommittee amended and approved and submitted appropriations bill to the full Appropriations Committee.

Adjourned: 11:17 a.m.

COMMERCE

Convened: February 24, 1993, 3:15 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Kersten, Lind, Pate, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: Gronstal.

Committee Business: Approved SSB 44 as a committee bill.

Adjourned: 3:35 p.m.

JUDICIARY

Convened: February 24, 1993, 2:30 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; recommended passage of Senate Joint Resolution 9; approved SSBs 110, 83, 27 and 156 as committee bills.

Adjourned: 2:50 p.m.

TRANSPORTATION

Convened: February 24, 1993, 1:05 p.m.

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

Members Absent: none.

Committee Business: Amended and approved SSB 118 as a committee bill; presentation by a representative of the DOT relating to new technology applications for the motor vehicle division; assigned bills to subcommittees.

Adjourned: 1:58 p.m.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 180 (SSB 44), a bill for an act relating to thrift certificates and their exemption from certain filing and registration requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Kersten, Lind, Pate, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 1: Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 171 (SSB 83), a bill for an act relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 178 (SSB 118), a bill for an act relating to motorcycle rider education.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Lloyd-Jones, Fraise, Drake, Dieleman, Fink, Gettings, Jensen and Kersten. Nays, none. Absent or not voting, 2: Connolly and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 178 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 13

RULES AND ADMINISTRATION: Husak, Chair; Horn and Rife

Senate Concurrent Resolution 14

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

Senate File 150

BUSINESS AND LABOR RELATIONS: Connolly, Chair; Gettings and Slife

Senate File 166

HUMAN RESOURCES: Varn, Chair; Kramer and Szymoniak

House Concurrent Resolution 8

RULES AND ADMINISTRATION: Boswell, Chair; Palmer and Rife

House Concurrent Resolution 9

RULES AND ADMINISTRATION: Boswell, Chair; Palmer and Rife

SSB 165

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Banks and Rosenberg

SSB 189

COMMUNICATIONS AND INFORMATION POLICY: Varn, Chair; Kersten and Welsh

SSB 190

LOCAL GOVERNMENT: Maddox, Chair; Sorensen and Vilsack

AMENDMENTS FILED

S—3060	S. F.	16	House amendment
S—3061	S. F.	121	William D. Palmer
S—3062	S. F.	142	Eugene Fraise
S—3063	S. F.	103	Jim Riordan
S—3064	S. F.	142	William W. Dieleman Jim Kersten Ray Taylor Allen Borlaug Larry Murphy Merlin Bartz
S—3065	S. F.	51	William W. Dieleman
S—3066	S. F.	142	Eugene Fraise
S—3067	S. F.	142	Richard F. Drake
S—3068	S. F.	142	Merlin Bartz

AFTERNOON SESSION

The Senate reconvened at 4:22 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 172, by Rosenberg, a bill for an act relating to coverage under the medical assistance program for the drug clozapine.

Read first time and passed on file.

Senate File 173, by Rosenberg, a bill for an act relating to inspections, late payment fees, and terminations under landlord and tenant agreements.

Read first time and passed on file.

Senate File 174, by Rosenberg, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable.

Read first time and passed on file.

Senate File 175, by Lind, a bill for an act relating to Iowa law enforcement academy courses.

Read first time and passed on file.

Senate File 176, by Lind, a bill for an act relating to prisoner of war and congressional medal of honor special motor vehicle registration plates.

Read first time and passed on file.

Senate File 177, by Connolly, a bill for an act relating to the racing schedule for pari-mutuel racetracks.

Read first time and passed on file.

Senate File 178, by committee on Transportation, a bill for an act relating to motorcycle rider education.

Read first time and placed on calendar.

Senate File 179, by Deluhery, a bill for an act relating to motor vehicle registration periods by allowing purchase month registration and providing an applicability provision.

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

Senate File 180, by committee on Commerce, a bill for an act relating to thrift certificates and their exemption from certain filing and registration requirements.

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

Senate File 181, by committee on Judiciary, a bill for an act relating to the time limitation within which an administratively dissolved corporation may apply for reinstatement.

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

Senate File 182, by Kibbie and Rosenberg, a bill for an act to prohibit the sale of WOI television by the state board of regents and providing an effective date and applicability provision.

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

Senate File 183, by Vilsack, a bill for an act relating to indigent defense costs and providing an effective date.

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

SPECIAL PRESENTATION TO SENATE PAGE

Glenda Johnson, Senate Page, was escorted to the well of the Senate by Senators Horn and Rife and presented with a Certificate of Recognition and an Iowa pin for serving with honor and distinction as a Senate Page during the 1993 Regular Session of the Seventy-fifth General Assembly.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 10

On motion of Senator Slife, Senate Concurrent Resolution 10, a concurrent resolution commemorating coach Eldon Miller's five hundredth career basketball coaching victory, with report of

committee recommending amendment and passage, was taken up for consideration.

Senator Slife withdrew amendment S—3035 filed by him on February 11, 1993, to page 1 of the resolution.

Senator Slife asked and received unanimous consent to withdraw amendment S—3039 filed by the committee on Education on February 16, 1993, to page 1 of the resolution.

Senator Slife asked and received unanimous consent that **House Concurrent Resolution 6** be substituted for **Senate Concurrent Resolution 10**.

Senator Slife offered amendment S—3056 filed by him on February 23, 1993, to page 1 of the resolution and moved its adoption.

Amendment S—3056 was adopted by a voice vote.

Senator Slife moved the adoption of House Concurrent Resolution 6 as amended, which motion prevailed by a voice vote and the resolution was adopted.

Senator Slife asked and received unanimous consent that **Senate Concurrent Resolution 10** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 16

Senator Kibbie called up for consideration Senate File 16, a bill for an act authorizing certain merged areas to certify an additional equipment replacement tax levy for the fiscal year beginning July 1, 1993, amended by the House, and moved that the Senate concur in House amendment S—3060 filed on February 25, 1993.

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. 16) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

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)

Senate File 103

On motion of Senator Connolly, Senate File 103, a bill for an act repealing the starting date for elementary and secondary schools, was taken up for consideration.

Senator Riordan offered amendment S—3063 filed by him from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 27.

Amendment S—3063 lost.

Senator Riordan offered amendment S—3070 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 30.

Amendment S—3070 lost.

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

On the question "Shall the bill pass?" (S.F. 103) the vote was:

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

Ayes, 28:

Bartz	Borlaug	Buhr	Connolly
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Horn	Jensen
Kramer	Lloyd-Jones	Maddox	McKean
Palmer	Pate	Rensink	Riordan
Rittmer	Rosenberg	Slife	Sturgeon
Szymoniak	Tinsman	Varn	Vilsack

Nays, 22:

Banks	Bennett	Bisignano	Boswell
Deluhery	Dieleman	Gronstal	Hedge
Hester	Husak	Judge	Kersten
Kibbie	Lind	McLaren	Murphy
Priebe	Rife	Sorensen	Taylor
Welsh	Zieman		

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

MR. PRESIDENT: I move to reconsider the vote by which Senate File 103 passed the Senate on February 25, 1993.

JAMES RIORDAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 103 passed the Senate on February 25, 1993.

MIKE CONNOLLY

Senate File 142

On motion of Senator Lloyd-Jones, Senate File 142, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision, was taken up for consideration.

Senator Dieleman asked and received unanimous consent to withdraw amendment S—3055 filed by Senators Dieleman, et al., on February 23, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Dieleman offered amendment S—3064 filed by Senators Dieleman, et al., from the floor to strike everything after the enacting clause of the bill.

Senator Fraise offered amendment S—3069 filed by him from the floor to amendment S—3064 and moved its adoption.

Amendment S—3069 lost by a voice vote.

Senator Fraise offered amendment S—3066 filed by him from the floor to amendment S—3064 and moved its adoption.

Amendment S—3066 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3071 filed by Senators Welsh and Drake from the floor to amendment S—3064.

Senator Drake withdrew amendment S—3067 filed by him from the floor to amendment S—3064.

Senator Varn raised the point of order that amendment S—3064 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3064 in order.

Senator Drake raised the point of order that if the federal government repeals the law, then section 1 of the act would be repealed on July 1, following the federal government's repeal and

that would then repeal the authority for the state to collect motorcycle, ambulance, and hearse fees.

The Chair ruled the point not well taken.

Senator Dieleman moved the adoption of amendment S—3064 as amended.

A record roll call was requested.

On the question "Shall amendment S—3064 as amended by adopted?" (S.F. 142) the vote was:

Ayes, 32:

Banks	Bartz	Bisignano	Borlaug
Boswell	Dieleman	Fuhrman	Gettings
Giannetto	Gronstal	Hedge	Horn
Husak	Judge	Kersten	Lind
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Sturgeon
Taylor	Vilsack	Welsh	Zieman

Nays, 18:

Bennett	Buhr	Connolly	Deluhery
Drake	Fink	Fraise	Hester
Jensen	Kibbie	Kramer	Lloyd-Jones
Maddox	Rensink	Slife	Szymoniak
Tinsman	Varn		

Amendment S—3064 as amended was adopted.

With the adoption of amendment S—3064 as amended, the Chair ruled the following amendments out of order:

S—3053 filed by Senator Bartz on February 23, 1993, to page 2 of the bill.

S—3062 filed by Senator Fraise from the floor to amendment S—3055.

S—3068 filed by Senator Bartz from the floor to amendment S—3053.

Senator Varn raised the point of order that Senate File 142 should be referred to the committee on Ways and Means.

Senator Horn asked and received unanimous consent that action on **Senate File 142** be deferred.

Senator Horn asked and received unanimous consent that **Senate File 142** be referred to the committee on **Ways and Means**.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	168	Human Resources
S. F.	169	Ways and Means
S. F.	170	Commerce
S. F.	172	Human Resources
S. F.	173	Commerce
S. F.	174	Judiciary
S. F.	175	Rules and Administration
S. F.	176	Transportation
S. F.	177	State Government
S. F.	179	Transportation
S. F.	182	Education
H. F.	182	State Government

The Senate stood at ease at 6:40 p.m. until the fall of the gavel.

The Senate resumed session at 7:01 p.m., President Boswell presiding.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 142, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dieleman, Husak, Deluhery, Drake, Fuhrman, Hedge, McLaren, Murphy, Palmer, Riordan, and Rosenberg. Nays, 4: Bennett, Hester, Lloyd-Jones and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

Senate File 142

The Senate resumed consideration of Senate File 142, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision, referred to the committee on Ways and Means on February 25, 1993, and reported out with a recommendation of passage on February 25, 1993.

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. 142) the vote was:

Ayes, 30:

Banks	Bartz	Borlaug	Boswell
Connolly	Deluhery	Dieleman	Drake
Fuhrman	Giannetto	Horn	Husak
Jensen	Judge	Kersten	Lind
Lloyd-Jones	McKean	McLaren	Palmer
Pate	Priebe	Riordan	Rittmer
Rosenberg	Slife	Szymoniak	Taylor
Welsh	Zieman		

Nays, 19:

Bennett	Bisignano	Buhr	Fink
Fraise	Gettings	Gronstal	Hedge
Hester	Kibbie	Kramer	Maddox
Murphy	Rensink	Rife	Sorensen
Tinsman	Varn	Vilsack	

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.

Senator Horn asked and received unanimous consent that Senate File 142 be immediately messaged to the House.

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:

Suzanne J. Palmer as a member of the Barber Examining Board.

Dale P. Repass as a member of the Iowa State Civil Rights Commission.

Sharon McCrabb as a member of the County Finance Committee.

Gary G. Kimes as a member of the Criminal and Juvenile Justice Planning Advisory Council.

Elvin R. Soll as a member of the Dietetic Examining Board.

Glenda Griffin and Harriet Vande Hoef as members of the State Citizen Foster Care Review Board.

Richard C. Bjorlo as a member of the Iowa Higher Education Loan Authority.

William A. Anderson as a member of the Higher Education Strategic Planning Council.

Kathy G. Kahue as a member of the Investment Board of the IPERS.

Cynthia S. Houlson as a member of the Job Service Advisory Council.

Sylvia Tijerina as Administrator of the Division of Latino Affairs.

Mary C. Hodges as a member of the Medical Examining Board.

Richard E. Garrels as a member of the Natural Resource Commission.

David E. Koos as a member of the State Board of Examiners for Nursing Home Administrators.

Sharon M. Mahood as a member of the Optometry Examining Board.

Loren E. Luppas as a member of the Renewable Fuel Advisory Committee.

Annette Scieszinski as a member of the State Board of Tax Review.

Mildred R. Dawson, Valore Likens, Mitchell L. O'Neel and Robert O. Steben as members of the Commission of Veterans Affairs.

Dale L. Renaud as Executive Director of the Commission of Veterans Affairs.

Jack J. Dack as Commandant of the Iowa Veterans Home.

Perry J. Chapin and Russell W. Teig as members of the Wallace Technology Transfer Foundation of Iowa.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Sturgeon

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Joint Resolution 9.

Senate Joint Resolution 9

On motion of Senator Sturgeon, Senate Joint Resolution 9, a joint resolution nullifying an administrative rule of the Iowa law enforcement academy relating to a law enforcement officer's hearing qualifications and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the resolution pass?" (S.J.R. 9) the vote was:

Ayes, 26:

Bisignano	Buhr	Connolly	Deluhery
Fink	Gettings	Giannetto	Gronstal
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	McKean	Murphy	Palmer
Priebe	Riordan	Rosenberg	Sorensen
Sturgeon	Szymoniak	Taylor	Varn
Vilsack	Welsh		

Nays, 23:

Banks	Bartz	Bennett	Borlaug
Boswell	Dieleman	Drake	Fraise
Fuhrman	Hedge	Hester	Horn
Husak	Kramer	Maddox	McLaren
Pate	Rensink	Rife	Rittmer
Slife	Tinsman	Zieman	

Absent or not voting, 1:

Jensen

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

INTRODUCTION OF BILLS

Senate File 184, by Deluhery, Tinsman, Rittmer, and Drake, a bill for an act to establish a forgivable loan program for resident graduate students enrolled in Iowa chiropractic colleges and universities.

Read first time and passed on file.

Senate File 185, by Kibbie, a bill for an act providing for a reduction in the foundation property tax levy for certain school districts under the state school foundation program and providing an effective date.

Read first time and passed on file.

Senate File 186, by Deluhery, Tinsman, and Rittmer, a bill for an act establishing a chiropractic subvention program for Iowa chiropractic colleges and universities.

Read first time and passed on file.

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Tiffany Bengtson, Jessica Holzer, Renee Staudt and Beth Whiteside — For being selected to play in the 1993 Honor Band at the University of Iowa School of Music. Senator Borlaug (2-22-93)

COMMITTEE REPORT

JUDICIARY

Final Bill Action: SENATE FILE 181 (SSB 27), a bill for an act relating to the time limitation within which an administratively dissolved corporation may apply for reinstatement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 9 passed the Senate on February 25, 1993.

DON GETTINGS

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 9 passed the Senate on February 25, 1993.

AL STURGEON

AMENDMENTS FILED

S—3069	S.F.	142	Eugene Fraise
S—3070	S.F.	103	Jim Riordan
S—3071	S.F.	142	Joe Welsh
			Richard Drake

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 7:45 p.m., until 10:00 a.m., Monday, March 1, 1993.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 1, 1993

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

Prayer was offered by the Reverend Norman Litzner, pastor of the Windsor Heights Lutheran Church, Windsor Heights, Iowa.

The Journal of the Thursday, February 25, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 23, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 191, a bill for an act authorizing certified public accountants and accounting practitioners to practice as limited liability companies.

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

ALSO: That the House has on February 24, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 83, a bill for an act relating to the discharge of dangerous weapons from a motor vehicle at a dwelling, motor vehicle, or one or more persons and providing penalties and providing an effective date.

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

House File 89, a bill for an act providing penalties for the harvesting of wild ginseng out of season.

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

House File 193, a bill for an act relating to increasing the scheduled fine for traffic violations in a road construction zone.

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

INTRODUCTION OF BILL

Senate File 187, by Rosenberg, a bill for an act relating to the notice provided by landlords in forcible entry and detainer actions.

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Sturgeon until he arrives on request of Senator Horn and Senators Bartz, McLaren, Taylor and Slife until they arrive on request of Senator Jensen.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 9

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 9, a concurrent resolution to condemn the atrocities of systematic rape of women and abandonment of children in Bosnia, 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.

CONSIDERATION OF BILLS
(Regular Calendar)

House Joint Resolution 5

On motion of Senator Riordan, House Joint Resolution 5, a joint resolution to request that the President of the United States, the Office of Management and Budget, the Administrator of the United States Environmental Protection Agency, and the Congress of the United States support the ethanol fuel industry by ensuring the continued development of the renewable fuel, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3059 filed by the committee on Small Business, Economic Development, and Tourism on February 23, 1993, to page 1 of the resolution.

Amendment S—3059 was adopted by a voice vote.

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

On the question "Shall the resolution pass?" (H.J.R. 5) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz McLaren Slife Sturgeon

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

House File 113

On motion of Senator Giannetto, House File 113, a bill for an act relating to computing the time for filings with the clerk of the district court and providing a retroactive applicability date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 113) the vote was:

Ayes, 43:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Lloyd-Jones	Maddox	McKean	Murphy
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 7:

Bartz Kramer Lind McLaren
Rife Slife Sturgeon

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

Senate File 63

On motion of Senator Szymoniak, Senate File 63, a bill for an act relating to the establishment of a long-term care asset preservation program, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 63) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Slife	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 119

On motion of Senator Vilsack, Senate File 119, a bill for an act relating to a parent's right of action for the injury or death of a child, was taken up for consideration.

Senator McKean offered amendment S—3040 filed by Senators McKean and Vilsack on February 17, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3040 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 119) the vote was:

Ayes, 45:

Bennett	Bisignano	Borlaug	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 1:

Banks

Absent or not voting, 4:

Bartz	Rife	Slife	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 121

On motion of Senator Priebe, Senate File 121, a bill for an act requiring state agencies to inform persons of the authority for taking certain actions, and the appeal procedures available, with report of committee recommending passage, was taken up for consideration.

Senator Palmer offered amendment S—3061 filed by him on February 25, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3061 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. 121) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Slife	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 127

On motion of Senator Gettings, Senate File 127, a bill for an act relating to employees' use of lawful products during nonworking hours, and providing civil enforcement procedures, 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. 127) the vote was:

Ayes, 36:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Horn	Husak	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	Murphy	Palmer
Pate	Priebe	Rensink	Rife

Riordan
Taylor

Rittmer
Tinsman

Rosenberg
Vilsack

Sorensen
Welsh

Nays, 11:

Banks
Hester
Szymoniak

Bennett
Jensen
Varn

Borlaug
McKean
Zieman

Hedge
McLaren

Absent or not voting, 3:

Bartz

Slife

Sturgeon

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 188, by Rosenberg, Giannetto, Fink, Sorensen, Connolly, and Murphy, a bill for an act to modify the method of appointing members to the state board of regents and to create a regent candidate advisory commission.

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

Senate File 189, by Rosenberg, Giannetto, Fink, Sorensen, and Kibbie, a bill for an act prohibiting the sale of certain state assets without prior approval by the general assembly.

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

RECESS

On motion of Senator Horn, the Senate recessed at 11:45 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 191 Education**

A concurrent resolution relating to the establishment of a legislative interim committee to review the issue of open enrollment and its impact on funding and desegregation efforts by Iowa's schools.

SSB 192 Business & Labor Relations

Relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge.

SSB 193 State Government

Relating to a treatment funding application process administered by the Iowa department of public health and providing an effective date.

SSB 194 State Government

Extending the repeal of provisions relating to farm mediation and legal assistance.

SSB 195 Ways & Means

Extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

SSB 196 Agriculture

Relating to commercial breeders of dogs.

PETITION

The following petition was presented and placed on file by:

Senator Bartz from approximately 125 residents of northern Iowa favoring legislation repealing Iowa's snowmobile flag law.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 25, 1993, 10:40 a.m.

Members Present: Judge, Chair; Dieleman, Vice Chair; Slife, Ranking Member; Horn and Ziemann.

Members Absent: none.

Committee Business: Approved and submitted the subcommittee appropriations bill to the full Appropriations committee.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 25, 1993, 9:42 a.m.

Members Present: Husak, Chair; Priebe, Vice Chair; Banks, Ranking Member; Fink and Hester.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 9:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 25, 1993, 10:00 a.m.

Members Present: Bisignano, Chair; Riordan, Vice Chair; Borlaug, Ranking Member; Boswell and Maddox.

Members Absent: none.

Committee Business: Approved appropriations bill.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 25, 1993, 9:50 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Approved appropriations bill.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 25, 1993, 9:56 a.m.

Members Present: Varn, Chair; Szymoniak, Vice Chair; Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 11:27 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 25, 1993, 9:46 a.m.

Members Present: Vilsack, Chair; Sorensen, Vice Chair; Rensink, Ranking Member; Hedge and Palmer.

Members Absent: none.

Committee Business: Approved and submitted the subcommittee appropriations bill to the full Appropriations committee.

Adjourned: 10:35 a.m.

EDUCATION

Convened: February 25, 1993, 2:20 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; amended SSBs 77 and 151 and ordered redrafted for final approval as a committee bill.

Adjourned: 3:26 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 25, 1993, 3:25 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen.

Members Absent: Welsh.

Committee Business: Hearings on implementation of the energy efficiency act with responses from the Isaak Walton League, Iowa Utilities Board, Iowa Utilities Association and Consumers' Advocates Office.

Adjourned: 4:20 p.m.

ETHICS

Convened: February 25, 1993, 2:15 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meetings.

Adjourned: 3:10 p.m.

WAYS AND MEANS

Convened: February 25, 1993, 6:40 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: none.

Committee Business: Recommended passage of Senate File 142.

Adjourned: 6:59 p.m.

PRESENTATION OF VISITORS

President Boswell welcomed ten youth exchange students from Russia who were living with host families and attending school in Algona and Grinnell under a program sponsored by the Iowa Peace Institute. They were accompanied by Ludmila Bednik, teacher.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 8

WAYS AND MEANS: Husak, Chair; Bennett and Dieleman

Senate File 147

APPROPRIATIONS: Buhr, Chair; Boswell and Tinsman

Senate File 152

WAYS AND MEANS: Riordan, Chair; Bennett and Husak

Senate File 156

EDUCATION: Kibbie, Chair; Dieleman and Rensink

Senate File 161

WAYS AND MEANS: Deluhery, Chair; Drake and Rosenberg

Senate File 168

HUMAN RESOURCES: Judge, Chair; Riordan and Rittmer

Senate File 169

WAYS AND MEANS: Husak, Chair; McLaren and Murphy

Senate File 170

COMMERCE: Gettings, Chair; Deluhery and Jensen

Senate File 172

HUMAN RESOURCES: Varn, Chair; Kramer and Szymoniak

Senate File 173

COMMERCE: Sturgeon, Chair; Fuhrman and Welsh

House File 182

STATE GOVERNMENT: Buhr, Chair; Dieleman and Lind

SSB 185

ENVIRONMENT AND ENERGY UTILITIES: Sorensen, Chair; Banks and Deluhery

SSB 192

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Buhr and Fuhrman

SSB 193

STATE GOVERNMENT: Priebe, Chair; Gronstal and Pate

SSB 194

STATE GOVERNMENT: Giannetto, Chair; Kibbie and McLaren

SSB 195

WAYS AND MEANS: Husak, Chair; Bennett and Rosenberg

SSB 196

AGRICULTURE: Riordan, Chair; Banks and Hester

AMENDMENT FILED

S—3072

S.F.

108

Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 190, by committee on Ways and Means, a bill for an act relating to the state commission of veterans affairs, to employees and duties of county commissions of veteran affairs, and to the salary of the commandant of the veterans home, and providing a retroactive applicability date.

Read first time and placed on Ways and Means Calendar.

Senate File 191, by committee on Ways and Means, a bill for an act relating to the levy of taxes for school libraries in certain school districts.

Read first time and placed on Ways and Means Calendar.

Senate File 192, by committee on Ways and Means, a bill for an act relating to the establishment of an income tax checkoff for restoration of the state capitol building and providing a retroactive applicability date.

Read first time and placed on Ways and Means Calendar.

APPENDIX**COMMITTEE REPORTS****RULES AND ADMINISTRATION**

Final Bill Action: SENATE JOINT RESOLUTION 3, a joint resolution supporting the granting of commonwealth status to the territory of Guam.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Lind and Palmer. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 52, a bill for an act relating to the publication of legislative journals and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Kramer, Lind and Palmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 8, a concurrent resolution relating to a biennial memorial session.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Lind and Palmer. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 9, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Lind and Palmer. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 190 (SSB 120), a bill for an act relating to the state commission of veterans affairs, to employees and duties of county commissions of veterans affairs, and to the salary of the commandant of the veterans home, and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: McLaren and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 191 (SSB 168), a bill for an act relating to the levy of taxes for school libraries in certain school districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: McLaren and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 192 (formerly Senate File 105), a bill for an act relating to the establishment of an income tax checkoff for restoration of the state capitol building and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dieleman, Husak, Bennett, Drake, Hedge, Hester, Lloyd-Jones, Palmer, Riordan, Rosenberg and Szymoniak. Nays, 2: Deluhery and Fuhrman. Absent or not voting, 2: McLaren and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

Meghan Frommelt, Dubuque — For winning the statewide "Write Women Back Into History" contest. Senator Connolly (3-1-93).

BILLS ASSIGNED TO COMMITTEE

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

S.F.	183	Appropriations
S.F.	184	Education
S.F.	185	Education
S.F.	186	Education
S.F.	187	Judiciary
S.F.	188	State Government
S.F.	189	Rules & Administration
H.F.	83	Judiciary
H.F.	89	Natural Resources
H.F.	193	Transportation

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:34 p.m., until 9:00 a.m., Tuesday, March 2, 1993.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 2, 1993

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

Prayer was offered by the Reverend Edward Petty, pastor of the St. Francis Xavier Basilica, Dyersville, Iowa.

The Journal of the Monday, March 1, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Judge until she arrives on request of Senator Horn.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 25, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 207, a bill for an act relating to the authority of the superintendent of banking to remove a director or officer of a state bank, providing for the continued suspension of certain banking laws, and providing for the retroactive applicability of the Act.

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

House File 210, a bill for an act to provide for a six-month suspension of the driver's license of a person under the age of twenty-one who alters the license to purchase alcohol.

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

INTRODUCTION OF BILLS

Senate File 193, by Rosenberg and Connolly, a bill for an act relating to the regulation of hazardous substances on waterways.

Read first time and passed on file.

Senate File 194, by Rosenberg and Szymoniak, a bill for an act creating a commission of Asian and Pacific Islander-Americans within the department of human rights.

Read first time and passed on file.

Senate File 195, by Giannetto, Rosenberg, and Fink, a bill for an act providing that membership on the state board of regents include a graduate of each of the three universities under its control and providing an effective date.

Read first time and passed on file.

Senate File 196, by committee on Ways and Means, a bill for an act relating to the sales, services, and use tax in connection with printing activities and providing effective and applicability dates.

Read first time and placed on Ways and Means Calendar.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Joint Resolution 3 and House Concurrent Resolutions 8 and 9.

Senate Joint Resolution 3

On motion of Senator Jensen, Senate Joint Resolution 3, a joint resolution supporting the granting of commonwealth status to the territory of Guam, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the resolution pass?" (S.J.R. 3) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Judge Pate Taylor

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

SPECIAL GUESTS

Senator Kramer presented 1993 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: Rosina Hendrickson, Indian Hills Junior High, Clive.

Second Place: Mandy Davenport, Hoover Middle School, Sioux City.

Third Place: Dung Huynh, Woodrow Wilson Middle School, Sioux City.

Eighth and Ninth Grade:

First Place: Jenny Tindall, Urbandale Middle School, Urbandale.

Second Place: Cara Moothart, Resurrection School, Dubuque.

Third Place: Molly Marie Dankert, Jefferson Jr. High School, Dubuque.

Edith Sackett Memorial Award:

Meghan Frommelt, Wahlert High School, Dubuque.

Prairiefire Award:

Blair Hansen, Hudson Community School, Hudson (not present).

CONSIDERATION OF RESOLUTIONS

(Regular Calendar)

House Concurrent Resolution 8

On motion of Senator Palmer, House Concurrent Resolution 8, a concurrent resolution relating to a biennial memorial session, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved the adoption of House Concurrent Resolution 8, which motion prevailed by a voice vote.

House Concurrent Resolution 9

On motion of Senator Palmer, House Concurrent Resolution 9, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved the adoption of House Concurrent Resolution 9, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 80

On motion of Senator Riordan, Senate File 80, a bill for an act relating to the provision of emergency medical services by a physician assistant, and providing for exemption from liability in certain situations, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 80) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Judge

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

Senate File 59

On motion of Senator Welsh, Senate File 59, a bill for an act relating to prohibiting fire fighters and certain emergency medical services personnel from being required to obtain a professional permit to carry weapons as a condition of employment, with report

of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—3046 filed by the committee on Judiciary on February 18, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3046 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. 59) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Welsh	Zieman *

Nays, none.

Absent or not voting, 2:

Judge	Vilsack
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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 at 9:33 a.m. until the fall of the gavel.

The Senate resumed session at 9:43 a.m., President Boswell presiding.

Senate File 117

On motion of Senator Szymoniak, Senate File 117, a bill for an act to amend the title and scope and responsibilities of the

council on chemically exposed infants to include children, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3074 filed by her from the floor to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 19.

Amendment S—3074 was adopted.

Senator Priebe offered amendment S—3075 filed by Senators Priebe and Lind from the floor to page 2 and the title page of the bill.

Senator Buhr raised the point of order that amendment S—3075 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3075 out of order.

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

On the question "Shall the bill pass?" (S.F. 117) the vote was:

Ayes, 38:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Deluhery	Dieleman
Drake	Fink	Fraise	Gettings
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Palmer	Pate
Priebe	Rensink	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Varn
Welsh	Zieman		

Nays, 11:

Buhr	Fuhrman	Giannetto	Gronstal
Murphy	Rife	Riordan	Rittmer
Rosenberg	Tinsman	Vilsack	

Absent or not voting, 1:

Connolly

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

RECESS

On motion of Senator Horn, the Senate recessed at 10:37 a.m., until 4:30 p.m.

APPENDIX

STUDY BILLS RECEIVED

SSB 197 Environment & Energy Utilities

Relating to the creation of an environmental protection fund, and providing for the establishment and collection of fees.

SSB 198 State Government

Relating to games of skill, games of chance, and amusement devices, and subjecting violators to existing penalties.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 26, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 4 — To permit school or school district superintendents to serve concurrently as an elementary school principal in the school or school district.

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: March 1, 1993, 2:40 p.m.

Members Present: Gettings, Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor.

Members Absent: Sturgeon, Vice Chair (excused).

Committee Business: Assigned bill to subcommittee; joint meeting with the House for a presentation by the Iowa coalition for a drug free workplace.

Adjourned: 3:35 p.m.

RULES AND ADMINISTRATION

Convened: March 1, 1993, 3:50 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer, Lind and Palmer.

Members Absent: none.

Committee Business: Recommended passage of House Concurrent Resolutions 8 and 9, Senate Joint Resolution 3 and Senate File 52; assigned Senate File 175 to subcommittee.

Adjourned: 4:05 p.m.

WAYS AND MEANS

Convened: March 1, 1993, 1:36 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: McLaren (excused).

Committee Business: Assigned bills to subcommittees; amended Senate File 105 and approved as a committee bill; approved SSBs 168, 146 and 120 as committee bills.

Adjourned: 2:29 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 200 (SSB 51), a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for pari-mutuel racing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Palmer and Sorensen. Nays, none. Absent or not voting, 8: Judge, McLaren and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 83, a bill for an act related to terms of appointments to the state veterans affairs commission.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 100, a bill for an act requiring licensure of social workers, providing an effective date, imposing fees, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 182, a bill for an act relating to the expansion of the state historical society board of trustees.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 196 (SSB 146), a bill for an act relating to the sales, services, and use tax in connection with printing activities and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dieleman, Husak, Bennett, Deluhery, Drake, Hedge, Hester, Lloyd-Jones, Riordan and Szymoniak. Nays, 3: Fuhrman, Palmer and Rosenberg. Absent or not voting, 2: McLaren and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Government students from Clear Lake High School, Clear Lake, Iowa, accompanied by Beth Schumacher. Senator Bartz.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 117 passed the Senate on March 2, 1993.

ELAINE SZYMONIAK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 117 passed the Senate on March 2, 1993.

RICHARD VARN

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 1, 1993.

Had I been present, I would have voted "aye" on final passage of Senate Files 63 and 121, House Joint Resolution 5 and House File 113. I would have voted "nay" on Senate Files 119 and 127.

MERLIN E. BARTZ

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 2, 1993, when the final votes were taken on Senate Files 59, 80, Senate Joint Resolution 3 and House Concurrent Resolutions 8 and 9.

Had I been present, I would have voted "aye" on the bills.

PATTY JUDGE

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Cara Moothart, Dubuque — For winning second place in the "Write Women Back Into History" essay contest, sponsored by the Iowa Commission on the Status of Women. Senator Welsh (3-2-93).

Molly Marie Dankert, Dubuque — For winning third place in the "Write Women Back Into History" essay contest, sponsored by the Iowa Commission on the Status of Women. Senator Welsh (3-2-93).

Rosina Hendrickson, Indian Hills Junior High School, Clive — For winning the statewide "Write Women Back Into History" essay contest. Senator Maddox (3-2-93).

Jenny Tindall, Urbandale Middle School, Urbandale — For winning the statewide "Write Women Back Into History" essay contest. Senator Maddox (3-2-93).

SUBCOMMITTEE ASSIGNMENTS

Senate File 148

LOCAL GOVERNMENT: Buhr, Chair; Maddox and Vilsack

Senate File 158

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Drake

Senate File 164

LOCAL GOVERNMENT: Priebe, Chair; Buhr and Zieman

Senate File 177

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Drake

Senate File 188

STATE GOVERNMENT: Sorensen, Chair; Giannetto and Lind

House Concurrent Resolution 10

LOCAL GOVERNMENT: Vilsack, Chair; Sorensen and Zieman

SSB 197

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Deluhery and Kersten

SSB 198

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Drake

AMENDMENTS FILED

S—3073	H.F.	79	Ralph Rosenberg
S—3074	S.F.	117	Elaine Szymoniak
S—3075	S.F.	117	Berl Priebe
			Jim Lind

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 197, by Deluhery and Murphy, a bill for an act relating to the opening of certain adoption records.

Read first time and passed on file.

Senate File 198, by Sturgeon, a bill for an act relating to the reimbursement amount paid to a dealer or a person operating a redemption center.

Read first time and passed on file.

Senate File 199, by Priebe, a bill for an act relating to the transfer of funds within state government for services provided by state agencies.

Read first time and passed on file.

Senate File 200, by committee on Agriculture, a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for pari-mutuel racing.

Read first time and placed on calendar.

Senate File 201, by Dieleman, a bill for an act establishing a procedure for the establishment of paternity by acknowledgment.

Read first time and passed on file.

Senate File 202, by Bartz, a bill for an act relating to foster care services and the statewide target for group foster care placements and providing an applicability provision and effective date.

Read first time and passed on file.

Senate File 203, by committee on State Government, a bill for an act relating to a treatment funding application process administered by the Iowa department of public health and providing an effective date.

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

Senate File 204, by Gronstal, a bill for an act relating to title insurance by legalizing the issuance of title insurance and the collection of premium taxes and providing notice to borrowers.

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

Senate File 205, by committee on Education, a bill for an act relating to open enrollment procedures and reports.

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

Senate File 206, by committee on Education, a bill for an act relating to educational finances, activities, and procedures and providing an effective date.

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

Senate File 207, by Connolly, a bill for an act relating to hunting with firearms in certain state recreation areas.

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

MOTIONS TO RECONSIDER WITHDRAWN

Senate Joint Resolution 9

Senators Gettings and Sturgeon withdrew the motions to reconsider Senate Joint Resolution 9, a joint resolution nullifying an administrative rule of the Iowa law enforcement academy relating to a law enforcement officer's hearing qualifications and providing an effective date, filed by them on February 25, 1993, and found on page 441 of the Senate Journal.

Senator Horn asked and received unanimous consent that **Senate Joint Resolution 9** be immediately messaged to the House.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 205 (SSB 77), a bill for an act relating to open enrollment procedures and reports.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Kramer, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack. Nays, none. Pass, 1: Dieleman. Absent or not voting, 3: Deluhery, Murphy and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 206 (SSB 151), a bill for an act relating to educational finances, activities, and procedures and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 203 (SSB 193), a bill for an act relating to a treatment funding application process administered by the Iowa department of public health and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	193	Environment & Energy Utilities
S.F.	194	State Government
S.F.	195	State Government
S.F.	197	Human Resources
S.F.	198	Environment and Energy Utilities
S.F.	199	Appropriations
S.F.	201	Human Resources
S.F.	202	Human Resources
S.F.	204	Commerce
S.F.	207	Natural Resources
H.F.	207	Commerce
H.F.	210	Transportation

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Wednesday, March 23, 1993.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 3, 1993

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend William McAlpine, pastor of the United Methodist Church, Ocheyedon, Iowa.

The Journal of the Tuesday, March 2, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Pate until he arrives on request of Senator Jensen and Senator Riordan for the day on request of Senator Kibbie.

HOUSE MESSAGES RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1993, passed the following bills in which the concurrence of the House was asked:

Senate File 56, a bill for an act relating to the payment of benefits pursuant to the state employees disability insurance program, and providing effective and retroactive applicability dates.

Senate File 141, a bill for an act to permit the participation in the voter-approved enrichment levy by newly reorganized school districts.

INTRODUCTION OF BILLS

Senate File 208, by Kersten, a bill for an act relating to the regulation of hazardous substances on certain vessels.

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

Senate File 209, by Rife, a bill for an act to prohibit state and county statutory political committees and national political parties from making contributions to a candidate for state office.

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

Senate File 210, by Lind, a bill for an act relating to the appointment of the director of the Iowa law enforcement academy and providing an effective date.

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

Senate File 211, by committee on Education, a bill for an act establishing the campus care program and the community service assistance program to organize student volunteers in service to a local community, and providing for the establishment of funds and making of appropriations.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:15 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 199 Judiciary**

Relating to permits to acquire pistols or revolvers by requiring a firearms safety training course and examination, modifying the eligibility requirements and application, issuance, renewal, and revocation procedures, and providing for a penalty.

SSB 200 Judiciary

Relating to the manufacture, possession, or distribution of controlled substances on or near certain real property and establishing penalties.

SSB 201 Judiciary

Relating to offers to confess judgment.

SSB 202 Judiciary

Relating to the enforcement of the civil rights law and the recovery of fees and hearing costs by the civil rights commission.

SSB 203 Judiciary

Relating to unfair and discriminatory practices in employment of persons with disabilities and providing effective dates.

SSB 204 Judiciary

Relating to delivery of a controlled substance while in possession of a dangerous weapon.

SSB 205 Judiciary

Establishing the crime of assault against a peace officer and providing a penalty.

SSB 206 Judiciary

Relating to presentence investigations.

SSB 207 Judiciary

Relating to qualifications for sheriffs.

SSB 208 Judiciary

Relating to the notification of peace officers following performance of duties which might result in exposure to certain contagious and infectious diseases, and making penalties applicable.

SSB 209 Human Resources

Relating to child support and providing for civil penalties.

SSB 210 Education

Relating to community college athletic programs, delaying the establishment and funding of the community college excellence 2000 account and the submission of an annual report on community college quality instructional centers, and repealing community college approval and accreditation standards, community college staff development plans and programs, and certain studies related to community colleges, and other related matters.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

Convened: March 2, 1993, 11:05 a.m.

Members Present: Buhr, Chair; Giannetto, Vice Chair; Tinsman, Ranking Member; Bennett and Sturgeon.

Members Absent: none.

Committee Business: Approved and submitted appropriations bill to the full Appropriations committee.

Adjourned: 1:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 2, 1993, 11:43 a.m.

Members Present: Kramer, Ranking Member; Deluhery and Rittmer.

Members Absent: Varn, Chair and Szymoniak, Vice Chair (both excused).

Committee Business: Discussed the priorities in the budget period and the governor's recommendations.

Adjourned: 11:58 a.m.

AGRICULTURE

Convened: March 2, 1993, 8:30 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, McLaren, Palmer, Sorensen and Ziemann.

Members Absent: Judge (excused).

Committee Business: Approved SSB 51 as a committee bill and assigned bill to subcommittee.

Adjourned: 8:40 a.m.

EDUCATION

Convened: March 2, 1993, 2:34 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 77 and 151 as redrafted; approved SSB 160 as a committee bill; amended SSB 108 and ordered redrafted for final approval as a committee bill.

Adjourned: 3:30 p.m.

ETHICS

Convened: March 2, 1993, 2:35 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meeting.

Adjourned: 3:35 p.m.

STATE GOVERNMENT

Convened: March 2, 1993, 1:34 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 193 as a committee bill; recommended passage of House File 182, Senate File 83 and Senate File 100.

Adjourned: 2:00 p.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Andy Ryan, Waukon — For attaining the distinguished rank of Eagle Scout. Senator Ziemann (2-14-93).

Coach Arlin Severson and the New Hampton Wrestling Squad — For winning the Class 2-A state Wrestling championship. Senator Borlaug (3-1-93).

Joy Kix, Nevada Elementary School — For winning the elementary educator excellence Award from Norwest Banks and KCCI. Senator Giannetto (3-2-93).

SUBCOMMITTEE ASSIGNMENTS

Senate File 174

JUDICIARY: Rosenberg, Chair; McKean and Sturgeon

Senate File 176

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

Senate File 179

TRANSPORTATION: Connolly, Chair; Gettings and Kersten

Senate File 182

EDUCATION: Kibbie, Chair; Slife and Vilsack

Senate File 183

APPROPRIATIONS: Vilsack, Chair; Gronstal and Rensink

Senate File 184

EDUCATION: Varn, Chair; Deluhery and Slife

Senate File 186

EDUCATION: Varn, Chair; Deluhery and Slife

Senate File 187

JUDICIARY: Rosenberg, Chair; Bisignano and McKean

Senate File 189

RULES AND ADMINISTRATION: Horn, Chair; Palmer and Rife

Senate File 193

ENVIRONMENT AND ENERGY UTILITIES: Welsh, Chair; Banks and Sorensen

Senate File 197

HUMAN RESOURCES: Sturgeon, Chair; Kramer and Lloyd-Jones

Senate File 198

ENVIRONMENT AND ENERGY UTILITIES: Fink, Chair; Kersten and Rosenberg

Senate File 199

APPROPRIATIONS: Gronstal, Chair; Judge and Kersten

Senate File 201

HUMAN RESOURCES: Szymoniak, Chair; Lloyd-Jones and Rittmer

Senate File 202

HUMAN RESOURCES: Bartz, Chair; Kramer and Varn

Senate File 204

COMMERCE: Welsh, Chair; Fuhrman and Gronstal

House File 83

JUDICIARY: Sturgeon, Chair; Bisignano and Drake

House File 193

TRANSPORTATION: Connolly, Chair; Lloyd-Jones and Pate

House File 207

COMMERCE: Deluhery, Chair; Fuhrman and Priebe

House File 210

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Fink

SSB 186
(Reassigned)

TRANSPORTATION: Lloyd-Jones, Chair; Connolly, Drake, Gettings and Jensen

SSB 191

EDUCATION: Connolly, Chair; Kramer and Murphy

SSB 199

JUDICIARY: Lloyd-Jones, Chair; Rosenberg and Slife

SSB 200

JUDICIARY: Giannetto, Chair; McKean, Rosenberg, Szymoniak and Taylor

SSB 201

JUDICIARY: Vilsack, Chair; Fuhrman and Rosenberg

SSB 202

JUDICIARY: Rosenberg, Chair; McKean and Sturgeon

SSB 203

JUDICIARY: Rosenberg, Chair; McKean and Sturgeon

SSB 204

JUDICIARY: Bisignano, Chair; Pate and Welsh

SSB 205

JUDICIARY: Bisignano, Chair; Taylor and Welsh

SSB 206

JUDICIARY: Giannetto, Chair; Slife and Vilsack

SSB 207

JUDICIARY: Welsh, Chair; Connolly and Fuhrman

SSB 208

JUDICIARY: Rosenberg, Chair; Drake and Sturgeon

SSB 209

HUMAN RESOURCES: Judge, Chair; Bartz and Lloyd-Jones.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 211 (SSB 160), a bill for an act establishing the campus care program and the community service assistance program to organize students volunteers in service to a local community, and providing for the establishment of funds and making of appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Kibbie, Deluhery, Fink, Murphy, Slife, Varn and Vilsack. Nays, 4: Kramer, Dieleman, Lind and Rensink. Pass, 2: Taylor and Tinsman. Absent or not voting, 1: Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 130, a bill for an act relating to a continuing appropriation for a city.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3077.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 10, a concurrent resolution to designate the City of New London, Iowa, the "City of Redbuds."

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3076	S.F.	180	William Palmer
S—3077	S.F.	130	Local Government

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 15, by Sorensen, a concurrent resolution to designate Boone, Iowa, the official site of the Iowa Municipal Band Festival.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 212, by Lind, a bill for an act increasing the penalty for littering.

Read first time and passed on file.

Senate File 213, by Banks, a bill for an act relating to grandparent visitation rights.

Read first time and passed on file.

Senate File 214, by Priebe, a bill for an act relating to qualifications for licensure as a health professional.

Read first time and passed on file.

Senate File 215, by Priebe, Kibbie, Szymoniak, and Lloyd-Jones, a bill for an act relating to the therapeutic use of marijuana.

Read first time and passed on file.

Senate File 216, by committee on Local Government, a bill for an act relating to rates and charges for city utility and enterprise services by authorizing their collection as combined service accounts, authorizing the discontinuance of services in the event of nonpayment, and providing uniform notice procedures prior to discontinuance of service and prior to certification of lien for nonpayment.

Read first time and placed on calendar.

Senate File 217, by committee on Local Government, a bill for an act relating to the award of a contract by a city.

Read first time and placed on calendar.

Senate File 218, by committee on Local Government, a bill for an act relating to the compensation of deputy county sheriffs.

Read first time and placed on calendar.

Senate File 219, by committee on Human Resources, a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

Read first time and placed on calendar.

Senate File 220, by committee on Human Resources, a bill for an act relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action.

Read first time and placed on calendar.

Senate File 221, by committee on Human Resources, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care and providing an effective date.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	208	Environment and Energy Utilities
S.F.	209	State Government
S.F.	210	State Government
S.F.	212	Natural Resources
S.F.	213	Human Resources
S.F.	214	Human Resources
S.F.	215	Human Resources
S. C. R.	15	Local Government

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE CONCURRENT RESOLUTION 14, a concurrent resolution to prohibit the establishment of a repository for the disposal of nuclear waste, including a monitored retrievable storage facility, in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 219 (SSB 103), a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bennett, Buhr, Judge, Kramer, Rittmer, Sturgeon and Varn. Nays, none. Pass, 1: Bartz. Absent or not voting, 1: Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 220 (SSB 147), a bill for an act relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Buhr, Judge, Kramer, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Bennett and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 221 (SSB 176), a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Rittmer, and Varn. Nays, none. Absent or not voting, 2: Riordan and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 216 (SSB 93), a bill for an act relating to rates and charges for city utility and enterprise services by authorizing their collection as combined service accounts, authorizing the discontinuance of services in the event of nonpayment, and providing uniform notice procedures prior to discontinuance of service and prior to certification of lien for nonpayment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 2: Fraise 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 216 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 217 (SSB 190), a bill for an act relating to the award of a contract by a city.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 218 (SSB 187), a bill for an act relating to the compensation of deputy county sheriffs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 12, a concurrent resolution honoring Robins H. Jackson of Waterloo, Iowa, for achieving the office of President of the Associated General Contractors of America, the highest elected office in American construction.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 4, a joint resolution to request that the President of the United States and the Congress of the United States support the state's constitutional authority to regulate traffic and motor vehicle safety within their respective boundaries.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-five high school students from Waco High School, Wayland, Iowa, accompanied by Greg Thomas. Senator Vilsack.

AMENDMENT FILED

S—3078 S.F. 52 Richard Varn

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Thursday, March 4, 1993.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 4, 1993

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Lester Terlouw, pastor of the Reformed Church, Cantril, Iowa.

The Journal of the Wednesday, March 3, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 16, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-fifth General Assembly.

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

ALSO: That the House has on March 2, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 1, a bill for an act relating to burglary and establishing penalties.

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

House File 104, a bill for an act relating to the employment of administrators by school districts and area education agencies.

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

House File 201, a bill for an act allowing an account maintenance fee to be charged in connection with consumer line of credit accounts in state or national financial institutions.

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

INTRODUCTION OF BILL

Senate File 222, by Zieman, Banks, Bartz, McLaren, and Rittmer, a bill for an act relating to certain tort actions by limiting the maximum liability for damages.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Jensen until he arrives on request of Senator Rife, and Senator Lloyd-Jones for the day and Senator Giannetto until he arrives on request of Senator Horn.

The Senate stood at ease at 9:18 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 9:53 a.m., President Boswell presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 167

On motion of Senator Vilsack, Senate File 167, a bill for an act relating to the statute of limitations for marketable title, was taken up for consideration.

Senator Vilsack moved that the bill be read the last time now and placed upon its passage, 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, 46:

Banks	Bartz	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Gronstal	Hedge
Hester	Horn	Husak	Judge
Kersten	Kibbie	Kramer	Lind
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Bennett	Giannetto	Jensen	Lloyd-Jones
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 180

On motion of Senator Deluhery, Senate File 180, a bill for an act relating to thrift certificates and their exemption from certain filing and registration requirements, was taken up for consideration.

Senator Palmer offered amendment S—3076 filed by him on March 3, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3076 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. 180) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Gronstal

Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Giannetto Jensen Lloyd-Jones

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

Senate File 52

On motion of Senator Husak, Senate File 52, a bill for an act relating to the publication of legislative journals and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—3078 filed by him on March 3, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3078 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. 52) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon

Szymoniak	Taylor	Tinsman	Varn
Vilsack	Weish	Zieman	

Nays, none.

Absent or not voting, 3:

Giannetto	Jensen	Lloyd-Jones
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 83

On motion of Senator Dieleman, Senate File 83, a bill for an act related to terms of appointments to the state veterans affairs commission, 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. 83) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Weish	Zieman	

Nays, none.

Absent or not voting, 3:

Giannetto	Jensen	Lloyd-Jones
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 16, by Pate and Szymoniak, a concurrent resolution designating March 1993 as Iowa Women's History Month.

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

INTRODUCTION OF BILL

Senate File 223, by Tinsman and Deluhery, a bill for an act relating to the opening of certain adoption records.

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

RECESS

On motion of Senator Horn, the Senate recessed at 10:14 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 211 Appropriations**

Relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date.

SSB 212 Commerce

Relating to transactions engaged in with a retailer through a satellite terminal and the operation of such terminals by certain federal and out-of-state financial institutions.

SSB 213 Commerce

Relating to the establishment of a satellite terminal.

SSB 214 Commerce

Relating to certain transactions with a retailer involving a satellite terminal and providing an effective date.

SSB 215 Commerce

Relating to insurance coverage for certain therapy and counseling services, requiring that coverage be made available for services provided by a licensed marital and family therapist or a licensed mental health counselor, and providing for direct payment.

SSB 216 Commerce

Relating to the cancellation of certain consumer credit transactions.

SSB 217 Commerce

Relating to permissible banking activities by an out-of-state bank in this state.

SSB 218 Commerce

Relating to permissible charges and fees on certain consumer transactions.

SSB 219 Commerce

Relating to licensing of cemetery operators and cemetery salespersons and the regulation of perpetual care cemeteries and nonperpetual care cemeteries and providing for fees and penalties.

SSB 220 Commerce

Relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations.

SSB 221 Commerce

Relating to the regulation of investment advisers, providing penalties, and providing for conditions of enactment, and an effective date.

SSB 222 Commerce

Relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty.

SSB 223 Local Government

Relating to the recording of certain instruments in the office of county recorder.

SSB 224 Local Government

Relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: March 3, 1993, 4:45 p.m.

Members Present: Murphy, Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman and Vilsack.

Members Absent: Boswell, Vice Chair and Varn (both excused).

Committee Business: Summaries of education, economic development and transportation appropriation bills.

Adjourned: 5:15 p.m.

COMMERCE

Convened: March 3, 1993, 3:30 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 43 as amended; recommended passage of House File 138.

Adjourned: 4:35 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 2, 1993, 3:45 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: none.

Committee Business: Presentation by the state librarian on the use of fiber optics today and its possible use in the future.

Adjourned: 4:37 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 3, 1993, 1:10 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 14; presentations on renewable energy sources by Chariton resource conservation and development office, Spirit Lake school, Waverly municipal utilities, U.S. wind power, windway technologies and Iowa-Illinois gas and electric; representatives from the Iowa national guard and disaster services presented information on Iowa's compliance with federal mandate on emergency preparedness to deal with hazardous materials accidents.

Adjourned: 2:20 p.m.

HUMAN SERVICES

Convened: March 3, 1993, 1:05 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Rittmer, Sturgeon and Varn.

Members Absent: Riordan (excused).

Committee Business: Approved SSBs 147, 103 and 176 as committee bills; presentation on CHMIS.

Adjourned: 2:34 p.m.

JUDICIARY

Convened: March 3, 1993, 11:15 a.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Amended SSB 157 and ordered redrafted for final approval as a committee bill; assigned bills to subcommittees.

Adjourned: 11:45 a.m.

LOCAL GOVERNMENT

Convened: March 3, 1993, 10:14 a.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Ziemann.

Members Absent: Priebe (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 93, 190 and 187 as committee bills; recommended passage of House Concurrent Resolution 10; recommended passage of Senate File 130 as amended.

Adjourned: 10:45 a.m.

TRANSPORTATION

Convened: March 3, 1993, 2:40 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Joint Resolution 4 and Senate Concurrent Resolution 12; recommended passage of Senate Files 109 and 54 as amended.

Adjourned: 3:25 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of March, 1993:

Senate Files 16, 141 and 56.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 15

LOCAL GOVERNMENT: Vilsack, Chair; Buhr and Rittmer

Senate File 208

ENVIRONMENT AND ENERGY UTILITIES: Welsh, Chair; Banks and Sorensen

Senate File 213

HUMAN RESOURCES: Lloyd-Jones, Chair; Bennett and Judge

Senate File 214

HUMAN RESOURCES: Kramer, Chair; Lloyd-Jones and Varn

Senate File 215

HUMAN RESOURCES: Buhr, Chair; Lloyd-Jones and Sturgeon

SSB 212

COMMERCE: Deluhery, Chair; Gronstal, Lind and Welsh

SSB 213

COMMERCE: Deluhery, Chair; Gronstal, Lind, Pate and Welsh

SSB 214

COMMERCE: Deluhery, Chair; Gronstal, Lind, Pate and Welsh

SSB 215

COMMERCE: Palmer, Chair; Bisignano, Gronstal, Jensen, Slife and Varn

SSB 216

COMMERCE: Deluhery, Chair; Jensen and Sturgeon

SSB 217

COMMERCE: Deluhery, Chair; Kersten and Sturgeon

SSB 218

COMMERCE: Palmer, Chair; Deluhery and Jensen

SSB 219

COMMERCE: Gronstal, Chair; Slife and Welsh

SSB 220

COMMERCE: Deluhery, Chair; Fuhrman and Priebe

SSB 221

COMMERCE: Deluhery, Chair; Bisignano, Kersten, Fuhrman, Palmer, Slife and Welsh

SSB 222

COMMERCE: Gronstal, Chair; Bisignano, Jensen, Slife, Varn and Palmer

SSB 223

LOCAL GOVERNMENT: Buhr, Chair; Rittmer and Sorensen

SSB 224

LOCAL GOVERNMENT: Szymoniak, Chair; Jensen and Vilsack

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Brian Petersen and Richard Seibert, Davenport — For attaining the coveted rank of Eagle Scout. Senator Tinsman (3-15-93).

AMENDMENT FILED

S-3079 S.F. 171 Al Sturgeon

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 224, by Bennett, a bill for an act relating to the payment to the county and expenditures by the county of local sales and services tax revenues.

Read first time and passed on file.

Senate File 225, by Kibbie, a bill for an act related to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the governor's office, and providing for related matters.

Read first time and passed on file.

Senate File 226, by committee on Education, a bill for an act relating to school administration, accreditation, finance, transportation, and official newspaper publication.

Read first time and placed on calendar.

Senate File 227, by committee on Appropriations, a bill for an act appropriating funds to the department of economic development, the Wallace technology transfer foundation, INTERNET, state university of Iowa, and Iowa state university of science and technology, establishing the economic development deaf interpreters revolving fund, and eliminating state involvement in INTERNET.

Read first time and placed on Appropriations Calendar.

Senate File 228, by committee on Education, a bill for an act relating to funding for supplementary weighting by certain districts for purposes of the state school foundation program and providing an effective date.

Read first time and placed on calendar.

Senate File 229, by Murphy, a bill for an act relating to establishing a registry of sex offenders and establishing penalties.

Read first time and passed on file.

Senate File 230, by Murphy, a bill for an act relating to the removal of the prohibition against the manufacture, sale, and use of polystyrene packaging products or food service items in the state.

Read first time and passed on file.

Senate File 231, by Murphy, a bill for an act providing for special motor vehicle plates for bronze and silver star recipients and providing an effective date.

Read first time and passed on file.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House Concurrent Resolution 10.

House Concurrent Resolution 10

On motion of Senator Vilsack, House Concurrent Resolution 10, a concurrent resolution to designate the City of New London, Iowa, the "City of Redbuds", with report of committee recommending passage, was taken up for consideration.

Senator Vilsack moved the adoption of House Concurrent Resolution 10, which motion prevailed by a voice vote.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	222	Judiciary
S.F.	223	Human Resources
S.F.	224	Local Government
S.F.	225	State Government
S.F.	229	Judiciary
S.F.	230	Environment & Energy Utilities
S.F.	231	Transportation
S.C.R.	16	Human Resources
H.F.	1	Judiciary
H.F.	104	Education
H.F.	201	Commerce
H.C.R.	16	Rules and Administration

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 227 (LSB 1061), a bill for an act appropriating funds to the department of economic development, the Wallace technology transfer foundation, INTERNET, state university of Iowa, and Iowa state university of science and technology, establishing the economic development deaf interpreters revolving fund, and eliminating state involvement in INTERNET.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kibbie, Kramer, Lind, Palmer, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 3: Horn, Kersten and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 227 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 232 (LSB 1063), 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Horn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 232 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 233 (LSB 1047), 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 education and cultural programs of this state and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Varn and Vilsack. Nays, 1: Tinsman. Absent or not voting, 2: Horn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 233 and they were attached to the committee report.

COMMERCE

Final Bill Action: HOUSE FILE 138, a bill for an act relating to the time limitation within which an administratively dissolved corporation may apply for reinstatement.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Pate, Priebe, Slife and Sturgeon. Nays, none. Absent or not voting, 3: Lind, Varn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 43, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3081.

Final Vote: Ayes, 8: Deluhery, Jensen, Fuhrman, Gettings, Kersten, Priebe, Slife and Welsh. Nays, 3: Gronstal, Sturgeon and Varn. Pass, 3: Palmer, Bisignano and Pate. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 226 (SSB 108), a bill for an act relating to school administration, accreditation, finance, transportation, and official newspaper publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Deluhery and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 228 (formerly Senate File 156), a bill for an act relating to funding for supplementary weighting by certain districts for purposes of the state school foundation program and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Kramer, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Varn and Vilsack. Nays, 1: Taylor. Absent or not voting, 3: Deluhery, Murphy and Tinsman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 232, 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates.

Read first time under Rule 28 and placed on Appropriations Calendar.

Senate File 233, by committee on Appropriations, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date.

Read first time under Rule 28 and placed on Appropriations Calendar.

AMENDMENTS FILED

S-3080	S.F.	158	Mike Connolly
S-3081	S.F.	43	Commerce

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:40 p.m., until 10:30 a.m., Monday, March 8, 1993.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 8, 1993

The Senate met in regular session at 10:35 a.m., President Boswell presiding.

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

The Journal of the Thursday, March 4, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 234, a bill for an act relating to state mandates, and providing an effective date.

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

ALSO: That the House has on March 4, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 74, a bill for an act relating to the reestablishment of an energy conservation trust, providing for retroactive applicability, and providing for a repeal of the Act.

ALSO: That the House has on March 4, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 275, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date.

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

House File 301, a bill for an act relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court.

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

House File 329, a bill for an act relating to state work search requirements to qualify for extended unemployment benefits and providing an effective date.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 10, by Kibbie, a joint resolution to nullify an administrative rule of the board of nursing defining the term nurse and providing an effective date.

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

Senate File 234, by Husak, a bill for an act extending the waiver provision for the education standards requiring an articulated sequential elementary-secondary guidance program and a media services program to support the total curriculum.

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

Senate File 235, by Priebe, a bill for an act requiring that certain locations where court is held remain open.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Varn and Rosenberg for the day on request of Senator Horn.

The Senate stood at ease at 10:39 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:18 a.m., President Boswell presiding.

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **House File 329** was assigned to the committee on **Business and Labor Relations**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he arrives on request of Senator Rensink.

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 BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 227.

Senate File 227

On motion of Senator Bisignano, Senate File 227, a bill for an act appropriating funds to the department of economic development, the Wallace technology transfer foundation, INTERNET, state university of Iowa, and Iowa state university of science and technology, establishing the economic development deaf interpreters revolving fund, and eliminating state involvement in INTERNET, was taken up for consideration.

Senator Borlaug offered amendment S—3084 filed by Senators Borlaug and Bisignano from the floor to page 10 of the bill and moved its adoption.

Amendment S—3084 was adopted by a voice vote.

Senator Bisignano offered amendment S—3083 filed by Senators Bisignano and Borlaug from the floor to page 11 of the bill and moved its adoption.

Amendment S—3083 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that action on Senate File 227 be deferred.

The Senate stood at ease at 11:30 a.m. until the fall of the gavel.

The Senate resumed session at 12:04 p.m., President Boswell presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor until he arrives on request of Senator Rife and Senators Sturgeon and Szymoniak until they arrive on request of Senator Horn.

BUSINESS PENDING

Senate File 227

The Senate resumed consideration of Senate File 227, previously deferred.

Senator Bisignano offered amendment S—3088 filed by Senators Bisignano, et al., from the floor to page 13 of the bill and moved its adoption.

Amendment S—3088 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 227) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife

Riordan
Tinsman

Rittmer
Vilsack

Slife
Welsh

Sorensen
Zieman

Nays, 1:

Gronstal

Absent or not voting, 5:

Rosenberg
Varn

Sturgeon

Szymoniak

Taylor

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 11, by Dieleman, Kibbie, Taylor, Husak, Jensen, Kersten, Borlaug, Hester, Fuhrman, Gettings, Fraise, and Pate, a joint resolution to petition the Congress of the United States to call a convention to propose an amendment to the Constitution of the United States to prohibit the federal government from increasing costs of the state by reducing the proportion of federal funds to the states or requiring new or increased costs for mandated activities or services without funding.

Read first time and passed on file.

Senate File 236, by Bisignano, Vilsack, and Riordan, a bill for an act providing for regular communication between members of the general assembly and the governor and providing an effective date.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 12:14 p.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 225 Human Resources**

Relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance.

SSB 226 Agriculture

A Resolution to request that the Legislative Council establish an interim study committee to review the export of agricultural goods, including raw and processed commodities, and the functions of departments and programs involved in the export of such goods.

SSB 227 Agriculture

To exclude agricultural commodity promotional boards, the existence of which is subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees.

SSB 228 Agriculture

Establishing procedures pertaining to actions by state agencies which may have constitutional takings implications.

SSB 229 Education

Extending for school districts under the state school foundation program the regular program district cost school budget guarantee.

SSB 230 Education

Relating to participation in family support programs.

SSB 231 Education

Relating to area education agency and school district procedures regarding school reorganization.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 4, 1993, 10:30 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer; Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved LSB 1061 as a committee bill; amended LSBs 1063 and 1047 and ordered redrafted for final approval as committee bills.

Recessed: 2:10 p.m.

Reconvened: March 4, 1993, 4:45 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Horn and Palmer (both excused).

Committee Business: Approved LSBs 1047 and LSB 1063 as redrafted as committee bills.

Adjourned: 4:50 p.m.

COMMERCE

Convened: March 4, 1993, 3:30 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Priebe, Slife, Varn and Welsh.

Members Absent: Sturgeon.

Committee Business: Discussed electronic fee transfers.

Adjourned: 4:35 p.m.

EDUCATION

Convened: March 4, 1993, 2:31 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: Deluhery and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; approved Senate File 156 as a committee bill; approved SSB 108 as redrafted as a committee bill.

Adjourned: 2:39 p.m.

ETHICS

Convened: March 4, 1993, 2:35 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meeting.

Adjourned: 3:35 p.m.

PETITIONS

The following petitions opposing legislation reinstating the death penalty were presented and placed on file by:

Senator Bartz from 67 residents of northern Iowa.

Senator Drake from 25 residents of Muscatine County.

The following petition was presented and placed on file by:

Senator Bartz from 41 residents of Story County opposing legislation relating to the hours of employment of persons under the age of eighteen, restricting the hours of employment during the time when school is in session, restricting the hours that a person can be employed during a day, and providing exemptions from the hourly restriction for certain persons.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 8, 1993, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 16 — Authorizing certain merged areas to certify an additional equipment replacement tax levy for the fiscal year beginning July 1, 1993 and providing an effective date.

SENATE FILE 56 — Relating to the payment of benefits pursuant to the state employees disability insurance program, and providing effective and retroactive applicability dates.

SENATE FILE 141 — To permit the participation in the voter-approved enrichment levy by newly reorganized school districts.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 16**

HUMAN RESOURCES: Szymoniak, Chair; Judge and Tinsman

Senate File 185

EDUCATION: Kibbie, Chair; Fink and Slife

Senate File 223

HUMAN RESOURCES: Tinsman, Chair; Judge and Lloyd-Jones

Senate File 224

LOCAL GOVERNMENT: Sorensen, Chair; Buhr and Maddox

House File 329

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Fuhrman and Murphy

SSB 210

EDUCATION: Kibbie, Chair; Connolly and Kramer

SSB 212

(Reassigned)

COMMERCE: Deluhery, Chair; Gronstal, Welsh, Lind and Pate

SSB 225

HUMAN RESOURCES: Varn, Chair; Sturgeon and Tinsman

SSB 226

AGRICULTURE: McLaren, Chair; Sorensen and Ziemann

SSB 227

AGRICULTURE: Giannetto, Chair; Boswell and Hester

SSB 228

AGRICULTURE: Palmer, Chair; Bartz and Judge

COMMITTEE REPORTS**TRANSPORTATION**

Final Bill Action: SENATE FILE 54, a bill for an act authorizing United States armed forces retired, motor vehicle registration plates and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3085.

Final Vote: Ayes, 8: Lloyd-Jones, Fraise, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, 1: Connolly. Pass, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 109, a bill for an act relating to bicycles by requiring registration and fees, prohibiting certain operations, creating the bicycle trail fund and providing fines for violations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3086.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none. Pass, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3082	S.F.	109	Don Gettings
S—3083	S.F.	227	Tony Bisignano Allen Borlaug
S—3084	S.F.	227	Allen Borlaug Tony Bisignano
S—3085	S.F.	54	Transportation
S—3086	S.F.	109	Transportation
S—3087	S.F.	43	Joe Welsh Berl E. Priebe
S—3088	S.F.	227	Tony Bisignano Allen Borlaug Jim Lind Larry Murphy Harry Slife Mary Kramer Derryl McLaren

AFTERNOON SESSION

The Senate reconvened at 4:10 p.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 11, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 151, a bill for an act relating to plans for release of inmates committed to the custody of the department of corrections.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 237, by Rittmer, a bill for an act relating to the penalties for eluding a pursuing law enforcement vehicle.

Read first time and passed on file.

Senate File 238, by Connolly, a bill for an act relating to seat belts in school buses and making penalties applicable and providing an effective date.

Read first time and passed on file.

Senate File 239, by committee on Business and Labor Relations, a bill for an act relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge.

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 44 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Slife until he arrives on request of Senator Rife.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 239 (SSB 192), a bill for an act relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gettings, Sturgeon, Fuhrman, Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 329, a bill for an act relating to state work search requirements to qualify for extended unemployment benefits and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gettings, Sturgeon, Fuhrman, Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 329.

House File 329

On motion of Senator Gettings, House File 329, a bill for an act relating to state work search requirements to qualify for

extended unemployment benefits 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. 329) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Slife Varn

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

Senator Horn asked and received unanimous consent that **House File 329** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 232.

Senate File 232

On motion of Senator Fraise, Senate File 232, 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates, was taken up for consideration.

Senator Kersten offered amendment S—3092 filed by Senators Kersten, et al., from the floor to pages 1, 4, 6, 7, 9-12, and to the title page of the bill.

Senator Lloyd-Jones called for a division of amendment S—3092: Page 1, lines 9-18 as division S—3092A; and page 1, lines 2-8 and 19-50 as division S—3092B.

Senator Kersten moved the adoption of division S—3092A.

A record roll call was requested.

On the question "Shall division S—3092A be adopted?" (S.F. 232) the vote was:

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

Ayes, 27:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Pate	Rensink	Rife
Rittmer	Rosenberg	Sturgeon	Szymoniak
Taylor	Tinsman	Zieman	

Nays, 20:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Palmer	Priebe
Riordan	Sorensen	Vilsack	Welsh

Absent or not voting, 3:

Bisignano	Slife	Varn
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Division S—3092A was adopted.

Senator Sorensen called for a further division of division S—3092B: Page 1, lines 2-8 and lines 19-44 as division S—3092B; and page 1, lines 45-50 as division S-3092C.

Senator Kersten moved the adoption of division S—3092B and requested a non-record roll call.

* The ayes were 23, nays 24.

Amendment S—3092B lost.

Senator Kersten moved the adoption of division S—3092C.

A record roll call was requested.

On the question "Shall division S—3092C be adopted?" (S.F. 232) the vote was:

Ayes, 24:

Banks	Bennett	Buhr	Drake
Fuhrman	Gettings	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McLaren	Pate	Rensink
Rife	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Welsh	Zieman

Nays, 24:

Bartz	Bisignano	Borlaug	Boswell
Connolly	Deluhery	Dieleman	Fink
Fraise	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
McKean	Murphy	Palmer	Priebe
Riordan	Sturgeon	Taylor	Vilsack

Absent or not voting, 2:

Slife Varn

Division S—3092C lost.

Senator Welsh offered amendment S—3095 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3095 was adopted by a voice vote.

Senator Drake offered amendment S—3089 filed by Senators Drake and Sorensen from the floor to pages 3 and 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 25.

Amendment S—3089 lost.

The Chair ruled amendment S—3090 filed by Senators Sorensen, et al., from the floor to pages 10-12 and to the title page of the bill out of order because the same subject matter had been previously considered in division S—3092C.

Senator Bartz offered amendment S—3093 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—3093 was adopted by a voice vote.

Senator Bartz offered amendment S—3094 filed by Senators Bartz and Priebe from the floor to page 12 and the title page of the bill.

Senator Lloyd-Jones raised the point of order that amendment S—3094 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3094 out of order.

Senator Welsh filed the following motion to reconsider filed by him from the floor:

MR. PRESIDENT, I move to reconsider the vote by which amendment S—3093 to Senate File 232 was adopted by the Senate on March 8, 1993.

A non record roll call was requested.

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

The ayes were 24, nays 25.

The motion failed.

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. 232) the vote was:

Ayes, 36:

Bartz	Bisignano	Borlaug	Boswell
Buhr	Connolly	Deluhery	Dieleman
Fink	Fraise	Gettings	Giannetto
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Vilsack	Zieman

Nays, 13:

Banks	Bennett	Drake	Fuhrman
Gronstal	Jensen	Kramer	Pate
Rensink	Rife	Taylor	Tinsman
Welsh			

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.

INTRODUCTION OF BILLS

Senate File 240, by Tinsman, Maddox, Kersten, Rosenberg, Szymoniak and Borlaug, a bill for an act relating to budget certification dates for counties and cities.

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

Senate File 241, by committee on Natural Resources, a bill for an act relating to the receipt and expenditure of federal forest and forest management funds.

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

Senate File 242, by committee on Natural Resources, a bill for an act relating to the protection of nongame species.

Read first time and placed on calendar.

Senate File 243, by Rosenberg, a bill for an act to prohibit certain methods of trapping, delineating certain prohibited trapping areas, prohibiting the use of steel jaw traps, and providing penalties.

Read first time and passed on file.

Senate File 244, by committee on Ways and Means, a bill for an act relating to the provision of facilities for Part III of the state communications network by local exchange telephone utilities.

Read first time and placed on Ways and Means Calendar.

Senate File 245, by committee on Local Government, a bill for an act relating to the recording of certain instruments in the office of county recorder.

Read first time and placed on calendar.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 8 when the vote was taken on Senate File 227.

Had I been present, I would have voted "aye".

ELAINE SZYMONIAK

BILLS ASSIGNED TO COMMITTEE

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

S.F.	234	Education
S.F.	235	Judiciary
S.F.	236	Rules and Transportation
S.F.	237	Transportation
S.F.	238	Transportation
S.J.R.	10	Human Resources
S.J.R.	11	State Government
H.F.	151	Judiciary
H.F.	234	Local Government
H.F.	275	Education

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 227 passed the Senate on March 8, 1992.

BERL E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 227 passed the Senate on March 8, 1992.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which Senate File 232 passed the Senate on March 8, 1992.

LARRY MURPHY

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 15, a concurrent resolution to designate Boone, Iowa, the official site of the Iowa Municipal Band Festival.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer and Ziemann. Nays, 1: Priebe. Absent or not voting, 2: Szymoniak and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 245 (SSB 223), a bill for an act relating to the recording of certain instruments in the office of county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Priebe, Rittmer and Ziemann. Nays, none. Absent or not voting, 2: Szymoniak and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 241 (SSB 123), a bill for an act relating to the receipt and expenditure of federal forest and forest management funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Dieleman, Hester, Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink and Riordan. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 242 (SSB 127), a bill for an act relating to the protection of nongame species.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Dieleman, Hester, Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink and Riordan. Nays, none. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 244 (SSB 166), a bill for an act relating to the provision of facilities for Part III of the state communications network by local exchange telephone utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hedge, Hester, Lloyd-Jones, Murphy, Palmer, Riordan and Szymoniak. Nays, 2: Drake and McLaren. Absent or not voting, 1: Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED.

S-3089	S. F.	232	Richard F. Drake Albert G. Sorensen
S-3090	S. F.	232	Albert G. Sorensen John Jensen Florence Buhr Richard F. Drake
S-3091	S. F.	219	Merlin E. Bartz
S-3092	S. F.	232	Jim Kersten John W. Jensen Wayne Bennett Derryl McLaren Richard F. Drake
S-3093	S. F.	232	Merlin E. Bartz
S-3094	S. F.	232	Merlin E. Bartz Berl E. Priebe
S-3095	S. F.	232	Joe Welsh
S-3096	S. F.	138	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:40 p.m., until 9:00 a.m., Tuesday, March 9, 1993.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 9, 1993

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Mary Faith Nesmith, pastor of the St. John's Lutheran Church, Des Moines, Iowa.

The Journal of the Monday, March 8, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 263, a bill for an act relating to requirements for fingerprint reporting and access by individuals and their attorneys to criminal history data.

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

House File 305, a bill for an act relating to allowable fees on certain credit transactions.

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

House File 307, a bill for an act providing for limitations on judgments.

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

House File 319, a bill for an act relating to the development and delivery of a summary of the procedures and rights involved in a civil commitment proceeding to a person who applies for the involuntary commitment of another.

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

House File 342, a bill for an act relating to the sale, use, possession, and transportation of minnows for commercial or personal use.

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

House File 346, a bill for an act relating to the protection of nongame species.

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

ALSO: That the House has on March 5, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 14, a concurrent resolution to request a meeting with all members of the Iowa delegation to the United States Congress to discuss problems related to unfunded federal mandates.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the day on request of Senator Hester.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

The Senate stood at ease at 9:16 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:41 a.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 328, a bill for an act requiring a single state insurance registration system for motor carriers.

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

COMMITTEE ON MEMORIALS

Senator Horn moved that a committee of four be appointed as a committee on Memorial Resolutions to appoint committees to prepare suitable resolutions for deceased members of the Senate.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Palmer, Chair; Priebe, Taylor and Banks.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 227

Senator Priebe withdrew the motion to reconsider Senate File 227, a bill for an act appropriating funds to the department of economic development, the Wallace technology transfer foundation, INTERNET, state university of Iowa, and Iowa state university of science and technology, establishing the economic development deaf interpreters revolving fund, and eliminating state involvement in INTERNET, filed by him on March 8, 1993, and found on page 533 of the Senate Journal.

Senator Murphy withdrew the motion to reconsider Senate File 227 filed by him on March 8, 1993, and found on page 533 of the Senate Journal.

Senate File 232

Senator Murphy withdrew the motion to reconsider Senate File 232, 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing

motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates, filed by him on March 8, 1993, and found on page 533 of the Senate Journal.

Senator Horn asked and received unanimous consent that Senate Files 227 and 232 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calender)

Senate File 233

On motion of Senator Kibbie, Senate File 233, 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 education and cultural programs of this state and providing an effective date, was taken up for consideration.

Senator Kibbie offered amendment S—3098 filed by Senators Kibbie, Murphy and Lind from the floor to page 12 of the bill and moved its adoption.

Amendment S—3098 was adopted by a voice vote.

Senator Connolly offered amendment S—3099 filed by him from the floor to pages 1, 3-5, 8, 12, 13, 23 and 24 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3099 be adopted?" (S.F. 233) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Borlaug
Connolly	Fink	Fuhrman	Hedge
Hester	Kramer	Lind	Maddox
McKean	McLaren	Pate	Rife
Rittmer	Slife	Taylor	Tinsman
Vilsack	Zieman		

Nays, 27:

Bisignano	Boswell	Buhr	Deluhery
Dieleman	Drake	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kersten	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Rensink
Riordan	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Welsh	

Absent or not voting, 1:

Jensen

Amendment S—3099 lost.

Senator Lind offered amendment S—3101 filed by Senators Lind, Priebe and Kersten from the floor to pages 8 and 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3101 be adopted?" (S.F. 233) the vote was:

Ayes, 28:

Banks	Bartz	Bennett	Borlaug
Buhr	Dieleman	Drake	Fuhrman
Giannetto	Hedge	Hester	Kersten
Kramer	Lind	Maddox	McKean
McLaren	Pate	Priebe	Rensink
Rife	Riordan	Rittner	Slife
Taylor	Tinsman	Vilsack	Zieman

Nays, 21:

Bisignano	Boswell	Connolly	Deluhery
Fink	Fraise	Gettings	Gronstal
Horn	Husak	Judge	Kibbie
Lloyd-Jones	Murphy	Palmer	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Welsh			

Absent or not voting, 1:

Jensen

Amendment S—3101 was adopted.

Senator Slife offered amendment S—3104 filed by Senators Slife and McLaren from the floor to pages 3, 4 and 12 of the bill.

Senator Murphy called for a division of amendment S—3104: lines 2-21 as division S—3104A and lines 22 and 23 as division S—3104B.

Senator Slife asked and received unanimous consent that action on division S—3104A be deferred.

Senator Horn asked and received unanimous consent that action on division S—3104B and **Senate File 233** be deferred.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1993, concurred in the Senate amendment and adopted the following resolution in which the concurrence of the House was asked:

House Joint Resolution 5, a joint resolution to request that the President of the United States, the Office of Management and Budget, the Administrator of the United States Environmental Protection Agency, and the Congress of the United States support the ethanol fuel industry by ensuring the continued development of the renewable fuel.

RECESS

On motion of Senator Horn, the Senate recessed at 11:58 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 232 Small Business/Economic Development/Tourism**

Relating to property taxes levied and the rate of tax levy for all taxing districts of the state and providing for the Act's applicability.

SSB 233 Small Business/Economic Development/Tourism

Relating to property tax exemptions for certain petroleum-contaminated property and related equipment.

SSB 234 Agriculture

Relating to farm mediation and legal assistance to farmers, by extending the effectiveness of provisions, and providing an effective date.

SSB 235 Judiciary

Relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies.

SSB 236 Judiciary

Making information provided on a citation subject to the penalty for perjury.

SSB 237 Judiciary

Relating to personal service of process on roommates.

SSB 238 Local Government

Relating to the annexation of land to cities.

SSB 239 Small Business/Economic Development/Tourism

Relating to the Wallace technology transfer foundation and providing an effective date.

SSB 240 State Government

Relating to the duties of the lieutenant governor and providing and effective date.

SSB 241 Communications & Information Policy

Relating to the establishment of an electronic newspaper consortium.

SSB 242 Communications & Information Policy

Relating to a records management fee to be collected by the county recorder.

SSB 243 State Government

Relating to the assessment of a fee and providing a civil penalty by the board of dental examiners.

SSB 244 State Government

Relating to the department of agriculture and land stewardship, by providing for organization, administration, and programs, and providing penalties, the repeal of provisions, and effective dates.

SSB 245 Communications & Information Policy

Relating to the quality of work under the competitive bidding procedure.

SSB 246 Transportation

Providing for handicapped motorcycle registration plates and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 10**

HUMAN RESOURCES: Judge, Chair; Kramer and Lloyd-Jones

Senate Joint Resolution 11

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Drake

Senate File 194

STATE GOVERNMENT: Buhr, Chair; Fink and Kramer

Senate File 195

STATE GOVERNMENT: Bisignano, Chair; Giannetto and McLaren

Senate File 209

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 210

STATE GOVERNMENT: Welsh, Chair; Buhr and McLaren

Senate File 222

JUDICIARY: Vilsack, Chair; Giannetto and Slife

Senate File 225

STATE GOVERNMENT: Kibbie, Chair; Fink and Pate

Senate File 229

JUDICIARY: Rosenberg, Chair; Lloyd-Jones and McKean

Senate File 230

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Banks and Rosenberg

Senate File 236

RULES AND ADMINISTRATION: Palmer, Chair; Husak and Lind

House Concurrent Resolution 16

RULES AND ADMINISTRATION: Horn, Chair; Boswell, Gronstal, Lind and Rife

House File 1

JUDICIARY: Sturgeon, Chair; Fuhrman and Rosenberg

SSB 232

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Sorensen, Chair; Maddox and Vilsack

SSB 233

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM:
Giannetto, Chair; Bartz and Riordan

SSB 234

AGRICULTURE: Riordan, Chair; Sorensen and Zieman

SSB 235

JUDICIARY: Rosenberg, Chair; Pate and Szymoniak

SSB 236

JUDICIARY: Vilsack, Chair; Bisignano and Drake

SSB 237

JUDICIARY: Giannetto, Chair; Connolly and Taylor

SSB 238

LOCAL GOVERNMENT: Sorensen, Chair; Maddox and Vilsack

SSB 239

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Riordan,
Chair; Bartz, Bisignano, Borlaug and Vilsack

SSB 240

STATE GOVERNMENT: Priebe, Chair; Rittmer and Welsh

SSB 243

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Rittmer

SSB 244

STATE GOVERNMENT: Priebe, Chair; Dieleman and McLaren

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 8, 1993, 12:25 p.m.

Members Present: Gronstal, Chair; Pate, Ranking Member and Murphy.

Members Absent: Rosenberg, Vice Chair and Taylor (both excused).

Committee Business: Approved and submitted appropriations bill to the full Appropriations Committee.

Adjourned: 1:55 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 8, 1993, 2:05 p.m.

Members Present: Gettings, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox, Murphy, Slife and Taylor.

Members Absent: none.

Committee Business: Approved SSB 192 as a committee bill; recommended passage of House File 329.

Adjourned: 2:35 p.m.

LOCAL GOVERNMENT

Convened: March 8, 1993, 3:07 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer and Zieman.

Members Absent: Szymoniak and Vilsack (both excused).

Committee Business: Assigned bills to subcommittees; approved SSB 223 as a committee bill; recommended passage of Senate Concurrent Resolution 15.

Adjourned: 3:21 p.m.

NATURAL RESOURCES

Convened: March 8, 1993, 2:37 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink and Riordan.

Members Absent: Sturgeon (excused).

Committee Business: Approved SSBs 127 and 123 as committee bills.

Adjourned: 2:44 p.m.

WAYS AND MEANS

Convened: March 8, 1993, 1:32 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, and Szymoniak.

Members Absent: Rosenberg (excused).

Committee Business: Approved SSB 166 as a committee bill.

Adjourned: 1:58 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 232, the following corrections were made:

1. Page 12, line 23, the words "Sections 10 and 14" were changed to the words "Sections 10 and 15".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Lee W. Holt, former member of the House and Senate from Clay County.

The Chair welcomed the Honorable Adolph Elvers, former member of the Senate from Clayton County.

Senator Slife presented 13 Russian students studying education and english at the University of Northern Iowa. They were accompanied by their advisor and professor.

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

Thirty-five sixth grade students from Lenox Community School District, Lenox, Iowa, accompanied by Mrs. Janet Reed. Senator Boswell.

Six college students from Graceland College, Lamoni, Iowa, accompanied by Bill Russell. Senator Boswell.

The following visitors were present in the Senate gallery:

Twelve high school students from Tipton High School, Tipton, Iowa, accompanied by Bernard Witry. Senator Rife.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 4 (SSB 226), a resolution to request that the Legislative Council establish an interim study committee to review the export of agricultural goods, including raw and processed commodities, and the functions of departments and programs involved in the export of such goods.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Priebe, Riordan, Bartz, Banks, Boswell, Giannetto, Hester, Husak, Judge, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 3: Fraise, Hedge and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 16, a concurrent resolution designating March 1993 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 5, a resolution to amend the rules of the senate by providing deadlines for the time of committee passage and consideration of bills.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 7: Horn, Boswell, Rife, Gettings, Husak, Lind and Palmer. Nays, none. Absent or not voting, 2: Gronstal and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3097	S.F.	206	Linn Fuhrman
S-3098	S.F.	233	John Kibbie
			Larry Murphy
			Jim Lind
S-3099	S.F.	233	Mike Connolly
S-3100	S.F.	233	Larry Murphy
			Jim Lind
			John Kibbie
S-3101	S.F.	233	Jim Lind
			Berl Priebe
			Jim Kersten
S-3102	S.F.	233	Jack Rife
S-3103	S.F.	233	William Dieleman
			Jim Lind
S-3104	S.F.	233	Harry Slife
			Derryl McLaren
S-3105	S.F.	233	Mike Connolly
S-3106	S.F.	233	Larry Murphy
S-3107	S.F.	238	Merlin Bartz

AFTERNOON SESSION

The Senate reconvened at 4:55 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 4, by committee on Agriculture, a resolution to request that the Legislative Council establish an interim study committee to review the export of agricultural goods, including raw and processed commodities, and the functions of departments and programs involved in the export of such goods.

Read first time and placed on calendar.

Senate Resolution 5, by committee on Rules and Administration, a resolution to amend the rules of the senate by providing deadlines for the time of committee passage and consideration of bills.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 246, by Lind, a bill for an act relating to residency requirements for hunting, trapping, and fishing licenses.

Read first time and passed on file.

Senate File 247, by Lind, a bill for an act relating to access to and the use of child or dependent adult abuse information and the access to and use of criminal records in evaluating licensure and regulation of certain programs and facilities and their personnel.

Read first time and passed on file.

Senate File 248, by Priebe, a bill for an act limiting the assignment of state motor vehicles to state officers and employees.

Read first time and passed on file.

Senate File 249, by Dieleman, a bill for an act relating to procedures for intake of child abuse reports by the department of human services.

Read first time and passed on file.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for immediate consideration Senate Resolution 5.

Senate Resolution 5

On motion of Senator Rife, Senate Resolution 5, a resolution to amend the rules of the senate by providing deadlines for the time of committee passage and consideration of bills, was taken up for consideration.

Senator Rife moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote.

BUSINESS PENDING

Senate File 233

The Senate resumed consideration of Senate File 233, 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 education and cultural programs of this state and providing an effective date and divisions S—3104A and S—3104B by Senators Slife and McLaren to pages 3, 4 and 12 of the bill, previously deferred.

Senator Slife offered amendment S—3108 filed by Senators Slife and McLaren from the floor to division S—3104B.

Senator Murphy raised the point of order that amendment S—3108 to division S—3104B was a frivolous amendment.

Senator Slife withdrew amendment S—3108 to division S—3104B.

Senator Slife asked and received unanimous consent that action on division S—3104B be deferred.

Senator Rife offered amendment S—3102 filed by him from the floor to pages 18-20 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 22, nays 27.

Amendment S—3102 lost.

Senator Murphy offered amendment S—3100 filed by Senators Murphy, Lind and Kibbie from the floor to page 20 of the bill and moved its adoption.

Amendment S—3100 was adopted by a voice vote.

Senator Connolly offered amendment S—3105 filed by him from the floor to pages 20, 21 and 25 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 25.

Amendment S—3105 lost.

Senator Dieleman offered amendment S—3103 filed by Senators Dieleman and Lind from the floor to pages 1 and 23 of the bill and moved its adoption.

Amendment S—3103 lost by a voice vote.

The Senate resumed consideration of division S—3104A by Senators Slife and McLaren, previously deferred.

Senator Slife asked and received unanimous consent that action on division S—3104A continue to be deferred.

The Senate resumed consideration of division S—3104B, previously deferred.

Senator Slife offered amendment S—3110 filed by Senators Slife and McLaren from the floor to division S—3104B and moved its adoption.

Amendment S—3110 lost by a voice vote.

Senator Murphy offered amendment S—3106 filed by him from the floor to division S—3104B 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.

A record roll call was requested.

On the question "Shall amendment S—3106 to division S—3104B be adopted?" (S.F. 233).

The Senate stood at ease at 5:52 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 6:15 p.m., President Boswell presiding.

The Senate resumed the vote on amendment S—3106 to division S—3104B.

The vote was:

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Nays, 21:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Kersten	Lind	Maddox	McKean
McLaren	Pate	Rensink	Rife
Rittmer	Slife	Taylor	Tinsman
Zieman			

Absent or not voting, 2:

Jensen	Kramer
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Amendment S—3106 was adopted.

The Chair ruled amendment S—3111 filed by Senator Murphy from the floor to division S—3104B, out of order.

Senator McLaren asked and received unanimous consent to withdraw divisions S—3104A and S—3104B.

Senator McKean offered amendment S—3109 filed by Senators McKean and Banks from the floor to pages 8, 13 and 18 of the bill.

Senator Murphy called for division of amendment S—3109: lines 8-13 as division S—3109A and lines 2-7 as division S—3109B.

Senator Murphy raised the point of order that division S—3109A was not germane to the bill.

The Chair ruled the point well taken and division S—3109A out of order.

Senator McKean moved the adoption of division S—3109B.

A record roll call was requested.

On the question "Shall division S—3109B be adopted?" (S.F. 233) the vote was:

Ayes, 11:

Banks	Borlaug	Fuhrman	Hedge
Hester	Maddox	McKean	Priebe
Sturgeon	Taylor	Zieman	

Nays, 36:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	McLaren	Murphy	Palmer
Pate	Rensink	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Szymoniak
Tinsman	Varn	Vilsack	Welsh

Absent or not voting, 3:

Jensen	Kramer	Rife
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Division S—3109B lost.

Senator Tinsman offered amendment S—3112 filed by her from the floor to pages 3-5, 8 and 23-24 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3112 be adopted?" (S.F. 233) the vote was:

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

Ayes, 15:

Bennett	Fuhrman	Hedge	Hester
Kersten	Lind	Maddox	McKean
McLaren	Pate	Rife	Rittmer
Slife	Tinsman	Zieman	

Nays, 32:

Banks	Bartz	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Priebe	Rensink	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh

Absent or not voting, 3:

Borlaug	Jensen	Kramer
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Amendment S—3112 lost.

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

On the question "Shall the bill pass?" (S.F. 233) the vote was:

Ayes, 37:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	Maddox	Murphy	Palmer

Pate	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Varn	Vilsack
Welsh			

Nays, 10:

Banks	Fuhrman	Hedge	Hester
McKean	McLaren	Rife	Taylor
Tinsman	Zieman		

Absent or not voting, 3:

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

INTRODUCTION OF BILLS

Senate File 250, by committee on Education, a bill for an act extending for school districts under the state school foundation program the regular program district cost school budget guarantee.

Read first time and placed on calendar.

Senate File 251, by Welsh, a bill for an act relating to mandatory insurance coverage and registration requirements for motor vehicles in this state and providing penalties and effective dates.

Read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	240	Local Government
S.F.	243	Natural Resources
S.F.	246	Natural Resources
S.F.	247	Human Resources
S.F.	248	State Government
S.F.	249	Human Resources
H.F.	263	Judiciary
H.F.	305	Commerce
H.F.	307	Commerce
H.F.	319	Human Resources
H.F.	328	State Government
H.F.	342	Natural Resources
H.C.R.	14	Appropriations

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 250 (SSB 229), a bill for an act extending for school districts under the state school foundation program the regular program district cost school budget guarantee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Deluhery, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack. Nays, 2: Dieleman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3108	S.F.	233	Harry Slife Derryl McLaren
S-3109	S.F.	233	Andy McKean Brad Banks

S—3110	S. F.	233	Harry G. Slife Derryl McLaren
S—3111	S. F.	233	Larry Murphy
S—3112	S. F.	233	Maggie Tinsman
S—3113	S. F.	206	Mike Connolly

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:48 p.m., until 9:00 a.m., Wednesday, March 10, 1993.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 10, 1993

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

Prayer was offered by the Reverend Rick Snyder, pastor of the Grace Baptist Church, Waverly, Iowa.

The Journal of the Tuesday, March 9, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 20, a bill for an act relating to the completion dates of the juvenile justice system study, and providing an effective date.

ALSO: That the House has on March 8, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 97, a bill for an act relating to the Iowa adoption exchange system (S—3114).

ALSO: That the House has on March 8, 1993, concurred in the Senate amendment and adopted the following resolution in which the concurrence of the House was asked:

House Concurrent Resolution 6, a concurrent resolution commemorating coach Eldon Miller's five hundredth career basketball coaching victory.

ALSO: That the House has on March 8, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 327, a bill for an act relating to limited liability companies.

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

House File 361, a bill for an act relating to areas under the purview of the Iowa department of public health including those relating to the use of mammography machines, burial transit permits, and the membership of the council on chemically exposed infants by adding representation by the department of corrections.

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

House File 365, a bill for an act relating to farm mediation and legal assistance to farmers, by extending the effectiveness of provisions, and providing an effective date.

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

House File 369, a bill for an act providing for certification for eye enucleation.

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

INTRODUCTION OF BILL

Senate File 252, by Murphy, a bill for an act relating to multipurpose vehicle registration fees.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate until he arrives on request of Senator Jensen.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 16.

Senate Concurrent Resolution 16

On motion of Senator Szymoniak, Senate Concurrent Resolution 16, a concurrent resolution designating March 1993 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of Senate Concurrent Resolution 16, which motion prevailed by a voice vote.

Senate Concurrent Resolution 12

On motion of Senator Fraise, Senate Concurrent Resolution 12, a concurrent resolution honoring Robins H. Jackson of Waterloo, Iowa, for achieving the office of President of the Associated General Contractors of America, the highest elected office in American construction, with report of committee recommending passage, was taken up for consideration.

Senator Fraise moved the adoption of Senate Concurrent Resolution 12, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 191

On motion of Senator Lloyd-Jones, Senate File 191, a bill for an act relating to the levy of taxes for school libraries in certain school districts, 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. 191) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kramer	Lind	Lloyd-Jones	Maddox

McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 205

On motion of Senator Connolly, Senate File 205, a bill for an act relating to open enrollment procedures and reports, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 205) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Voting present, 1:

Dieleman

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 192

On motion of Senator Dieleman, Senate File 192, a bill for an act relating to the establishment of an income tax checkoff for restoration of the state capitol building and providing a retroactive applicability date, was taken up for consideration.

Senator Dieleman offered amendment S—3115 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3115 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. 192) the vote was:

Ayes, 38:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Dieleman	Drake
Fink	Fraise	Gettings	Giannetto
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Slife	Sorensen	Szymoniak	Taylor
Vilsack	Zieman		

Nays, 11:

Bartz	Connolly	Deluhery	Fuhrman
Gronstal	Hedge	Rosenberg	Sturgeon
Tinsman	Varn	Welsh	

Absent or not voting, 1:

Maddox

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 Horn, the Senate recessed at 9:45 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 247 Natural Resources**

Requiring the approval of the general assembly prior to the granting of a permit for the establishment and operation of a nuclear waste disposal site in Iowa.

SSB 248 Transportation

Relating to the state department of transportation concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials.

SSB 249 Transportation

Relating to the display and sale of antique motor vehicles.

SSB 250 Human Resources

Relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance.

SSB 251 Human Resources

Relating to providing greater accessibility to health care and health care insurance coverage, establishing pilot projects and an applicability provision.

SSB 252 Environment & Energy Utilities

Relating to the employment of persons in the department of natural resources.

SSB 253 Human Resources

Relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure.

SSB 254 Agriculture

Establishing a livestock advisory council.

SSB 255 Transportation

Creating a motor vehicle use tax fund.

SSB 256 Education

Relating to the transformation of Iowa's public education system by the year 2000, including support for the recommendations of the K-12 education reform study committee, access by students to computers, and creation of a legislative education study committee.

REPORTS OF COMMITTEE MEETINGS**AGRICULTURE**

Convened: March 9, 1993, 8:32 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Giannetto, Hester, Husak, Judge, McLaren, Sorensen and Ziemann.

Members Absent: Fraise, Hedge (excused) and Palmer (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 226 as a committee resolution.

Adjourned: 8:43 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 9, 1993, 3:40 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise and Kersten.

Members Absent: Jensen (excused).

Committee Business: Approved SSBs 114, 178 and 241 as committee bills; presentations by Iowa utilities board and the consumer advocate.

Adjourned: 4:50 p.m.

EDUCATION

Convened: March 9, 1993, 2:31 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 24, 191 and 229 and Senate File 50 as committee bills.

Adjourned: 3:16 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 9, 1993, 1:10 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: Kersten, Ranking Member (excused).

Committee Business: Amended and approved SSB 149 as a committee bill.

Adjourned: 1:50 p.m.

ETHICS

Convened: March 9, 1993, 2:35 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meeting; presentation by a representative from the office of the Secretary of State.

Adjourned: 3:35 p.m.

HUMAN RESOURCES

Convened: March 9, 1993, 1:06 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved Senate File 128 as a committee bill; recommended passage of Senate Concurrent Resolution 16.

Adjourned: 2:25 p.m.

RULES AND ADMINISTRATION

Convened: March 9, 1993, 12:00 noon.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Husak, Lind and Palmer.

Members Absent: Gronstal and Kramer (excused).

Committee Business: Approved committee resolution amending the rules of the Senate; assigned bill to a subcommittee.

Adjourned: 12:05 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 9, 1993, 3:30 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:40 p.m.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	251	Transportation
S.F.	252	Transportation
H.F.	327	Commerce
H.F.	361	State Government
H.F.	365	Agriculture
H.F.	369	Local Government

PRESENTATION OF VISITORS

Senator Lloyd-Jones presented Konstantin Savelyevich, head physician of the Russian Republic Basic Clinical Sanatorium and his son Georgii, who were accompanied by Gordon Canfield and the mayor of Grinnell, Bob Anderson.

The Chair welcomed the Honorable Seeley Lodwick from Lee County and the Honorable Arthur L. Grantias of Floyd County, former members of the Senate who were present in the Senate chamber.

COMMITTEE REPORTS

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 258 (SSB 114), a bill for an act establishing the offense of criminal voyeurism and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Fuhrman, Deluhery, Fraise and Kersten. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 259 (SSB 178), a bill for an act relating to the establishment of an information policy council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Fuhrman, Deluhery, Fraise and Kersten. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Communications and Information Policy Committee on Senate File 259 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 260 (SSB 241), a bill for an act relating to the establishment of an electronic newspaper consortium.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Fuhrman, Deluhery, Fraise and Kersten. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 17 (SSB 191), a concurrent resolution relating to the establishment of a legislative interim committee to review the issue of open enrollment and its impact on funding and desegregation efforts by Iowa's schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Taylor and Varn. Nays, none. Absent or not voting, 4: Murphy, Szymoniak, Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 253 (SSB 24), a bill for an act to establish a midwestern higher education compact.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Kibbie, Deluhery, Fink, Murphy, Rensink, Szymoniak and Varn. Nays, 7: Kramer, Dieleman, Lind, Slife, Taylor, Tinsman and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 254 (formerly Senate File 50), a bill for an act expanding the definition of children requiring special education to include children who are functionally blind, and providing for teacher licensure to teach braille to functionally blind students, and providing for related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. 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 254 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

Senate File 231

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

Senate File 237

TRANSPORTATION: Drake, Chair; Fink and Fraise

Senate File 238

TRANSPORTATION: Gettings, Chair; Connolly and Pate

Senate File 240

LOCAL GOVERNMENT: Sorensen, Chair; Jensen and Szymoniak

Senate File 247

HUMAN RESOURCES: Varn, Chair; Bennett and Sturgeon

Senate File 248

STATE GOVERNMENT: Sorensen, Chair; McKean and Welsh

Senate File 249

HUMAN RESOURCES: Varn, Chair; Lloyd-Jones and Rittmer

House File 201

COMMERCE: Slife Chair; Deluhery and Welsh

House File 305

COMMERCE: Palmer, Chair; Deluhery and Kersten

House File 307

COMMERCE: Palmer, Chair; Pate and Sturgeon

House File 319

HUMAN RESOURCES: Sturgeon, Chair; Judge and Kramer

House File 328

STATE GOVERNMENT: Bisignano, Chair; Drake and Welsh

SSB 229

EDUCATION: Connolly, Chair; Kibbie and Kramer

SSB 230

EDUCATION: Vilsack, Chair; Connolly and Kramer

SSB 231

EDUCATION: Varn, Chair; Murphy and Tinsman

SSB 246

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

SSB 247

NATURAL RESOURCES: Judge, Chair; Rensink and Riordan

SSB 248

TRANSPORTATION: Lloyd-Jones, Chair; Dieleman and Jensen

SSB 249

TRANSPORTATION: Connolly, Chair; Gettings and Kersten

SSB 250

HUMAN RESOURCES: Varn, Chair; Kramer and Szymoniak

SSB 251

HUMAN RESOURCES: Varn, Chair; Kramer and Szymoniak

SSB 253

HUMAN RESOURCES: Sturgeon, Chair; Bartz and Varn

SSB 254

AGRICULTURE: Sorensen, Chair; Hedge and Riordan

SSB 255

TRANSPORTATION: Lloyd-Jones, Chair; Dieleman and Drake

AMENDMENTS FILED

S—3114	S. F.	97	House amendment
S—3115	S. F.	192	William W. Dieleman
S—3116	S. F.	138	Lyle E. Zieman

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President pro tempore Palmer presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 17, a concurrent resolution to designate Boone, Iowa, the official site of the Iowa Municipal Band Festival.

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

ALSO: That the House has on March 9, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 387, a bill for an act relating to the receipt and expenditure of federal forest and forest management funds.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 17, by committee on Education, a concurrent resolution relating to the establishment of a legislative interim committee to review the issue of open enrollment and its impact on funding and desegregation efforts by Iowa's schools.

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

Senate Concurrent Resolution 18, by Pate and Jensen, a concurrent resolution relating to product labeling and supporting flag labeling all goods and services.

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

INTRODUCTION OF BILLS

Senate File 253, by committee on Education, a bill for an act to establish a midwestern higher education compact.

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

Senate File 254, by committee on Education, a bill for an act to broaden the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration and to provide for related matters.

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

Senate File 255, by Kersten, a bill for an act relating to consortium claims under comparative fault.

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

Senate File 256, by Kersten, a bill for an act to prohibit the giving and receipt of contributions by a candidate for state office or candidate's committee for a state office from certain political committees.

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

Senate File 257, by Kersten, a bill for an act relating to the number of days in which payment is made to members of the general assembly for the expenses of office during the legislative session.

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

Senate File 258, by committee on Communications and Information Policy, a bill for an act establishing the offense of criminal voyeurism and providing a penalty.

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

Senate File 259, by committee on Communications and Information Policy, a bill for an act relating to the establishment of an information policy council.

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

Senate File 260, by committee on Communications and Information Policy, a bill for an act relating to the establishment of an electronic newspaper consortium.

Read first time and placed on calendar.

Senate File 261, by Fraise, a bill for an act relating to excursion boat gambling and providing an effective date.

Read first time and passed on file.

Senate File 262, by Welsh, a bill for an act providing special motor vehicle license plates for disabled veterans and providing an effective date.

Read first time and passed on file.

Senate File 263, by Banks, a bill for an act relating to state departments' ability to hire employees.

Read first time and passed on file.

Senate File 264, by Banks, a bill for an act relating to the employment of persons in the department of natural resources.

Read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 191 and 233** be immediately messaged to the House.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 9 when the vote was taken on Senate File 192.

Had I been present, I would have voted "aye".

O. GENE MADDOX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 233, the following corrections were made:

1. Page 25, line 16, the words "Sections 12, 25, and 32" were changed to the words "Sections 12, 24, and 31".

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 266 (LSB 1058), a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Boswell and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 266 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 267 (LSB 1054), a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Boswell and Horn .

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 267 and they were attached to the committee report.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: *SENATE FILE 265 (SSB 149), a bill for an act relating to the refund values and reimbursement amounts for redemption of beverage containers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Rosenberg, Deluhery, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, 2: Banks and Borlaug. Absent or not voting, 1: Kersten.

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 265 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE FILE 8, a bill for an act relating to transportation services by regulating persons who transport rail workers and requiring liability insurance for taxicabs and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3117.

Final Vote: Ayes, 8: Lloyd-Jones, Fraise, Connolly, Dieleman, Fink, Gettings, Jensen, and Pate. Nays, none. Pass, 1: Drake. Absent or not voting, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 265, by committee on Environment and Energy Utilities, a bill for an act relating to the control of certain beverage containers and the reimbursement amounts for redemption of beverage containers.

Read first time under Rule 28 and placed on calendar.

Senate File 266, by committee on Appropriations, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates.

Read first time under Rule 28 and placed on Appropriations Calendar.

Senate File 267, by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates.

Read first time under Rule 28 and placed on Appropriations Calendar.

AMENDMENT FILED

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Thursday, March 11, 1993.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 11, 1993

The Senate met in regular session at 9:04 a.m., President pro tempore Palmer presiding.

Prayer was offered by the Reverend Dale D. Strong, pastor of the Heartland Presbyterian Church, from Dallas County, Iowa.

The Journal of the Wednesday, March 10, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Horn, Boswell and Varn for the day and Senator Rosenberg until he arrives on request of Senator Husak.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 355, a bill for an act relating to the offense of operating while intoxicated, providing for minimum hours of community service for certain offenders, minimum periods of license revocation and other related matters.

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

House File 360, a bill for an act relating to containers used for liquified petroleum gas and providing a penalty.

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

House File 366, a bill for an act relating to merged area annual elections.

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

House File 389, a bill for an act relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters.

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

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 192 and 205 and Senate Concurrent Resolutions 12 and 16** be immediately messaged to the House.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senate Concurrent Resolution 15

On motion of Senator Vilsack, **Senate Concurrent Resolution 15**, a concurrent resolution to designate Boone, Iowa, the official site of the Iowa Municipal Band Festival, with report of committee recommending passage, was taken up for consideration.

Senator Vilsack asked and received unanimous consent that **House Concurrent Resolution 17** be substituted for **Senate Concurrent Resolution 15**.

House Concurrent Resolution 17

On motion of Senator Vilsack, **House Concurrent Resolution 17**, a concurrent resolution to designate Boone, Iowa, the official site of the Iowa Municipal Band Festival, was taken up for consideration.

Senator Vilsack moved the adoption of **House Concurrent Resolution 17**, which motion prevailed by a voice vote.

Senator Vilsack asked and received unanimous consent that **Senate Concurrent Resolution 15** be **withdrawn** from further consideration of the Senate.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kersten until he arrives on request of Senator Fuhrman and Senators Murphy and Judge until they arrive on request of Senator Husak.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 220

On motion of Senator Szymoniak, Senate File 220, a bill for an act relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action, 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. 220) the vote was:

Ayes, 41:

Banks	Bartz	Bennett	Borlaug
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Husak	Jensen	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 9:

Bisignano	Boswell	Horn	Judge
Kersten	Murphy	Rosenberg	Varn
Welsh			

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

Senate File 54

On motion of Senator Dieleman, Senate File 54, a bill for an act authorizing United States armed forces retired, motor vehicle registration plates and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—3085 filed by the committee on Transportation on March 8, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3085 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. 54) the vote was:

Ayes, 39:

Banks	Bennett	Bisignano	Borlaug
Buhr	Connolly	Deluhery	Dieleman
Fink	Fraise	Gettings	Giannetto
Hester	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Palmer	Pate	Priebe	Rensink
Rife	Rittmer	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Vilsack	Welsh	Zieman	

Nays, 5:

Bartz	Fuhrman	Gronstal	Hedge
Riordan			

Voting present, 1:

Drake

Absent or not voting, 5:

Boswell	Horn	Murphy	Rosenberg
Varn			

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

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 220 and 54 and House Concurrent Resolution 17** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 268, by committee on Human Resources, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Read first time and placed on calendar.

Senate File 269, by committee on Commerce, a bill for an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date.

Read first time and placed on calendar.

RECESS

On motion of Senator Husak, the Senate recessed at 9:36 a.m., until 4:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 116.1 Environment & Energy Utilities**

Relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities.

SSB 257 Communication & Information Policy

Relating to the development of a community health management information system.

SSB 258 Human Resources

Relating to health care providers by establishing practice parameters related to health care delivery.

SSB 259 Judiciary

Relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records.

SSB 260 Judiciary

Relating to employment drug testing.

SSB 261 Judiciary

Relating to the deterrence and punishment of drug use, including an enhanced criminal penalty for the distribution of or possession with intent to distribute certain controlled substances on or near schools and parks, operation of a motor vehicle while under the influence of alcohol or a drug, and providing for the revocation of motor vehicle licenses for drug offenses.

SSB 262 Judiciary

Transferring certain duties regarding vital statistics from the clerk of the district court to the county recorder.

SSB 263 State Government

Relating to standards for land surveying by designating an Iowa plane coordinate system.

COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 10, 1993, 9:55 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Amended LSBs 1054 and 1058 and ordered redrafted for final approval as committee bills.

Recessed: 12:00 noon.

Reconvened: March 10, 1993, 4:47 p.m.

Members Present: Murphy, Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Boswell, Vice Chair and Horn (both excused).

Committee Business: Approved LSBs 1054 and 1058 as redrafted as committee bills.

Adjourned: 4:48 p.m.

COMMERCE

Convened: March 10, 1993, 3:30 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Lind, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: Kersten and Pate.

Committee Business: Approved SSBs 214, 220, 216 and 219 as committee bills; recommended passage of Senate File 38 as amended; SSBs 217 and 43 failed committee approval; amended SSB 221 and ordered redrafted for final approval as a committee bill.

Adjourned: 4:05 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 10, 1993, 3:45 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise and Jensen.

Members Absent: Kersten (excused).

Committee Business: Approved SSBs 245 and 179 as committee bills.

Adjourned: 5:10 p.m.

STATE GOVERNMENT

Convened: March 10, 1993, 1:07 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Sorensen and Welsh.

Members Absent: Priebe (excused).

Committee Business: Presentation on IPERS; deferred action on SSB 66 and Senate File 188; assigned bills to subcommittees.

Adjourned: 2:28 p.m.

TRANSPORTATION

Convened: March 10, 1993, 2:40 p.m.

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

Members Absent: Kersten.

Committee Business: Recommended passage of Senate File 8 as amended.

Adjourned: 3:02 p.m.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 11 when the vote was taken on Senate File 192.

Had I been present, I would have voted "aye".

PATTY JUDGE

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 11th day of March, 1993:

Senate File 74.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Dan Sweeting, Riverside — Class 1-A Champion at 160 lbs., 1993 State high school wrestling tournament. Senator Hedge (3-9-93).

Fay Vittetoe, DVM, Brighton — For being named "1992 Iowa Veterinarian of the Year". Senator Hedge (3-9-93).

Lee Holt, Spencer — For thirty years of dedicated service to St. Luke Lutheran Home. Senator Kibbie (3-14-93).

Wade Alan MacTaggart, Strawberry Point — For attaining the distinguished rank of Eagle Scout. Senator Zieman (2-7-93).

SUBCOMMITTEE ASSIGNMENTS

Senate File 235

JUDICIARY: Vilsack, Chair; Bisignano and McKean

House File 151

JUDICIARY: Welsh, Chair; Connolly and Taylor

House File 263

JUDICIARY: Rosenberg, Chair; Drake and Welsh

House File 365**AGRICULTURE: Riordan, Chair; Boswell and Ziemann****House File 369****LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Jensen****SSB 209
(Reassigned)****HUMAN RESOURCES: Lloyd-Jones, Chair; Bartz and Judge****SSB 252****ENVIRONMENT & ENERGY UTILITIES: Welsh, Chair; Kersten and Rosenberg****SSB 258****HUMAN RESOURCES: Szymoniak, Chair; Kramer and Varn****SSB 259****JUDICIARY: Giannetto, Chair; Pate and Szymoniak****SSB 260****JUDICIARY: Sturgeon, Chair; Connolly and Fuhrman****SSB 261****JUDICIARY: Giannetto, Chair; Bisignano and Taylor****SSB 262****JUDICIARY: Vilsack, Chair; Lloyd-Jones and McKean****SSB 263****STATE GOVERNMENT: Welsh, Chair; Drake and Fink****COMMITTEE REPORTS****AGRICULTURE**

Final Bill Action: *SENATE FILE 278 (SSB 227), a bill for an act to exclude agricultural commodity promotional boards, the existence of which is subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Bartz, Banks, Fraise, Giannetto, Hedge, Hester, Husak, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 4: Riordan, Boswell, Judge and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 278 and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 269 (SSB 214), a bill for an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Palmer, Jensen, Fuhrman, Gettings, Gronstal, Lind, Priebe and Welsh. Nays, none. Absent or not voting, 6: Bisignano, Kersten, Pate, Slife, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 271 (SSB 220), a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Palmer, Jensen, Fuhrman, Gettings, Gronstal, Lind, Priebe, Slife and Welsh. Nays, none. Absent or not voting, 5: Bisignano, Kersten, Pate, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 272 (SSB 219), a bill for an act relating to licensing of cemetery operators and cemetery salespersons and the regulation of perpetual care cemeteries and nonperpetual care cemeteries and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Lind, Priebe, Slife, Sturgeon and Welsh. Nays, none. Absent or not voting, 3: Kersten, Pate and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 283 (SSB 216), a bill for an act relating to the cancellation of certain consumer credit transactions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Deluhery, Palmer, Jensen, Fuhrman, Gettings, Gronstal, Lind, Priebe, Slife and Welsh. Nays, none. Absent or not voting, 5: Bisignano, Kersten, Pate, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 38, a bill for an act providing for requirements of a financing statement filed under the uniform commercial code, and providing applicability and effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3120.

Final Vote: Ayes, 13: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Lind, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 2: Kersten and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 276 (SSB 245), a bill for an act relating to the quality of work under the competitive bidding procedure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Fuhrman, Deluhery, Fraise and Jensen. Nays, none. Absent or not voting, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 277 (SSB 179), a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Furhman, Deluhery, Fraise and Jensen. Nays, none. Absent or not voting, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 268 (formerly Senate File 128), a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Pass, 1: Buhr.

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 268 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 285 (SSB 157), a bill for an act relating to funeral escorts and creating a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Bisignano, Connolly, Drake, Fuhrman, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor and Welsh. Nays, none. Absent or not voting, 3: McKean, Giannetto and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3118	S.F.	117	Elaine Szymoniak
S-3119	S.F.	43	John Jensen
S-3120	S.F.	38	Commerce

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President pro tempore Palmer presiding.

INTRODUCTION OF BILLS

Senate File 270, by Murphy, a bill for an act exempting from the state sales tax the sale or rental of orthopedic devices prescribed by a chiropractor.

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

Senate File 271, by committee on Commerce, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations.

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

Senate File 272, by committee on Commerce, a bill for an act relating to licensing of cemetery operators and cemetery salespersons and the regulation of perpetual care cemeteries and nonperpetual care cemeteries and providing for fees and penalties.

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

Senate File 273, by Lind, a bill for an act relating to civil rights actions, providing a right to jury trial in certain such actions, and providing related matters.

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

Senate File 274, by Lind, a bill for an act relating to passing a school bus.

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

Senate File 275, by Gronstal, a bill for an act creating an advisory council on critical infrastructure needs and providing for the council's repeal.

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

Senate File 276, by committee on Communications and Information Policy, a bill for an act relating to the quality of work under the competitive bidding procedure.

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

Senate File 277, by committee on Communications and Information Policy, a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date.

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

Senate File 278, by committee on Agriculture, a bill for an act to exclude agricultural commodity promotional boards, which are subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees and from other requirements applicable to state agencies.

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

Senate File 279, by Tinsman, Borlaug, and Pate, a bill for an act relating to taking fingerprints and photographs of juveniles by a criminal justice agency.

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

Senate File 280, by Giannetto, a bill for an act relating to the duties of the county compensation board and providing a delayed effective date.

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

Senate File 281, by Priebe, a bill for an act relating to the collection and use of tonnage fees for the disposal of solid waste, and providing for retroactive applicability.

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

Senate File 282, by Tinsman, McKean, and Rosenberg, a bill for an act relating to identification of judgment debtors by judgment creditors and providing for the payment of attorney fees in certain cases.

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

Senate File 283, by committee on Commerce, a bill for an act relating to the cancellation of certain consumer credit transactions.

Read first time and placed on calendar.

Senate File 284, by Deluhery, a bill for an act relating to the appeal of the actions of local authorities regarding liquor control licenses, wine permits, and beer permits.

Read first time and passed on file.

Senate File 285, by committee on Judiciary, a bill for an act relating to funeral escorts.

Read first time and placed on calendar.

Senate File 286, by Gronstal, a bill for an act relating to the release of a mortgage, availability of an abstract of title, and increasing a penalty.

Read first time and passed on file.

Senate File 287, by committee on Human Resources, a bill for an act relating to hospital privileges provided certain professionals including certified health service providers in psychology.

Read first time and placed on calendar.

Senate File 288, by committee on Human Resources, a bill for an act relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure.

Read first time and placed on calendar.

Senate File 289, by Giannetto, a bill for an act relating to disqualification for unemployment compensation for receiving a separation allowance.

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 39 present, 11 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 268** be referred from the Regular Calendar to the committee on **Business and Labor Relations**.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 216

On motion of Senator Szymoniak, Senate File 216, a bill for an act relating to rates and charges for city utility and enterprise services by authorizing their collection as combined service accounts, authorizing the discontinuance of services in the event of nonpayment, and providing uniform notice procedures prior to discontinuance of service and prior to certification of lien for nonpayment, 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. 216) the vote was:

Ayes, 40:

Bartz	Bennett	Bisignano	Borlaug
Buhr	Connolly	Deluhery	Dieleman
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hester	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sturgeon
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 5:

Banks	Drake	Hedge	Taylor
Welsh			

Absent or not voting, 5:

Boswell	Horn	McKean	Sorensen
Varn			

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKean for the remainder of the day on request of Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 241

On motion of Senator Judge, Senate File 241, a bill for an act relating to the receipt and expenditure of federal forest and forest management funds, was taken up for consideration.

Senator Judge asked and received unanimous consent that House File 387 be substituted for Senate File 241.

House File 387

On motion of Senator Judge, House File 387, a bill for an act relating to the receipt and expenditure of federal forest and forest management funds, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 387) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Borlaug	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer

Rosenberg
Taylor
Zieman

Slife
Tinsman

Sturgeon
Vilsack

Szymoniak
Welsh

Nays, none.

Absent or not voting, 5:

Boswell
Varn

Horn

McKean

Sorensen

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

Senator Judge asked and received unanimous consent that **Senate File 241** be withdrawn from further consideration of the Senate.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rittmer for the remainder of the day on request of Senator Rife and Senator Sorensen for the remainder of the day on request of Senator Husak.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 245

On motion of Senator Buhr, Senate File 245, a bill for an act relating to the recording of certain instruments in the office of county recorder, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 245) the vote was:

Ayes, 44:

Banks
Borlaug
Dieleman
Fuhrman
Hedge

Bartz
Buhr
Drake
Gettings
Hester

Bennett
Connolly
Fink
Giannetto
Husak

Bisignano
Deluhery
Fraise
Gronstal
Jensen

Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rosenberg
Slife	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 6:

Boswell	Horn	McKean	Rittmer
Sorensen	Varn		

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

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 216 and 245 and House File 387** be immediately messaged to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	255	Judiciary
S.F.	256	State Government
S.F.	257	Rules and Administration
S.F.	261	State Government
S.F.	262	Transportation
S.F.	263	Appropriations
S.F.	264	Environment & Energy Utilities
S.F.	270	Ways and Means
S.F.	273	Judiciary
S.F.	274	Transportation
S.F.	275	State Government
S.F.	279	Judiciary
S.F.	280	Local Government
S.F.	281	Environment & Energy Utilities
S.F.	282	Judiciary
S.F.	284	State Government
S.F.	286	Commerce
S.C.R.	18	Business and Labor Relations
H.F.	355	Judiciary
H.F.	360	Environment & Energy Utilities
H.F.	366	State Government
H.F.	389	Commerce

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 290 (SSB 116.1), a bill for an act relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 287 (SSB 33), a bill for an act relating to hospital privileges provided certain professionals including certified health service providers in psychology.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Szymoniak, Lloyd-Jones, Bartz, Buhr, Judge, Riordan and Sturgeon. Nays, 2: Bennett and Rittmer. Pass, 1: Kramer. Absent or not voting, 2: Tinsman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 288 (SSB 253), a bill for an act relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer and Sturgeon. Nays, none. Absent or not voting, 2: Tinsman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 290, by committee on Environment and Energy Utilities, a bill for an act relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities.

Read first time under rule 28 and placed on calendar.

AMENDMENT FILED

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:59 p.m., until 10:00 a.m., Monday, March 15, 1993.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 15, 1993

The Senate met in regular session at 10:09 a.m., President Boswell presiding.

Prayer was offered by the Reverend John Hulsizer, pastor of the Church of the Nazarene, Dubuque, Iowa.

The Journal of the Thursday, March 11, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 136, a bill for an act relating to the care of dogs and cats transferred by animal care facilities, authorizing fees and providing penalties.

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

House File 382, a bill for an act relating to delinquency charges on, and the conversion of, certain consumer transactions.

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

House File 401, a bill for an act relating to bees and beekeeping, repealing a section, and making penalties applicable.

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

ALSO: That the House has on March 11, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs and providing for the elimination of the health data commission and the department of human rights.

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

INTRODUCTION OF BILL

Senate File 291, by Fraise and Sorensen, a bill for an act relating to establishing early ballot pick-up procedures in certain counties during the general election.

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 47 present, 3 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Slife for the day on request of Senator Borlaug and Senator Szymoniak until she arrives on request of Senator Horn.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 228

On motion of Senator Kibbie, Senate File 228, a bill for an act relating to funding for supplementary weighting by certain districts for purposes of the state school foundation program and providing an effective date, was taken up for consideration.

Senator Kibbie offered amendment S—3121 filed by him on March 11, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3121 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. 228) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Sorensen	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Slife	Sturgeon	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 File 250

On motion of Senator Connolly, Senate File 250, a bill for an act extending for school districts under the state school foundation program the regular program district cost school budget guarantee, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on Senate File 250 be deferred.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senate File 267

On motion of Senator Gronstal, Senate File 267, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Gronstal offered amendment S—3122 filed by Senators Gronstal, et al., from the floor to pages 17 and 18 of the bill and moved its adoption.

Amendment S—3122 was adopted by a voice vote.

Senator Gronstal offered amendment S—3123 filed by Senators Gronstal, et al., from the floor to page 26 of the bill and moved its adoption.

Amendment S—3123 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **Senate File 267** be **deferred**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 430, a bill for an act relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, allocating use tax revenue for GAAP deficit reductions, making appropriations for certain tax credits, and providing for other properly related matters and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 292, by committee on Judiciary, a bill for an act relating to presentence investigations.

Read first time and placed on calendar.

Senate File 293, by committee on Judiciary, a bill for an act relating to the presence of victim counselors in proceedings pertaining to the offense.

Read first time and placed on calendar.

Senate File 294, by committee on Judiciary, a bill for an act relating to qualifications for sheriffs.

Read first time and placed on calendar.

Senate File 295, by committee on Judiciary, a bill for an act changing the residency requirement for dissolution of marriage from one year to six months.

Read first time and placed on calendar.

Senate File 296, by committee on Judiciary, a bill for an act relating to criminal proceedings and amounts available for victim reparation.

Read first time and placed on calendar.

Senate File 297, by McKean, a bill for an act to provide an administrative hearing process for postconviction proceedings through the department of inspections and appeals, and for judicial review of the administrative findings.

Read first time and passed on file.

Senate File 298, by Murphy, a bill for an act relating to the offense of burglary.

Read first time and passed on file.

The Senate stood at ease at 11:15 a.m. until the fall of the gavel.

The Senate resumed session at 11:29 a.m., President Boswell presiding.

BUSINESS PENDING**Senate File 267**

The Senaté resumed consideration of Senate File 267, previously deferred.

Senator Rosenberg offered amendment S—3124 filed by Senators Rosenberg and Gronstal from the floor to pages 22 and 24 of the bill and moved its adoption.

Amendment S—3124 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **Senate File 267** be deferred.

BUSINESS PENDING**Senate File 267**

The Senate resumed consideration of Senate File 267, previously deferred.

Senator Gronstal offered amendment S—3125 filed by Senators Gronstal, et al., from the floor to pages 10-15 of the bill and moved its adoption.

Amendment S—3125 was adopted by a voice vote.

The Senate stood at ease at 11:45 a.m. until the fall of the gavel.

The Senate resumed session at 11:59 a.m., President Boswell presiding.

Senator Banks offered amendment S—3126 filed by him from the floor to pages 22 and 23 of the bill, moved its adoption and requested a non record roll call.

The ayes were 21, nays 24.

Amendment S—3126 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Rife.

BUSINESS PENDING**Senate File 267**

The Senate resumed consideration of Senate File 267.

Senator Pate offered amendment S—3127 filed by Senators Pate, Bennett and Taylor from the floor to page 17 of the bill.

Senator Taylor asked and received unanimous consent that action on amendment S—3127 and **Senate File 267** be deferred.

INTRODUCTION OF BILLS

Senate File 299, by Murphy, a bill for an act removing exemptions for public school transportation from a provision of the Code requiring coordination and consolidation of transportation funding and service with urban or regional transit systems.

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

Senate File 300, by Murphy, a bill for an act relating to making the state individual income tax a percent of federal income tax liability and providing effective date and applicability provisions.

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

Senate File 301, by Rosenberg, a bill for an act requiring the department of human services to submit a waiver request to the United States department of health and human services for medical assistance coverage of home and community-based services provided to a person with a brain injury.

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

Senate File 302, by Varn, a bill for an act relating to the use of the instructional support program by a school district for increased enrollment.

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

Senate File 303, by Bisignano, a bill for an act relating to off-duty peace officers carrying weapons while in an establishment selling alcoholic beverages for consumption on the premises, while consuming alcoholic beverages, or while intoxicated.

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

Senate File 304, by Connolly, a bill for an act relating to the regulation of certain self-insured programs established for cities and counties.

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

RECESS

On motion of Senator Horn, the Senate recessed at 12:28 p.m., until 4:30 p.m.

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

Convened: March 11, 1993, 8:07 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Fraise, Giannetto, Hedge, Hester, Husak, McLaren, Sorensen and Ziemann.

Members Absent: Boswell, Judge and Palmer (all excused).

Committee Business: Assigned bill to a subcommittee; presentation by a representative of the department of microbiology, immunology, and preventative medicine at ISU regarding multiple isolated site weaning of swine; amended and approved SSB 227 as a committee bill.

Adjourned: 8:50 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 11, 1993, 10:40 a.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Amended and approved SSB 116 as a committee bill; amended SSBs 134 and 132 and ordered redrafted for final approval as committee bills.

Adjourned: 11:50 a.m.

ETHICS

Convened: March 11, 1993, 2:45 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake and Husak.

Members Absent: McKean (excused).

Committee Business: Informal meeting.

Adjourned: 4:35 p.m.

HUMAN RESOURCES

Convened: March 11, 1993, 9:45 a.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer and Sturgeon.

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

Committee Business: Approved SSBs 33, 115 and 253.

Adjourned: 10:27 a.m.

JUDICIARY

Convened: March 11, 1993, 1:10 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: McKean, Ranking Member (excused).

Committee Business: Approved SSBs 157 and 207 as committee bills; amended and approved SSBs 29, 181, 84 and 206 as committee bills; assigned bills to subcommittees.

Adjourned: 2:35 p.m.

STUDY BILLS RECEIVED**SSB 264 Ways & Means**

Extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

SSB 265. Ways & Means

Relating to urban renewal, the division of property tax revenues to fund urban renewal projects, and to the division of property tax revenues to fund new jobs training programs, and providing for the Act's applicability.

SSB 266 Agriculture

Relating to processors of swine, by providing restrictions on the care and feeding of swine by processors, including cooperative associations, providing for the Act's application, and providing an effective date.

SSB 267 Agriculture

Relating to the production of swine under contract by processing entities, and making penalties applicable.

SSB 268 State Government

Relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing live racing days, and by providing for other properly related provisions.

SSB 269 Business & Labor Relations

Relating to the maximum age for participants in an organized amateur boxing contest and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 18**

BUSINESS AND LABOR RELATIONS: Giannetto, Chair; Murphy and Taylor

Senate File 243

NATURAL RESOURCES: Fink, Chair; Dieleman and Hester

Senate File 246

NATURAL RESOURCES: Fink, Chair; Rensink and Riordan

Senate File 251

TRANSPORTATION: Gettings, Chair; Dieleman and Pate

Senate File 252

TRANSPORTATION: Dieleman, Chair; Fraise and Jensen

Senate File 262

TRANSPORTATION: Dieleman, Chair; Fraise and Kersten

Senate File 264

ENVIRONMENT AND ENERGY UTILITIES: Welsh, Chair; Banks and Fink

Senate File 268

BUSINESS AND LABOR RELATIONS: Sturgeon, Chair; Buhr and Slife

Senate File 270

WAYS AND MEANS: Riordan, Chair; Lloyd-Jones and McLaren

Senate File 274

TRANSPORTATION: Kersten, Chair; Connolly and Fink

Senate File 280

LOCAL GOVERNMENT: Sorensen, Chair; Buhr and Rittmer

Senate File 281

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Borlaug and Gronstal

House File 89

NATURAL RESOURCES: Sturgeon, Chair; McKean and Riordan

House File 234

LOCAL GOVERNMENT: Vilsack, Chair; Fraise and Jensen

House File 342

NATURAL RESOURCES: Fink, Chair; Hester and Sturgeon

House File 360

ENVIRONMENT AND ENERGY UTILITIES: Sorensen, Chair; Fink and Hedge

SSB 264

WAYS AND MEANS: Husak, Chair; Bennett and Rosenberg

SSB 265

WAYS AND MEANS: Husak, Chair; Dieleman and Hedge

SSB 266

AGRICULTURE: Husak, Chair; Boswell, Hedge, McLaren and Priebe

SSB 267

AGRICULTURE: Husak, Chair; Boswell, Hedge, McLaren and Priebe

PETITIONS

The following petitions were presented and placed on file by:

Senator Rittmer from fifty-six residents of Clinton County favoring legislation changing hunting laws.

Senator Gettings from thirty-four residents of Jefferson County supporting the restriction of the spread of gambling in Iowa.

CERTIFICATES OF RECOGNITION

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

The West Central Girls' basketball team — For advancing to the 1993 Girls' State six-player high school basketball tournament. Senator Murphy. (3-9-93).

The Oelwein Girl's basketball team, Oelwein — For representing Oelwein in the 1993 Girls' State six-player high school basketball tournament. Senator Murphy. (3-9-93).

Fillmore Elementary School, Davenport — The "First in the Nation in Education" Award. Senator Tinsman. (3-11-93).

Dan McGrail, Carlisle — For receiving the Presidential Award for Excellence in Science and Mathematics. Senator Fink. (3-11-93).

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of March, 1993:

Senate File 20.

JOHN F. DWYER
Secretary of the Senate

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 74 — Relating to the reestablishment of an energy conservation trust, providing for retroactive applicability, and providing for a repeal of the act.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 18, a concurrent resolution relating to product labeling and supporting flag labeling all goods and services.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Gettings, Sturgeon, Buhr, Giannetto, Murphy and Taylor. Nays, 3: Fuhrman, Connolly and Maddox. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 292 (SSB 206), a bill for an act relating to presentence investigations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 292 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 293 (SSB 181), a bill for an act relating to the presence of victim counselors in proceedings pertaining to the offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 293 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 294 (SSB 207), a bill for an act relating to qualifications for sheriffs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Sturgeon, Rosenberg, Bisignano, Connolly, Drake, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, and Welsh. Nays, 1: Fuhrman. Absent or not voting, 3: McKean, Giannetto and Vilsack.

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 294 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 295 (SSB 29), a bill for an act repealing the residency requirement for dissolution of marriage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, Bisignano, Connolly, Drake, Fuhrman, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, and Welsh. Nays, none. Absent or not voting, 3: McKean, Giannetto and Vilsack.

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 295 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 296 (SSB 84), a bill for an act relating to criminal proceedings, providing certain misdemeanor penalties, release of criminal defendants upon extensions of credit by a surety, a defendant's right to confront minor witnesses, and amounts available for victim reparation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3122	S.F.	267	Michael E. Gronstal Paul Pate Ray Taylor Larry Murphy Ralph Rosenberg
S-3123	S.F.	267	Michael E. Gronstal Paul Pate Ray Taylor Larry Murphy Ralph Rosenberg
S-3124	S.F.	267	Ralph Rosenberg Michael E. Gronstal
S-3125	S.F.	267	Michael E. Gronstal Ralph Rosenberg Larry Murphy Paul Pate Ray Taylor
S-3126	S.F.	267	Brad Banks
S-3127	S.F.	267	Paul Pate Waye D. Bennett Ray Taylor
S-3128	S.F.	250	Richard Varn
S-3129	S.F.	100	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President pro tempore Palmer presiding.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 19, by Riordan, a concurrent resolution supporting an investigation into government-guaranteed agriculture loans, supporting a moratorium on the Farmers Home Administration's debt collection ability, and requesting that Congressional hearings be held within the state of Iowa.

Read first time and passed on file.

Senate Concurrent Resolution 20, by Riordan and Bartz, a concurrent resolution relating to the decision of the Iowa Girls High School Athletic Union to discontinue six-player girls' basketball and requesting the review of that decision, including public hearings to encourage public discussion.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 305, by Sturgeon, a bill for an act delaying the repeal of the Iowa boundary commission and providing an effective date.

Read first time and passed on file.

Senate File 306, by Banks, a bill for an act relating to state budget and program review practices by providing for biennial budgets and for the periodic review and termination by administrative rule of the programs and functions of the executive branch of state government and providing applicability provisions.

Read first time and passed on file.

Senate File 307, by Tinsman, Banks, Rittmer and Drake, a bill for an act relating to establishing practice parameters and to certain tort actions by limiting the maximum liability for

noneconomic damages and by modifying the statute of limitations for certain malpractice actions.

Read first time and passed on file.

Senate File 308, by Kersten; Szymoniak, Slife, Kramer, and Maddox, a bill for an act increasing the penalties for criminal trespass under certain circumstances, and providing for the issuance of restraining orders at the time of sentencing in criminal cases.

Read first time and passed on file.

Senate File 309, by committee on Business and Labor Relations, a bill for an act relating to the maximum age for participants in an organized amateur boxing contest and providing an effective date.

Read first time and placed on calendar.

Senate File 310, by Welsh and Kibbie, a bill for an act pertaining to the provision of pension benefits to certain persons formerly employed by employers participating in the Iowa public employees' retirement system.

Read first time and passed on file.

Senate File 311, by Husak, a bill for an act relating to acquiring and carrying pistols and revolvers.

Read first time and passed on file.

Senate File 312, by Jensen and Dieleman, a bill for an act relating to the formation of the friends of capitol hill nonprofit corporation.

Read first time and passed on file.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Oelwein High School, Academic Decathlon Team — For winning 1st place in the State Academic Decathlon Competition. Senator Murphy (3-15-93).

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3130.

Final Vote: Ayes, 9: Gettings, Sturgeon, Fuhrman, Buhr, Connolly, Giannetto, Maddox, Murphy and Taylor. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 309 (SSB 269), a bill for an act relating to the maximum age for participants in an organized amateur boxing contest and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Gettings, Buhr, Connolly, Maddox, Murphy and Taylor. Nays, 3: Sturgeon, Fuhrman and Giannetto. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	289	Business & Labor Relations
S. F.	291	State Government

S.F.	297	Judiciary
S.F.	298	Judiciary
S.F.	299	Education
S.F.	300	Ways and Means
S.F.	301	Human Resources
S.F.	302	Education
S.F.	303	Judiciary
S.F.	304	Local Government
S.F.	305	State Government
S.F.	306	Appropriations
S.F.	307	Human Resources
S.F.	308	Judiciary
S.F.	310	State Government
S.F.	311	Judiciary
S.C.R.	19	Agriculture
H.F.	136	Agriculture
H.F.	382	Commerce
H.F.	401	Agriculture
H.F.	429	Appropriations
H.F.	430	Appropriations

AMENDMENTS FILED

S-3130	S.F.	268	Business & Labor Relations
S-3131	S.F.	250	Berl E. Priebe H. Kay Hedge Ray Taylor

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Tuesday, March 11, 1993.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 16, 1993

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Earle Barclay, pastor of the Highland Park Christian Church, Des Moines, Iowa.

The Journal of the Monday, March 15, 1993, was approved.

INTRODUCTION OF BILLS

Senate File 313, by committee on Human Resources, a bill for an act relating to health care provider referrals, and providing civil penalties.

Read first time and placed on calendar.

Senate File 314, by committee on Business and Labor Relations, a bill for an act relating to railroad sanitation laws and appeal rights under the occupational safety and health laws and making other technical changes.

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 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 15, 1993)

Senate File 267

The Senate resumed consideration of Senate File 267, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates, and amendment S—3127 by Senators Pate, Bennett and Taylor to page 17 of the bill, deferred March 15, 1993.

Senator Pate asked and received unanimous consent to withdraw amendment S—3127.

Senator Pate offered amendment S—3134 filed by Senators Pate, Bennett and Hester from the floor to page 17 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3134 be adopted?" (S.F. 267) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Bisignano
Borlaug	Drake	Fuhrman	Hedge
Hester	Jensen	Judge	Kersten
Kramer	Lind	McKean	McLaren
Pate	Rensink	Rife	Rittmer
Slife	Taylor	Tinsman	Zieman

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Kibbie	Lloyd-Jones	Maddox	Murphy
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Amendment S—3134 lost.

Senator Taylor offered amendment S—3137 filed by Senators Gronstal and Taylor from the floor to page 17 of the bill and moved its adoption.

Amendment S—3137 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that action on **Senate File 267** be deferred.

The Senate stood at ease at 9:34 a.m. until the fall of the gavel.

The Senate resumed session at 9:48 a.m., President Boswell presiding.

BUSINESS PENDING

Senate File 267

The Senate resumed consideration of Senate File 267, previously deferred.

Senator Taylor offered amendment S—3138 filed by Senators Taylor and Gronstal from the floor to page 17 of the bill and moved its adoption.

Amendment S—3138 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. 267) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

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

Senator Horn asked and received unanimous consent that **Senate File 267** be immediately messaged to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 268** be referred from the Regular Calendar to the committee on **Small Business, Economic Development, and Tourism** and returned to the Senate Calendar no later than 5:00 p.m., March 16, 1993.

The Senate stood at ease at 10:07 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:47 a.m., President Boswell presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 266

On motion of Senator Vilsack, Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **Senate File 266** be deferred.

RECESS

On motion of Senator Horn, the Senate recessed at 11:53 a.m., until 4:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 267, the following corrections were made:

To Amendment S—3125:

1. Page 1, line 3, the word "services" was changed to the word "services,".
2. Page 1, line 11, the word "services" was changed to the word "services,".
3. Page 1, line 18, the word "services" was changed to the word "services,".
4. Page 1, line 25, the word "services" was changed to the word "services,".

To Senate File 267:

1. Page 28, line 26, the word and number "Section 18" were changed to the word and number "Section 19".
2. Page 28, line 28, the word and number "Section 18" were changed to the word and number "Section 19".
3. Page 28, line 29, the word and number "Section 18" were changed to the word and number "Section 19".
4. Page 28, line 30, the word and number "Section 18" were changed to the word and number "Section 19".
5. Page 29, line 1, the words and numbers "Sections 15, 19, 20, and 100" were changed to the words and numbers "Sections 16, 20, 21, and 23".
6. Page 29, line 4, the word and number "Section 22" were changed to the word and number "Section 24".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: March 15, 1983, 1:35 p.m.

Members Present: Gettings, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Buhr, Connolly, Giannetto, Maddox, Murphy and Taylor.

Members Absent: Slife (excused).

Committee Business: Approved SSBs 269 and 136 as committee bills; recommended passage of Senate Concurrent Resolution 18; recommended passage of Senate File 268 as amended.

Adjourned: 2:20 p.m.

LOCAL GOVERNMENT

Convened: March 15, 1993, 3:34 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, and Zieman.

Members Absent: Szymoniak and Vilsack (both excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 144 as a committee bill.

Adjourned: 3:47 p.m.

NATURAL RESOURCES

Convened: March 15, 1993, 2:36 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: none.

Committee Business: Amended and approved SSB 247 as a committee bill.

Adjourned: 3:02 p.m.

WAYS AND MEANS

Convened: March 15, 1993, 1:05 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Drake, Fuhrman, Hester, McLaren and Riordan.

Members Absent: Deluhery (excused), Hedge, Lloyd-Jones (excused), Murphy, Palmer (excused), Rosenberg (excused) and Szymoniak (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:10 p.m.

STUDY BILLS RECEIVED

SSB 270 Agriculture

Concerning amber flashing lights on farm trailers.

SSB 271 Agriculture

Relating to the transfer of agricultural land acquired by nonresident aliens.

SSB 272 Communication & Information Policy

Relating to the inventory and coordination of geographic information systems.

SSB 273 Environment & Energy Utilities

Relating to environmental protection by creating an environmental protection fund and authorizing compliance with federal air quality regulations and creating penalties.

SSB 274 Commerce

Relating to the integration of private long-term care insurance with state provided medical assistance.

SSB 275 Human Resources

Relating to small group rating practices and the availability of health insurance coverage.

SSB 276 Human Resources

Relating to providing greater accessibility to health care and health care insurance coverage and establishing pilot projects.

SUBCOMMITTEE ASSIGNMENTS

Senate File 256

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Drake

Senate File 261

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Drake

Senate File 263

APPROPRIATIONS: Boswell, Chair; Judge and Slife

Senate File 268SMALL BUSINESS/ECONOMIC DEVELOPMENT/TOURISM: Riordan,
Chair; Borlaug and Judge**Senate File 275**

STATE GOVERNMENT: Gronstal, Chair; Fink and Kramer

Senate File 284

STATE GOVERNMENT: Welsh, Chair; Dieleman and Kramer

Senate File 289

BUSINESS & LABOR RELATIONS: Giannetto, Chair; Connolly and Taylor

Senate File 291

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Drake

Senate File 305

STATE GOVERNMENT: Gronstal, Chair; Kibbie and McLaren

Senate File 310

STATE GOVERNMENT: Welsh, Chair; Kibbie and Pate

House File 361

STATE GOVERNMENT: Buhr, Chair; Giannetto and McKean

House File 366

STATE GOVERNMENT: Kibbie, Chair; Fink and Lind

SSB 268

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Drake

SSB 270

AGRICULTURE: Bartz, Chair; Judge and Zieman

SSB 271

AGRICULTURE: Husak, Chair; McLaren and Riordan

SSB 272

COMMUNICATIONS & INFORMATION POLICY: Varn, Chair; Kersten and Welsh

SSB 273

ENVIRONMENT & ENERGY UTILITIES: Rosenberg, Chair; Deluhery and Kersten

SSB 274

COMMERCE: Gronstal, Chair; Palmer, Bisignano, Varn, Jensen and Slife

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 316 (SSB 271), a bill for an act relating to the transfer of agricultural land acquired by nonresident aliens.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Riordan, Bartz, Boswell, Fraise, Giannetto, Husak, Judge, McLaren, Palmer and Sorensen. Nays, 4: Banks, Hedge, Hester and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 317 (SSB 270), a bill for an act concerning amber flashing lights on farm trailers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 323 (SSB 254), a bill for an act establishing a livestock advisory council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, Riordan, Bartz, Banks, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Ziemann. Nays, none. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 314 (SSB 136), a bill for an act relating to railroad sanitation laws and appeal rights under the occupational safety and health laws and making other technical changes.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Gettings, Sturgeon, Buhr, Connolly, Giannetto and Murphy. Nays, 3: Fuhrman, Maddox and Taylor. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: *SENATE FILE 319 (SSB 45), a bill for an act expanding the entities included as governmental bodies under the open meetings law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Varn, Welsh, Fuhman, Deluhéry, Fraise, Jensen and Kersten. 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 Communications and Information Policy Committee on Senate File 319 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 320 (SSB 257), a bill for an act relating to the development of a community health management information system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Varn, Welsh, Fuhman, Deluhery, Fraise, Jensen and Kersten. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 313 (SSB 115), a bill for an act relating to health care provider referrals, and providing civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Bill Action: Ayes, 7: Szymoniak, Lloyd-Jones, Bartz, Buhr, Judge, Riordan and Sturgeon. Nays, 2: Kramer and Rittmer. Pass, 1: Bennett. Absent or not voting, 2: Tinsman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 313 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 315 (SSB 144), a bill for an act relating to the selection of trustees for water districts and sanitary districts, and providing for retroactive applicability and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Priebe, Rittmer and Ziemann. Nays, none. Absent or not voting, 2: Szymoniak and Vilsack.

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 315 and they were attached to the committee report.

NATURAL RESOURCES

Final Bill Action: *SENATE FILE 318 (SSB 247), a bill for an act requiring the approval of the general assembly prior to the granting of a permit for the establishment and operation of a nuclear waste disposal site in Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Fink, Dieleman, Hester, Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink, Riordan and Sturgeon. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Natural Resources Committee on Senate File 318 and they were attached to the committee report.

AMENDMENTS FILED

S—3132	S.F.	266	Tom Vilsack
S—3133	S.F.	266	Tom Vilsack Wilmer Rensink
S—3134	S.F.	267	Paul Pate Wayne Bennett Jack Hester
S—3135	S.F.	266	Andy McKean
S—3136	S.F.	266	Don E. Gettings Wilmer Rensink
S—3137	S.F.	267	Ray Taylor Michael E. Gronstal
S—3138	S.F.	267	Ray Taylor Michael E. Gronstal
S—3139	S.F.	266	Tony Bisignano Derryl McLaren
S—3140	S.F.	266	Derryl McLaren
S—3141	S.F.	285	Richard F. Drake William W. Dieleman
S—3142	S.F.	196	Jim Riordan

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

BUSINESS PENDING

Senate File 266

The Senate resumed consideration of Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, previously deferred.

Senator Gettings offered amendment S—3136 filed by Senators Gettings and Rensink from the floor to page 2 of the bill and called for a division: lines 2 and 3 as division S—3136A and lines 4-6 as division S—3136B.

Senator Gettings asked and received unanimous consent to withdraw division S—3136B.

Senator Gettings moved the adoption of division S—3136A, which motion prevailed by a voice vote.

Senator Vilsack offered amendment S—3133 filed by Senators Vilsack and Rensink from the floor to page 3 of the bill and moved its adoption.

Amendment S—3133 was adopted by a voice vote.

Senator McKean offered amendment S—3135 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—3135 was adopted by a voice vote.

Senator McLaren offered amendment S—3140 filed by him from the floor to pages 7-17, 20-21 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3140 be adopted?" (S.F. 266) the vote was:

Ayes, 27:

Banks	Bartz	Bennett	Bisignano
Borlaug	Drake	Fuhrman	Hedge
Hester	Jensen	Kersten	Kibbie
Kramer	Lind	Maddox	McKean
McLaren	Palmer	Pate	Rensink
Rife	Rittmer	Slife	Taylor
Tinsman	Welsh	Zieman	

Nays, 23:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Lloyd-Jones	Murphy	Priebe
Riordan	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Vilsack	

Amendment S—3140 was adopted.

Senator Bisignano offered amendment S—3139 filed by Senators Bisignano and McLaren from the floor to page 12 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 18.

Amendment S—3139 was adopted.

Senator Vilsack offered amendment S—3132 filed by him from the floor to page 18 of the bill and moved its adoption.

Amendment S—3132 was adopted by a voice vote.

The Senate stood at ease at 5:50 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 6:00 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 266

The Senate resumed consideration of Senate File 266.

Senator Kibbie filed the following motion to reconsider from the floor, moved its adoption and requested a record roll call.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3140 to Senate File 266 was adopted by the Senate on March 13, 1993.

On the question "Shall the motion to reconsider be adopted?" (S.F. 266) the vote was:

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Nays, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

The motion prevailed and amendment S—3140 by Senator McLaren to pages 7-17, 20-21 and to the title page of the bill, was taken up for reconsideration.

Senator McLaren moved the adoption of amendment S—3140.

A record roll call was requested.

On the question "Shall amendment S—3140 be adopted?" (S.F. 266) the vote was:

Ayes, 25:

Banks	Bartz	Bennett	Bisignano
Borlaug	Drake	Fuhrman	Hedge
Hester	Jensen	Kersten	Kramer
Lind	Maddox	McKean	McLaren
Pate	Rensink	Rife	Rittmer
Slife	Taylor	Tinsman	Welsh
Zieman			

Nays, 25:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack			

Amendment S—3140 lost.

Senator Horn asked and received unanimous consent that action on Senate File 266 be deferred.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that Senate File 244 be referred from the Ways and Means Calendar to the committee on Communications and Information Policy.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 21, by Boswell, Deluhery, Gronstal, Rife and Jensen, a concurrent resolution pertaining to the regulatory burden on the banking industry.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 315, by committee on Local Government, a bill for an act relating to the selection of trustees for sanitary districts, and providing for retroactive applicability and an effective date.

Read first time and placed on calendar.

Senate File 316, by committee on Agriculture, a bill for an act relating to the transfer of agricultural land acquired by nonresident aliens.

Read first time and placed on calendar.

Senate File 317, by committee on Agriculture, a bill for an act concerning amber flashing lights on farm trailers.

Read first time and placed on calendar.

Senate File 318, by committee on Natural Resources, a bill for an act requiring the approval of the general assembly prior to the granting of a permit for the establishment and operation of a nuclear waste disposal site in Iowa.

Read first time and placed on calendar.

Senate File 319, by committee on Communications and Information Policy, a bill for an act relating to records and minutes of public bodies which are subject to public inspection.

Read first time and placed on calendar.

Senate File 320, by committee on Communications and Information Policy, a bill for an act relating to the development of a community health management information system.

Read first time and placed on calendar.

Senate File 321, by Banks, a bill for an act relating to the collection and payment of criminal fines.

Read first time and passed on file.

Senate File 322, by Banks, a bill for an act relating to the maximum length and weight of vehicles on highways in cities abutting a border of this state.

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

Senate File 323, by committee on Agriculture, a bill for an act establishing a livestock advisory council.

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

Senate File 324, by Hedge, a bill for an act requiring reporting and approval for state lease-purchase contracts.

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

Senate File 325, by committee on Agriculture, a bill for an act relating to the completion of educational programs by certain persons regulated by the department of agriculture and land stewardship, and providing for fees.

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

Senate File 326, by committee on Education, a bill for an act relating to participation in family support programs.

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

Senate File 327, by committee on Education, a bill for an act providing for a reduction in the foundation property tax levy for certain school districts under the state school foundation program and providing an effective date.

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

Senate File 328, by committee on Environment and Energy Utilities, a bill for an act relating to waste reduction programs, including funding waste reduction programs and increasing hazardous waste fees.

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

Senate File 329, by committee on Environment and Energy Utilities, a bill for an act relating to the employment of persons in the department of natural resources.

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

Senate File 330, by committee on Environment and Energy Utilities, a bill for an act relating to recycling by requiring the collection of recyclables in certain construction and authorizing

governmental office recycling and requiring certain procurement policies.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	312	State Government
S. F.	321	Judiciary
S. F.	322	Transportation
S. F.	324	Appropriations
S. C. R.	20	Education
S. C. R.	21	Commerce

CERTIFICATES OF RECOGNITION

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

Hubbard-Radcliffe Girls' basketball team—For winning the 1993 Girls' State six-player basketball tournament. Senator Taylor. (3-13-93).

Sheffield-Chapin-Meservey-Thornton Boys' basketball team—For advancing to the 1993 Boys' State basketball tournament. Senators Taylor and Bartz. (3-15-93).

Noah Michael, Akron—For superior rating in Violin Solo Pre-Primary Suzuki. Senator Banks. (3-16-93).

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3139 to Senate File 266 was adopted by the Senate on March 16, 1993.

MIKE CONNOLLY

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 325 (SSB 137), a bill for an act relating to requirements for the certification of certain pesticide applicators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 325 and they were attached to the committee report.

EDUCATION

Final Bill Action: SENATE FILE 326 (SSB 230), a bill for an act relating to participation in family support programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 327 (formerly Senate File 185), a bill for an act providing for a reduction in the foundation property tax levy for certain school districts under the state school foundation program and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 328 (SSB 131), a bill for an act relating to waste reduction programs, including funding waste reduction programs and increasing hazardous waste fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Rosenberg, Deluhery, Fink, Gronstal, Sorensen and Welsh. Nays, 4: Kersten, Banks, Borlaug and Hedge.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 329 (SSB 252), a bill for an act relating to the employment of persons in the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 330 (SSB 134), a bill for an act relating to recycling by requiring the collection of recyclables in certain construction and requiring governmental office recycling and procurement policies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE FILE 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3148.

Final Vote: Ayes, 12: Riordan, Vilsack, Zieman, Bartz, Bennett, Bisignano, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen. Nays, none. Absent or not voting, 1: Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3143	S.F.	268	Merlin E. Bartz
S-3144	S.F.	109	Merlin E. Bartz
S-3145	S.F.	109	Merlin E. Bartz

S—3146	S.F.	109	Merlin E. Bartz
S—3147	S.F.	259	Richard Varn
S—3148	S.F.	268	Small Business, Econ. Dev, Tourism
S—3149	S.F.	109	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Wednesday, March 17, 1993.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 17, 1993

The Senate met in regular session at 9:13 a.m., President Boswell presiding.

Prayer was offered by the Reverend Tom Cole, pastor of Our Savior Lutheran Church, Des Moines, Iowa.

The Journal of the Tuesday, March 16, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 259, a bill for an act relating to boards of trustees of city hospitals or health care facilities.

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

House File 384, a bill for an act relating to tuition reimbursements of postsecondary institutions by school districts under the postsecondary enrollment options Act.

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

House File 409, a bill for an act relating to multipurpose vehicle registration fees for disabled persons.

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

House File 448, a bill for an act extending the time limit for filling school board vacancies.

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

• **House File 450**, a bill for an act relating to the limitations on the use of the customer contribution fund.

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

House File 451, a bill for an act relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies.

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

House File 454, a bill for an act relating to the annual electric supply and cost review for certain public utilities.

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

SPECIAL GUESTS

In observance of St. Patrick's Day, Senator Kibbie presented Carla Kerber, Miss Shamrock, a senior at Emmetsburg High School.

Senator Kibbie presented the Honorable Gerard Collins, member of the Fianna Fail Party of the Parliament of Ireland who will be meeting with those involved with economic development while in Des Moines. He was accompanied by his wife, Hilary.

Mr. Collins addressed the Senate with brief remarks. He spoke about the current ethics controversy and encouraged each politician to remember that in all things, they will be answerable to the people and that if one votes the way he believes, he can always defend his vote.

He told of his country's problems of economy and unemployment and their progress in coming out of their recession. He extended an invitation to all to visit his country of five million people with a passion for liberty and freedom.

Mr. Collins previously visited Iowa in 1975 and 1985.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 268** be referred from the Regular Calendar to the

committee on **Education** and returned to the Senate Calendar no later than 5:00 p.m. Thursday, March 18, 1993.

The Senate stood at ease at 9:36 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:16 a.m., President Boswell presiding.

UNFINISHED BUSINESS
(Deferred March 16, 1993)

Senate File 266

The Senate resumed consideration of Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, deferred March 16, 1993.

Senator Connolly called up the motion to reconsider amendment S—3139 to Senate File 266 filed by him on March 16, 1993, found on page 643 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 22.

The motion prevailed and amendment S—3139 by Senators Bisignano and McLaren to page 12 of the bill, was taken up for reconsideration.

Senator Bisignano moved the adoption of amendment S—3139.

A record roll call was requested.

On the question "Shall amendment S—3139 be adopted?" (S.F. 266).

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

Senator Varn raised the point of order that Senate Rule 23 requires that if a senator votes "present", he or she must state his or her conflict of interest.

The Chair ruled the point well taken and requested that Senator McKean state his conflict.

Senator McKean stated that he "could not in good conscience vote either yes or no on this issue."

Senator Varn raised the point of order that Senator McKean needed to be more specific concerning his conflict and requested a ruling from the chair.

The Chair made no ruling but called on Senator McKean to either vote or state a specific conflict.

Senator McKean stated he would vote no and President Boswell stated that the need for a ruling had been nullified.

The vote on Senate File 266 was:

Ayes, 33:

Banks	Bennett	Bisignano	Borlaug
Buhr	Dieleman	Drake	Fink
Fuhrman	Giannetto	Hedge	Hester
Husak	Jensen	Kersten	Kramer
Lind	Maddox	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Rittmer	Slife	Sturgeon
Szymoniak	Taylor	Tinsman	Vilsack
Zieman			

Nays, 17:

Bartz	Boswell	Connolly	Deluhery
Fraise	Gettings	Gronstal	Horn
Judge	Kibbie	Lloyd-Jones	McKean
Riordan	Rosenberg	Sorensen	Varn
Welsh			

Amendment S—3139 was adopted.

Senator Vilsack moved that the bill be read the last time now and placed upon its passage, 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, 42:

Bennett	Bisignano	Boswell	Buhr
Connolly	Deluhery	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hedge	Horn
Husak	Judge	Kersten	Kibbie
Kramer	Lind	Maddox	McKean
Murphy	Palmer	Pate	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, 7:

Banks	Bartz	Borlaug	Hester
Jensen	McLaren	Rife	

Absent or not voting, 1:

Lloyd-Jones

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

Senator Horn asked and received unanimous consent that **Senate File 266** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 331, by committee on Small Business, Economic Development and Tourism, a bill for an act authorizing a city or county to impose an economic development levy consisting of a property tax levy, income surtax, or both.

Read first time and placed on calendar.

Senate File 332, by Taylor, Borlaug, and Fuhrman, a bill for an act to permit children to transfer from an accredited school located in the child's district of residence to another accredited

school, providing for payment of educational expenses and appeals, and providing effective and applicability dates.

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

Senate File 333, by committee on Environment and Energy Utilities, a bill for an act relating to lead abatement by establishing a lead inspection and abatement program, and providing a penalty.

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

RECESS

On motion of Senator Horn, the Senate recessed at 11:09 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 16, 1993, 8:30 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 254, 271, 270 and 137 (as amended) as committee bills; deferred action on SSBs 1, 266 and 267.

Adjourned: 8:55 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 15, 1993, 4:50 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Approved SSBs 257 and 45 as committee bills; assigned bill to a subcommittee.

Adjourned: 5:48 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 16, 1993, 3:35 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Approved SSBs 242 and 272 as committee bills; SSB 31 failed committee approval.

Adjourned: 4:40 p.m.

EDUCATION

Convened: March 16, 1993, 2:41 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 275 as amended; approved SSB 230 and Senate File 185 as committee bills; amended Senate File 144 and ordered redrafted for final approval as a committee bill.

Adjourned: 3:24 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 16, 1993, 1:10 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Approved SSB 134 as redrafted as a committee bill; approved SSBs 131, 252, 273 and 185 (as amended) as committee bills; recommended passage of Senate File 281 as amended.

Adjourned: 1:50 p.m.

ETHICS

Convened: March 16, 1993, 2:35 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meeting.

Adjourned: 3:35 p.m.

HUMAN RESOURCES

Convened: March 16, 1993, 1:07 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved SSBs 188 and 209 as committee bills.

Adjourned: 2:30 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 16, 1993, 3:35 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Members Absent: Borlaug (excused).

Committee Business: Approved SSBs 184 and 239 (as amended) as committee bills; recommended passage of Senate File 268 as amended.

Adjourned: 4:27 p.m.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the names of David L. Clemens, Muriel E. Allan and Nancy J. Tomes be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

STUDY BILLS RECEIVED**SSB 170.1 State Government**

Relating to public retirement systems, and including effective and retroactive applicability dates.

SSB 277 Commerce

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

SSB 278 Commerce

Relating to the definition of a supervised financial organization for purposes of the consumer credit code and providing for the Act's retroactive applicability.

SSB 279 Human Resources

Relating to programs and services under the purview of the Iowa department of public health, including programs and services relating to the council on chemically exposed infants, operation of radiation equipment, respiratory care, massage therapy, state and local substitute medical decision-making boards, environmental toxins, homemaker-home health aide transportation, training devices enforcement, burial transit permits, mental health counselors, occupational therapist, and providing criminal penalties.

SSB 280 Education

Relating to the development of a policy encouraging parental involvement in accredited public and nonpublic schools.

SSB 281 Education

Relating to the family resource center demonstration program.

SSB 282 Judiciary

Suspending the motor vehicle license of persons who are under the age of eighteen and who illegally consume, possess transport, or sell alcoholic beverages and persons under the age of eighteen who use an altered or fraudulent driver's license to illegally possess or purchase or attempt to illegally possess or purchase alcohol.

SSB 283 Judiciary

Relating to expanded media coverage of judicial proceedings.

SSB 284 Judiciary

To establish a citizen advisory council within the department of corrections.

SSB 285 Judiciary

Relating to truancy, establishing a disposition and appeal process, and providing a penalty.

SSB 286 Judiciary

Relating to fines and forfeited bail from violations of county ordinances.

SSB 287 Judiciary

Relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness.

SSB 288 Judiciary

Establishing the offense of willful death of a child as first degree murder and making an existing penalty applicable.

SSB 289 Judiciary

Relating to child endangerment resulting in the death of a child and establishing a penalty.

SSB 290 State Government

Requiring the department of management and the department of personnel to develop a strategic plan for privatizing state functions.

SSB 291 Judiciary

Relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine.

SSB 292 Local Government

Relating to the filing of a belated claim for the military service tax exemption.

SSB 293 Local Government

Relating to revisions of mandates and goals to political subdivisions of the state.

SSB 294 Local Government

Repealing certain requirements mandated by the state onto certain political subdivisions of the state.

SSB 295 Communication & Information Policy

Requiring the publication and availability of the administrative code in electronic format.

SSB 296 Communication & Information Policy

Relating to electronic availability of the Iowa Code through the state librarian.

SSB 297 Communication & Information Policy

Relating to exclusion of certain criminal history data for computerized records.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 19**

AGRICULTURE: Riordan, Chair; Banks and Bartz

Senate Concurrent Resolution 21

COMMERCE: Welsh, Chair; Deluhery and Kersten

Senate File 234

EDUCATION: Varn, Chair; Fink and Lind

Senate File 255

JUDICIARY: Bisignano, Chair and Slife

Senate File 273

JUDICIARY: Rosenberg, Chair; Connolly and Pate

Senate File 279

JUDICIARY: Rosenberg, Chair; Drake and Szymoniak

Senate File 282

JUDICIARY: Rosenberg, Chair; Giannetto and McKean

Senate File 286

COMMERCE: Welsh, Chair; Gronstal and Slife

Senate File 297

JUDICIARY: Giannetto, Chair; McKean and Rosenberg

Senate File 298

JUDICIARY: Sturgeon, Chair; Fuhrman and Welsh

Senate File 299

EDUCATION: Vilsack, Chair; Murphy and Slife

Senate File 301

HUMAN RESOURCES: Lloyd-Jones, Chair; Bennett and Sturgeon

Senate File 302

EDUCATION: Murphy, Chair; Rensink and Varn

Senate File 303

JUDICIARY: Bisignano, Chair; McKean and Welsh

Senate File 306

APPROPRIATIONS: Murphy, Chair; Boswell and McLaren

Senate File 307

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Varn

Senate File 308

JUDICIARY: Szymoniak, Chair; Lloyd-Jones and Taylor

Senate File 311

JUDICIARY: Welsh, Chair; Fuhrman and Sturgeon

Senate File 312

STATE GOVERNMENT: Dieleman, Chair; Gronstal and Lind

Senate File 322

TRANSPORTATION: Gettings, Chair; Fraise and Jensen

Senate File 324

APPROPRIATIONS: Murphy, Chair; McLaren and Vilsack

House Concurrent Resolution 14

APPROPRIATIONS: Bisignano, Chair; Gronstal and Tinsman

House File 136

AGRICULTURE: Priebe, Chair; Bartz and Riordan

House File 275

EDUCATION: Fink, Chair; Connolly and Kramer

House File 327

COMMERCE: Sturgeon, Chair; Pate and Varn

House File 355

JUDICIARY: Sturgeon, Chair; Connolly and McKean

House File 382

COMMERCE: Palmer, Chair; Deluhery and Jensen

House File 389

COMMERCE: Sturgeon, Chair; Pate and Varn

House File 401

AGRICULTURE: Zieman, Chair; McLaren and Sorensen

House File 429

APPROPRIATIONS: Buhr, Chair; Tinsman and Varn

House File 430

APPROPRIATIONS: Judge, Chair; Horn and Slife

SSB 256

EDUCATION: Varn, Chair; Connolly and Kramer

SSB 275

HUMAN RESOURCES: Varn, Chair; Kramer and Szymoniak

SSB 276

HUMAN RESOURCES: Varn, Chair; Kramer and Szymoniak

SSB 277

COMMERCE: Welsh, Chair; Deluhery and Fuhrman

SSB 278

COMMERCE: Gettings, Chair; Deluhery and Kersten

SSB 279

HUMAN RESOURCES: Buhr, Chair; Bennett and Tinsman

SSB 282

JUDICIARY: Rosenberg, Chair; Connolly and Taylor

SSB 283

JUDICIARY: Giannetto, Chair; Lloyd-Jones and Pate

SSB 284

JUDICIARY: Rosenberg, Chair; Connolly and Taylor

SSB 285

JUDICIARY: Bisignano, Chair; Pate and Welsh

SSB 286

JUDICIARY: Vilsack, Chair; Drake and Lloyd-Jones

SSB 287

JUDICIARY: Szymoniak, Chair; Connolly and Fuhrman

SSB 288

JUDICIARY: Vilsack, Chair; Slife and Welsh

SSB 289

JUDICIARY: Vilsack, Chair; Slife and Welsh

SSB 290

STATE GOVERNMENT: Gronstal, Chair; Kibbie and McLaren

SSB 291

JUDICIARY: Vilsack, Chair; Fuhrman and Giannetto

COMMITTEE REPORTS**COMMUNICATIONS AND INFORMATION POLICY**

Final Bill Action: SENATE FILE 341 (SSB 242), a bill for an act relating to a records management fee to be collected by the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Fuhman, Deluhery, Fraise and Jensen. Nays, none. Absent or not voting, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: *SENATE FILE 333 (SSB 185), a bill for an act relating to lead abatement by establishing a lead inspection and abatement program, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Rosenberg, Deluhery, Fink, Gronstal, Sorensen and Welsh. Nays, 4: Kersten, Banks, Borlaug and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Environment and Energy Utilities Committee on Senate File 333 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 334 (SSB 273), a bill for an act relating to environmental protection by creating an environmental protection fund and authorizing compliance with federal air quality regulations and creating penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 342 (SSB 183), a bill for an act relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE FILE 331 (SSB 184), a bill for an act authorizing a city or county to impose an economic development levy consisting of a property tax levy, income surtax, or both.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Riordan, Vilsack, Zieman, Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen. Nays, none. Absent or not voting, 1: Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 335 (SSB 239), a bill for an act relating to the Wallace technology transfer foundation and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Riordan, Vilsack, Ziemann, Bartz, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen. Nays, none. Absent or not voting, 1: Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Small Business, Economic Development, and Tourism Committee on Senate File 335 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 225, a bill for an act related to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the governor's office, and providing for related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, McKean and Sorensen. Nays, none. Absent or not voting, 6: Kramer, Lind, McLaren, Pate, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 266, the following corrections were made:

1. Page 2, line 18, the word and number "section 5" were changed to the word and number "section 6".
2. Page 2, line 22, the word and number "section 5" were changed to the word and number "section 6".
3. Page 2, line 23, the word and number "section 5" were changed to the word and number "section 6".

4. Page 22, line 8, the word and number "Section 17" were changed to the word and number "Section 18".

5. Page 22, line 40, the words and numbers "Sections 28 through 35" were changed to the words and numbers "Section 29 through 36".

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S-3150	S.F.	253	Richard Varn
S-3151	S.F.	8	Richard F. Drake
S-3152	S.F.	8	Richard F. Drake
S-3153	S.F.	219	Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 334, by committee on Environment and Energy Utilities, a bill for an act relating to environmental protection by creating an environmental protection fund and authorizing compliance with federal air quality regulations and creating penalties.

Read first time and placed on calendar.

Senate File 335, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to the Wallace technology transfer foundation and providing an effective date.

Read first time and placed on calendar.

Senate File 336, by Tinsman, a bill for an act placing conditions upon the receipt of educational leave and educational assistance by state employees, and providing an applicability provision.

Read first time and passed on file.

Senate File 337, by Boswell, a bill for an act relating to the establishment of the minimum community resource and maintenance allowances to be retained by the community spouse in establishing the eligibility of an institutionalized spouse for medical assistance.

Read first time and passed on file.

Senate File 338, by Giannetto, a bill for an act abolishing the county compensation board and providing a county position classification and evaluation system.

Read first time and passed on file.

Senate File 339, by Murphy, a bill for an act relating to public records regarding criminal activity.

Read first time and passed on file.

Senate File 340, by Murphy, a bill for an act relating to employee participation in employer profit-sharing plans and making penalties applicable.

Read first time and passed on file.

Senate File 341, by committee on Communications and Information Policy, a bill for an act relating to a records management fee to be collected by the county recorder.

Read first time and placed on calendar.

Senate File 342, by committee on Judiciary, a bill for an act relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties.

Read first time and placed on calendar.

Senate File 343, by committee on State Government, a bill for an act relating to standards for land surveying by designating an Iowa plane coordinate system.

Read first time and placed on calendar.

Senate File 344, by committee on Commerce, a bill for an act relating to the regulation of investment advisers, providing penalties, and providing for conditions of enactment, and an effective date.

Read first time and placed on calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he arrives on request of Senator Rife.

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:

Sally Chandler Halford as Director of the Department of Corrections.

Stanley S. Wierson as a member of the State Citizen Foster Care Review Board.

Catherine J. Johnson as a member of the Iowa Railway Finance Authority.

Christine R. Junker as a member of the Small Business Advisory Council.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

McLaren Murphy

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 200

On motion of Senator Priebe, Senate File 200, a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for pari-mutuel racing, 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. 200) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

McLaren Murphy

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murphy until he arrives on request of Senator Horn and Senator Pate until he arrives on request of Senator Hedge.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 130

On motion of Senator Szymoniak, Senate File 130, a bill for

an act relating to a continuing appropriation for a city, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3077 filed by the committee on Local Government on March 3, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3077 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. 130) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	Palmer	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

McLaren	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.

Senate File 218

On motion of Senator Sorensen, Senate File 218, a bill for an act relating to the compensation of deputy county sheriffs, was taken up for consideration.

Senator Sorensen moved that the bill be read the last time now and placed upon its passage, 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:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	Murphy	Palmer
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

McLaren Pate

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

Senate File 206

On motion of Senator Connolly, Senate File 206, a bill for an act relating to educational finances, activities, and procedures and providing an effective date, was taken up for consideration.

Senator Fuhrman offered amendment S—3097 filed by him on March 9, 1993, to pages 3 and 5 of the bill.

Senator Connolly 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 Connolly offered amendment S—3113 filed by him on March 9, 1993, to page 3 of the bill and moved its adoption.

Amendment S—3113 was adopted by a voice vote.

Senator Kibbie offered amendment S—3156 filed by him from the floor to page 3 of the bill.

Senator Rife raised the point of order that amendment S—3156 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3156 out of order.

Senator Sturgeon asked and received unanimous consent that action on Senate File 206 be deferred.

UNFINISHED BUSINESS (Deferred March 15, 1993)

Senate File 250

The Senate resumed consideration of Senate File 250, a bill for an act extending for school districts under the state school foundation program the regular program district cost school budget guarantee, deferred March 15, 1993.

Senator Varn offered amendment S—3128 filed by him on March 15, 1993, to page 1 of the bill.

Senator Connolly raised the point of order that amendment S—3128 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3128 out of order.

Senator Priebe offered amendment S—3131 filed by Senators Priebe, Hedge and Taylor on March 15, 1993, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3131 be adopted?" (S.F. 250) the vote was:

Ayes, 34:

Banks
Borlaug

Bartz
Boswell

Bennett
Buhr

Bisignano
Dieleman

Drake	Fraise	Fuhrman	Gettings
Giannetto	Hedge	Hester	Husak
Jensen	Judge	Kersten	Maddox
McKean	McLaren	Palmer	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Taylor	Varn	Vilsack
Welsh	Zieman		

Nays, 15:

Connolly	Deluhery	Fink	Gronstal
Horn	Kibbie	Kramer	Lind
Lloyd-Jones	Murphy	Slife	Sorensen
Sturgeon	Zymoniak	Tinsman	

Absent or not voting, 1:

Pate

Amendment S—3131 was adopted.

Senator Connolly asked and received unanimous consent that action on **Senate File 250** be deferred.

INTRODUCTION OF BILLS

Senate File 345, by Sturgeon and Murphy, a bill for an act eliminating the department of human rights and transferring its various divisions to other entities of state government and providing effective dates.

Read first time and passed on file.

Senate File 346, by committee on Communications and Information Policy, a bill for an act relating to the inventory and coordination of geographic information systems.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	332	Education
S.F.	336	State Government
S.F.	337	Human Resources
S.F.	338	Local Government
S.F.	339	Judiciary
S.F.	340	Business and Labor Relations
H.F.	259	State Government
H.F.	384	Education
H.F.	409	Transportation
H.F.	448	Education
H.F.	450	Environment & Energy Utilities
H.F.	451	Judiciary
H.F.	454	Environment & Energy Utilities

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 344 (SSB 221), a bill for an act relating to the regulation of investment advisers, providing penalties, and providing for conditions of enactment, and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gronstal, Lind, Pate, Priebe, Slife and Sturgeon. Nays, none. Pass, 1: Kersten. Absent or not voting, 3: Gettings, Varn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: *SENATE FILE 346 (SSB 272), a bill for an act relating to the inventory and coordination of geographic information systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Welsh, Fuhman, Deluhery, Fraise and Jensen. Nays, none. Absent or not voting, 1: Kersten.

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 Communications and Information Committee on Senate File 346 and they were attached to the committee report.

EDUCATION

Final Bill Action: HOUSE FILE 275, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3154.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 281, a bill for an act relating to the collection and use of tonnage fees for the disposal of solid waste, and providing for retroactive applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3155.

Final Vote: Ayes, 9: Rosenberg, Deluhery, Kersten, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, 1: Banks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 343 (SSB 263), a bill for an act relating to standards for land surveying by designating an Iowa plane coordinate system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, Pate, Sorensen and Welsh. Nays, none. Absent or not voting, 2: McLaren and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3154	H.F.	275	Education
S—3155	S.F.	281	Environment & Energy Utilities
S—3156	S.F.	206	John Kibbie

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:32 p.m., until 9:00 a.m., Thursday, March 18, 1993.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 18, 1993

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

Prayer was offered by the Reverend Tim Miller, pastor of the St. Paul Lutheran Church, Des Moines, Iowa.

The Journal of the Wednesday, March 17, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the day on request of Senator Lind.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 16, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 167, a bill for an act relating to the statute of limitations for marketable title.

INTRODUCTION OF BILL

Senate File 347, by committee on State Government, a bill for an act relating to public retirement systems, and including effective and retroactive applicability dates.

Read first time and placed on calendar.

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **Senate File 345** was assigned to the committee on **State Government**.

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 Lloyd-Jones until she arrives on request of Senator Horn.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 260

On motion of Senator Varn, Senate File 260, a bill for an act relating to the establishment of an electronic newspaper consortium, 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, 28:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fuhrman
Gettings	Giannetto	Gronstal	Horn
Judge	Kersten	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Varn	Vilsack

Nays, 20:

Banks	Bartz	Bennett	Borlaug
Fraise	Hedge	Hester	Husak
Jensen	Kramer	Lind	Maddox
McKean	McLaren	Rensink	Rife
Taylor	Tinsman	Welsh	Zieman

Voting present, 1:

Dieleman

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.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 501, a bill for an act relating to the maximum age for participants in an organized amateur boxing contest and providing an effective date.

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

INTRODUCTION OF BILL

Senate File 348, by committee on Judiciary, a bill for an act relating to permits to acquire pistols or revolvers by requiring a firearms safety training course and examination, modifying the eligibility requirements and application, issuance, renewal, and revocation procedures, and providing for a penalty.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:39 a.m., until 4:00 p.m.

APPENDIX

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the governor were received in the office of the Secretary of the Senate:

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 sections of the 1993 Code of Iowa:

February 8, 1992

J. Michael Carlstrom, Des Moines, Polk County, for appointment as Director of the Department of General Services pursuant to Section 18.2 for a term beginning February 8, 1993, to serve at the pleasure of the governor.

Harrison "Skip" Weber, Des Moines, Polk County, for appointment to the Employment Appeal Board pursuant to Section 10A.601(2) to fulfill an unexpired term beginning February 8, 1993, and ending April 30, 1996.

Lois E. Gurdin, Sioux City, Woodbury County, for appointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Section 15E.154 to fulfill an unexpired term beginning February 8, 1993, and ending April 30, 1995.

March 15, 1993

Dorothy R. Dunphy, Creston, Union County, for appointment to the Accountancy Examining Board pursuant to Section 542C.3 for a term beginning May 1, 1993, and ending April 30, 1996.

Richard G. Moore, Des Moines, Polk County, for reappointment as the Administrator of the Division of Criminal and Juvenile Justice Planning pursuant to Section 216A.2 to serve at the pleasure of the governor.

Gary L. Lawson, Des Moines, Polk County, for reappointment as the Administrator of the Division on the Status of African-Americans pursuant to Section 216A.2 for a term beginning May 1, 1993, and to serve at the pleasure of the governor.

Philip A. Hauan, LeMars, Plymouth County, for appointment to the Alcoholic Beverages Commission pursuant to Section 123.5 for a term beginning May 1, 1993, and ending April 30, 1998.

As members of the Architectural Examining Board pursuant to Section 544A.1 for terms beginning May 1, 1993, and ending April 30, 1996:

Gwendolyn S. Ecklund, Kiron, Crawford County, for appointment; Katherine L. Schwensen, Des Moines, Polk County for appointment and Kenneth J. Steffen, Ottumwa, Wapello County, for reappointment.

As members of the Barber Examining Board pursuant to Section 147.14(1) for terms beginning May 1, 1993, and ending April 30, 1996:

Raymond D. Barker, Des Moines, Polk County, for appointment and Suzanne J. Palmer, Albia, Monroe County, for reappointment.

As members of the Board of Behavioral Science Examiners pursuant to Section 147.14(13) for terms beginning May 1, 1993, and ending April 30, 1996:

Dr. Thomas J. Henrich, Davenport, Scott County, for reappointment; Dominick D. Pellegrino, Story City, Story County, for reappointment and Ruth M. Roberts, Cedar Rapids, Linn County, for appointment.

As members of the Board of Corrections pursuant to Section 904.104 for terms beginning May 1, 1993, and ending April 30, 1997:

Mildred Elliott, Mount Ayr, Ringgold County, for reappointment and Suellen Overton, Council Bluffs, Pottawattamie County, for appointment.

For reappointment as members of the Board of Educational Examiners pursuant to Section 272.3 for terms beginning May 1, 1993, and ending April 30, 1997:

Vickie L. Caldwell, Correctionville, Woodbury County; Daniel R. Martinez, Red Oak, Montgomery County; Monsignor W. Robert Schmidt, Davenport, Scott County, and Maureen A. White, Cedar Falls, Black Hawk County.

For appointment as members of the Board of Educational Examiners pursuant to Section 272.3 for terms beginning May 1, 1993, and ending April 30, 1997:

Judith J. Brueggeman, Harris, Osceola County; Mary Conrad, Humboldt, Humboldt County, and Martha J. Cumpston, Des Moines, Polk County.

For appointment as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to Section 154A.2 for terms beginning May 1, 1993, and ending April 30, 1996:

Ruth A. Daggett, Kent, Adams County, and Patricia L. Gourley, Cedar Rapids, Linn County.

As members of the Board of Nursing Examiners pursuant to Section 147.14(3) for terms beginning May 1, 1993, and ending April 30, 1996:

Sandra K. Bane, Oakland, Pottawattamie County, for appointment; Eugene M. Meister, Burt, Kossuth County, for reappointment and Cherie Oetker, Marshalltown, Marshall County, for reappointment.

For reappointment as members of the Board of Parole pursuant to Section 904A.3 for terms beginning May 1, 1993, and ending April 30, 1997:

Robert Jackson, Sr., Des Moines, Polk County, and Joanne C. Lorence, Atlantic, Cass County.

As members of the Board of Physician Assistant Examiners pursuant to Section 147.14(12) for terms beginning May 1, 1993, and ending April 30, 1996:

William W. Crews, Melbourne, Marshall County, for reappointment and Dr. Donald L. Skinner, Lake City, Calhoun County, for appointment.

Molly W. Williams, Sioux City, Woodbury County, for appointment to the Campaign Finance Disclosure Commission pursuant to Section 56.9 for a term beginning May 1, 1993, and ending April 30, 1999.

Dennis Nagel, Des Moines, Polk County, for reappointment as Chairperson of the Utilities Board pursuant to Section 474.1 for a term beginning May 1, 1993, and ending April 30, 1995.

As members of the Chiropractic Examining Board pursuant to Section 147.14(8) for terms beginning May 1, 1993, and ending April 30, 1996:

Dr. Mark A. Kruse, Sioux City, Woodbury County, for appointment; John W. Quinlan, Dubuque, Dubuque County, for reappointment and Janis B. Rowedder, Lakeview, Sac County, for reappointment.

Marian A. Williams, Dubuque, Dubuque County, for appointment to the Commission for the Blind pursuant to Section 216B.2 for a term beginning May 1, 1993, and ending April 30, 1996.

For reappointment as members of the Commission of Elder Affairs pursuant to Section 231.11 for terms beginning May 1, 1993, and ending April 30, 1997:

Alyce M. Elmitt, Des Moines, Polk County; Edwin Gantz, Albia, Monroe County, and Clemmie Hightower, Clinton, Clinton County.

As members of the Commission on Community Action Agencies pursuant to Section 216.92A for terms beginning May 1, 1993, and ending April 30, 1996:

Kevin J. Beauvais, Sioux City, Woodbury County, for appointment; Sandra G. Evans, Des Moines, Polk County, for reappointment and Thomas F. Nugent, Marion, Linn County, for reappointment.

Lester D. Menke, Des Moines, Polk County, for appointment to the Commission on Judicial Qualifications pursuant to Section 602.2102 for a term beginning May 1, 1993, and ending April 30, 1999.

For reappointment as members of the Commission on the Deaf pursuant to Section 216A.112 for terms beginning May 1, 1993, and ending April 30, 1996:

George B. Kerr, Council Bluffs, Pottawattamie County; Jill Robinson, Des Moines, Polk County, and Joan A. Webster-Vore, Hudson, Black Hawk County.

For appointment as members of the Cosmetology Examining Board pursuant to Section 147.14(14) for a term beginning May 1, 1993, and ending April 30, 1996:

David O. Creighton, Clive, Polk County; Kenneth M. Lang, Emmetsburg, Palo Alto County; Barbara A. Lukavsky, Des Moines, Polk County and Catherine I. Ward, Mount Ayr, Union County.

As members of the Council on Human Services pursuant to Section 217.2 for terms beginning May 1, 1993, and ending April 30, 1999:

Richard D. Arnold, Russell, Lucas County, for appointment; Richard S. Burchett, Harlan, Shelby County, for appointment and Catherine Williams, Des Moines, Polk County, for reappointment.

Thomas G. Rotherham, Bettendorf, Scott County, for appointment to the Council on Human Services pursuant to Section 217.2 to fulfill an unexpired term beginning immediately and ending April 30, 1997.

As members of the County Finance Committee pursuant to Section 333A.2 for terms beginning May 1, 1993, and ending April 30, 1997:

Jill L. Kirkberg, Fort Dodge, Webster County, for appointment and Sharon K. McCrabb, Manchester, Delaware County for reappointment.

As members of the Credit Union Review Board pursuant to Section 533.53 for terms beginning May 1, 1993, and ending April 30, 1996:

Margaret M. Chadwell, Urbandale, Polk County, for reappointment and Ernest W. Gilson, Bayard, Guthrie County, for appointment.

As members of the Dental Examining Board pursuant to Section 147.14(4) for terms beginning May 1, 1993, and ending April 30, 1996:

Marilyn K. Corwin, Urbandale, Polk County, for appointment; Dr. Bruce C. Heilman, Des Moines, Polk County, for reappointment and Marilyn J. May, Des Moines, Polk County, for reappointment.

Kathy E. Buffington, Des Moines, Polk County, for reappointment to the Dietetic Examining Board pursuant to Section 147.14(11) for a term beginning May 1, 1993, and ending April 30, 1996.

Charles Palmer, Des Moines, Polk County, for reappointment as Director of Human Services pursuant to Section 217.5 for a term beginning May 1, 1993, and to serve at the pleasure of the governor.

Darrel Rensink, Ames, Story County, for reappointment as Director of Transportation pursuant to Section 307.11 for a term beginning May 1, 1993, and to serve at the pleasure of the governor.

For reappointment as members of the Drug Abuse Prevention and Education Advisory Council pursuant to Section 80E.2 for terms beginning May 1, 1993, and ending April 30, 1997:

Loras A. Jaeger, Ames, Story County, and Connie Sue Ricklefs, Anamosa, Jones County.

As members of the Engineering and Land Surveying Examining Board pursuant to Section 542B.3 for terms beginning May 1, 1993, and ending April 30, 1996:

Gwendolyn M. Boeke, Cresco, Howard County, for appointment; Dr. Kenneth A. Brewer, Ames, Story County, for appointment and Harold Wight, Denison, Crawford County, for reappointment.

For reappointment as members of the Environmental Protection Commission pursuant to Section 455A.6 for terms beginning May 1, 1993, and ending April 30, 1997:

Verlon L. Britt, Elgin, Fayette County; William A. Ehm, Creston, Union County; Richard C. Hartsuck, Des Moines, Polk County; Rozanne E. King, Mondamin, Harrison County, and Margaret M. Prah, Sioux City, Woodbury County.

As members of the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2 for terms beginning May 1, 1993, and ending April 30, 1999:

Donald C. Byers, Newton, Jasper County, for reappointment; Barbara J. Higdon, Lamoni, Decatur County, for reappointment and James L. Robinson, Cedar Falls, Black Hawk County for appointment.

Gopal T.K. Krishna, West Des Moines, Polk County, for reappointment to the Indigent Defense Advisory Commission pursuant to Section 13B.2A for a term beginning May 1, 1993, and ending April 30, 1996.

For reappointment as members of the Investment Board of the IPERS pursuant to Section 97B.8 for terms beginning May 1, 1993, and ending April 30, 1999:

Sandra Lee Benedett, Waterloo, Black Hawk County, and Joanne L. Stockdale, Spirit Lake, Dickinson County.

For reappointment as members of the Iowa Board of Veterinary Medicine pursuant to Section 169.5 for terms beginning May 1, 1993, and ending April 30, 1996:

Michael K. Eberle, Des Moines, Polk County, and Norma D. Lyon, Toledo, Tama County.

Douglas N. Rozendaal, Clear Lake, Cerro Gordo County, for appointment to the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board pursuant to Section 455G.4 for a term beginning May 1, 1993, and ending April 30, 1997.

For reappointment as members of the Iowa Economic Development Board pursuant to Section 15.103 for terms beginning May 1, 1993, and ending April 30, 1997:

Julie J. Bulkeley, Red Oak, Montgomery County; Frederick W. Hagemann, Waverly, Bremer County; Harris D. Honsey, Lake Mills, Winnebago County, and William B. Trent, Jr., Muscatine, Muscatine County.

For reappointment as members of the Iowa Finance Authority pursuant to Section 16.2 for a term beginning May 1, 1993, and ending April 30, 1999:

James H. Crane, Emmetsburg, Palo Alto County; Deborah S. Krauth, Cherokee, Cherokee County, and Earl Yoder, Iowa City, Johnson County.

For reappointment as members of the Iowa Grain Indemnity Fund Board pursuant to Section 203D.4 for terms beginning May 1, 1993, and ending April 30, 1996:

Marie G. Ellingson, Walker, Linn County, and Carolyn A. Roberts, Sutherland, O'Brien County.

Richard C. BJORLO, Des Moines, Polk County, for reappointment to the Iowa Higher Education Loan Authority pursuant to Section 261A.5 for a term beginning May 1, 1993, and ending April 30, 1999.

As members of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6 for terms beginning May 1, 1993, and ending April 30, 1997:

Jacqueline Day, Des Moines, Polk County, for reappointment and Thomas C. Lillquist, Forest City, Winnebago County, for appointment.

As members of the Iowa Product Development Corporation pursuant to Section 15E.83 for terms beginning May 1, 1993, and ending April 30, 1997:

Carol A. Garrett, Bettendorf, Scott County, for appointment; Doris A. Hansen, Sioux City, Woodbury County, for appointment and John B. Parks, Ames, Story County, for reappointment.

For reappointment as members of the Iowa State Civil Rights Commission pursuant to Section 216.3 for terms beginning May 1, 1993, and ending April 30, 1997:

Jeffrey W. Courtier, Des Moines, Polk County; Orlando Ray Dial, Waterloo, Black Hawk County; Carolyn J. Rants, Sioux City, Woodbury County, and Dale P. Repass, Dubuque, Dubuque County.

As members of the Job Service Advisory Council pursuant to Section 96.11 for terms beginning May 1, 1993, and ending April 30, 1999:

Cynthia S. Houlson, Cedar Falls, Black Hawk County, for reappointment; Ann M. Menke, West Point, Lee County, for appointment and Jean E. Negley, Clarinda, Page County, for appointment.

Allen J. Meier, Cedar Rapids, Linn County, for reappointment as Labor Commissioner pursuant to Section 91.2 for a term beginning May 1, 1993, and ending April 30, 1999.

For appointment as members of the Landscape Architectural Examining Board pursuant to Section 544B.3 for terms beginning May 1, 1993, and ending April 30, 1996:

Dennis A. Ausehus, Chariton, Lucas County; Gregory C. Jones, Des Moines, Polk County, and Joan F. Vitale, Indianola, Warren County.

As members of the Medical Examining Board pursuant to Section 147.14(2) for terms beginning May 1, 1993, and ending April 30, 1996:

Edra E. Broich, Gray, Audubon County, for reappointment; Dr. Eddie D. DeHaan, Fort Dodge, Webster County, for appointment and Dr. Roger F. Senty, Des Moines, Polk County, for appointment.

As members of the Mental Health and Mental Retardation Commission pursuant to Section 225C.5 for terms beginning May 1, 1993, and ending April 30, 1996:

Joan A. Brown, Winterset, Madison County, for appointment; Dr. Marilee Fredericks, Des Moines, Polk County, for reappointment; Frank H. Hermsen, Carroll, Carroll County, for reappointment and Beverly A. Sanderson, Winterset, Madison County, for reappointment.

For appointment as members of the Mortuary Science Examining Board pursuant to Section 147.14(1) for terms beginning May 1, 1993, and ending April 30, 1996:

Shellie L. Madsen, Audubon, Audubon County, and Ruth A. Ohde, Manning, Carroll County.

For reappointment as members of the Narcotics Enforcement Advisory Council pursuant to Section 80E.3 for terms beginning May 1, 1993, and ending April 30, 1997:

Douglas W. Book, Forest City, Winnebago County; Judy Bradshaw, Des Moines, Polk County, and Jackie Kenniker, Dubuque, Dubuque County.

As members of the Natural Resource Commission pursuant to Section 455A.3 for terms beginning May 1, 1993, and ending April 30, 1999:

Thomas G. Monroe, Sigourney, Keokuk County, for appointment; Douglas Smalley, Des Moines, Polk County, for reappointment and Lavonne M. Troyna, New Hampton, Chickasaw County, for appointment.

As members of the Optometry Examining Board pursuant to Section 147.14(6) for terms beginning May 1, 1993, and ending April 30, 1996:

Dr. Donovan L. Crouch, Storm Lake, Buena Vista County, for reappointment and Dr. Larry W. Hicks, Creston, Union County, for appointment.

As members of the Pharmacy Examining Board pursuant to Section 147.14(5) for terms beginning May 1, 1993, and ending April 30, 1996:

Mary P. Mitchell, Council Bluffs, Pottawattamie County, for appointment; Phyllis A. Olson, Des Moines, Polk County, for reappointment and Matthew C. Osterhaus, Maquoketa, Jackson County, for appointment.

As members of the Physical and Occupational Therapy Examining Board pursuant to Section 147.14(10) for terms beginning May 1, 1993, and ending April 30, 1996:

Kathryn D. Eilers, Des Moines, Polk County, for reappointment; Daniel L. Mack, Carroll, Carroll County, for reappointment and Deborah J. Mehlhop, Ankeny, Polk County, for appointment.

For appointment as members of the Podiatry Examining Board pursuant to Section 147.14(1) for terms beginning May 1, 1993, and ending April 30, 1996:

Dr. Ronald D. Lee, Burlington, Des Moines County, and Cheryl A. Semerad, Adel, Dallas County.

For reappointment as members of the Prevention of Disabilities Policy Council pursuant to Section 225B.3 for terms beginning May 1, 1993, and ending April 30, 1996:

Billy S. Cox, Orient, Adair County; Verna L. Welte, Sioux City, Woodbury County, and Frank Zlatnik, Iowa City, Johnson County.

As members of the Psychology Examining Board pursuant to Section 147.14(7) for terms beginning May 1, 1993, and ending April 30, 1996:

Kathryn C. Gerken, Iowa City, Johnson County, for reappointment; Dr. Robert D. Jones, North Liberty, Johnson County, for appointment and Madonna J. McGuire, West Des Moines, Polk County, for appointment.

For appointment as members of the Real Estate Appraiser Examining Board pursuant to Section 543D.4 for terms beginning May 1, 1993, and ending April 30, 1996:

Lyle Craig Harris, Shenandoah, Page County, and Lil M. Perry, Keosauqua, Washington County.

Dianne L. Paca, Garner, Hancock County, for appointment to the Real Estate Appraiser Examining Board pursuant to Section 543D.4 for an unexpired term beginning immediately and ending April 30, 1994.

As members of the Real Estate Commission pursuant to Section 543B.8 for terms beginning May 1, 1993, and ending April 30, 1996:

John E. Knapp, Mason City, Cerro Gordo County, for reappointment and Theresa A. Loffredo, Des Moines, Polk County, for appointment.

For reappointment as members of the Renewable Fuel Advisory Committee pursuant to Section 159A.4 for terms beginning May 1, 1993, and ending April 30, 1996:

A.H. Junior Cooper, Traer, Tama County; William J. Horan, Rockwell City, Calhoun County, and Ramona M. Paulin, Des Moines, Polk County.

For reappointment as members of the Respiratory Care Advisory Committee pursuant to Section 152B.13 for terms beginning May 1, 1993, and ending April 30, 1996:

Dr. Greg A. Hicklin, Des Moines, Polk County, and Joan M. Treirvieler, Dubuque, Dubuque County.

Marilyn J. Perkins, Mystic, Appanoose County, for appointment to the School Budget Review Committee pursuant to Section 257.30 for a term beginning May 1, 1993, and ending April 30, 1996.

As members of the Small Business Advisory Council pursuant to Section 15.108(7) for terms beginning May 1, 1993, and ending April 30, 1997:

Eugene H. Philip, Sibley, Osceola County, for reappointment; Patrick A. Ricks, West Burlington, Des Moines County, for reappointment and Max A. Phillips, Woodward, Dallas County, for appointment.

Donald R. Graves, II, Des Moines, Polk County, for appointment to the Small Business Advisory Council pursuant to Section 15.108(7) to fulfill an unexpired term beginning immediately and ending April 30, 1996.

For reappointment as members of the Social Work Examining Board pursuant to Section 147.14(1) for terms beginning May 1, 1993, and ending April 30, 1996:

Bruce D. Buchanan, Des Moines, Polk County and Raymond E. Franklin, Marion, Linn County.

For reappointment as members of the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9) for terms beginning May 1, 1993, and ending April 30, 1996:

Colette J. Kunkel, Baxter, Jasper County, and Jill M. Miller, Atlantic, Cass County.

For appointment as members of the State Board of Examiners for Nursing Home Administrators pursuant to Section 155.2 for terms beginning May 1, 1993, and ending April 30, 1996:

Karen L. Bossard, Jefferson, Greene County, and Naomi O. Merryman, Lake Mills, Winnebago County.

As members of the State Board of Regents pursuant to Section 262.2 for terms beginning May 1, 1993, and ending April 30, 1999:

Owen J. Newlin, Des Moines, Polk County, for appointment; Nancy C. Pellett, Atlantic, Cass County, for appointment and Marvin A. Pomerantz, West Des Moines, Polk County, for reappointment.

Richard G. Peebler, Des Moines, Polk County, for appointment to the State Board of Tax Review pursuant to Section 421.1 for a term beginning May 1, 1993, and ending April 30, 1999.

For reappointment as members of the State Citizen Foster Care Review Board pursuant to Section 237.16 for terms beginning May 1, 1993, and ending April 30, 1997:

Jerry R. Foxhoven, Des Moines, Polk County; Glenda Griffin, Mt. Pleasant, Henry County, and Kathryn M. Youberg, Sac City, Sac County.

For appointment as members of the State Health Facilities Council pursuant to Section 135.62 for terms beginning May 1, 1993, and ending April 30, 1999:

Joni L. Keith, Ottumwa, Wapello County, and Marion R. Neely, Iowa City, Johnson County.

Virginia E. Ruark, Oelwein, Fayette County, for appointment to the State Judicial Nominating Commission pursuant to Section 46.1 for a term beginning May 1, 1993, and ending April 30, 1999.

William L. Wegman, New Hampton, Chickasaw County, for reappointment as the State Public Defender pursuant to Section 13B.2 for a term beginning May 1, 1993, and to serve at the pleasure of the Governor.

As members of the State Racing and Gaming Commission pursuant to Section 99D.5 for terms beginning May 1, 1993, and ending April 30, 1996:

Rita D. Sealock, Council Bluffs, Pottawattamie County, for reappointment and Del Van Horn, Jefferson, Greene County, for appointment .

As members of the State Soil Conservation Committee pursuant to Section 161A.4 for terms beginning May 1, 1993, and ending April 30, 1999:

Linda D. Appelgate, Des Moines, Polk County, for reappointment; Oliver J. Emerson, Waterville, Allamakee County, for appointment and Everett Lee Faris, Mount Ayr, Ringgold County, for appointment.

As members of the State Transportation Commission pursuant to Section 307.3 for terms beginning May 1, 1993, and ending April 30, 1997:

Lloyd Clarke, Des Moines, Polk County, for appointment and M. Catherine Dunn, Dubuque, Dubuque County, for reappointment.

Richard H. Buenneke, Des Moines, Polk County, for reappointment as Superintendent of Banking pursuant to Section 524.201 for a term beginning May 1, 1993, and ending April 30, 1997.

James E. Forney, Polk City, Polk County, for reappointment as Superintendent of Credit Unions pursuant to Section 533.55 for a term beginning May 1, 1993, and to serve at the pleasure of the governor.

For reappointment as members of the Title Guaranty Division Board pursuant to Section 16.2 for terms beginning May 1, 1993, and ending April 30, 1999:

Robert W. DeCook, Oskaloosa, Mahaska County, and Robert Friedrich, Ames, Story County.

Nancy S. Boyd, Des Moines, Polk County, for reappointment to the Utilities Board pursuant to Section 474.1 for a term beginning May 1, 1993, and ending April 30, 1999.

Nancy J. Tomes, Cumming, Warren County, for reappointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Section 15E.154 for a term beginning May 1, 1993, and ending April 30, 1997.

For reappointment as members of the Well Contractors' Council pursuant to Section 455B.190A(3) for terms beginning May 1, 1993, and ending April 30, 1995:

Judith E. Harrison, Keokuk, Lee County; Stan N. Nilles, Kingsley, Plymouth County; Hillary B. Maurer, West Branch, Cedar County, and Gary R. Shawver, New Hampton, Chickasaw County.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were referred to the committee on **Rules and Administration**.

COMMUNICATION FROM THE SECRETARY OF AGRICULTURE

The following communication was received in the office of the secretary of the senate:

February 10, 1993

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration, the name of Gary D. Lamb, Chelsea, Tama County, for appointment to the Wallace Technology Transfer Foundation of Iowa pursuant to Iowa Code Section 15E.154 for a term beginning immediately and ending April 30, 1997.

Thank you for your consideration.

Sincerely,
DALE M. COCHRAN
Secretary of Agriculture

Communication was referred to the committee on **Rules and Administration**.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were received in the office of the Secretary of the Senate:

March 15, 1993

Mr. John Dwyer
Secretary of the Senate
State Capitol Bulding
L O C A L

Dear Mr. Dwyer:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of John C. Cain on the Accountancy Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Thomas L. Erpelding on the Accountancy Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Daryl K. Henze on the Accountancy Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Jean E. Kruse on the Accountancy Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Paul S. Stave on the Accountancy Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Richard L. Morrell as Administrator of the Alcoholic Beverages Division is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Sharon K. Sievers on the Agricultural Development Authority is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Richard W. Pattschull on the Architectural Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Norman H. Rudi on the Architectural Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Jim D. Davis on the Council on Human Services is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of James E. Benbow on the County Finance Committee is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Dwayne C. Garber on the Engineering and Land Surveying Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Richard A. Marr on the Engineering and Land Surveying Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Cheryl J. Richardson on the Engineering and Land Surveying Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of David J. Blair on the Indigent Defense Advisory Commission is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Perry K. Hummel on the Indigent Defense Advisory Commission is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Owen Newlin on the Iowa Economic Development Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Susan S. Baska on the Iowa Emergency Response Commission is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointments for the Personnel Commission are being deferred pending the outcome of House Study Bill 205, which would abolish this board.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Mary L. Ellis on the Prevention of Disabilities Policy Council is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Earlis Rohret on the Real Estate Appraiser Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Michael D. Ralston on the Speech Pathology and Audiology Examining Board is being deferred because a suitable candidate has not been found at this time.

ALSO:

Pursuant to Iowa Code Section 2.32 (1.b) (1993), the appointment to fill the vacancy created by the resignation of Virginia A. Nichols on the State Board of Tax Review is being deferred because a suitable candidate has not been found at this time.

Sincerely,
TERRY E. BRANSTAD
Governor

STUDY BILLS RECEIVED

SSB 298 Local Government

Relating to the charter commission process and alternative forms of government, including certain taxation authority.

SSB 299 Education

Relating to supplemental state funding for federal head start programs in this state.

SSB 300 Communications & Information Policy

Relating to the assessment of public sector technology needs and the assessment of private sector technological involvement.

SSB 301 Communications & Information Policy

Relating to access to computerized criminal history data.

SSB 302 Small Business/Economic Development/Tourism

Relating to establishing bank examination review boards.

SSB 303 Agriculture

Relating to renewable fuel.

SSB 304 Agriculture

Relating to the production of livestock.

SSB 305 Judiciary

Relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses.

SSB 306 Local Government

Relating to the condemnation of private property designated as a century farm.

SSB 307 Judiciary

Relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date.

SSB 308 Education

Relating to the amount of the foundation property tax levy by certain reorganized school districts under the state school foundation program and providing an effective date.

SSB 309 Education

Relating to reorganization and supplementary weighting and providing applicability dates.

REPORTS OF COMMITTEE MEETINGS**COMMERCE**

Convened: March 17, 1993, 3:30 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gronstal, Kersten, Lind, Pate, Priebe, Slife and Sturgeon.

Members Absent: Gettings, Varn and Welsh.

Committee Business: Approved SSB 221 as a committee bill.

Adjourned: 3:40 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 17, 1993, 5:40 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Approved SSBs 295 and 296 as committee bills.

Adjourned: 6:00 p.m.

EDUCATION

Convened: March 17, 1993, 8:01 a.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Presentation and discussion on special education.

Adjourned: 9:06 a.m.

JUDICIARY

Convened: March 17, 1993, 11:20 a.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 199 as redrafted as a committee bill; approved SSB 183 as a committee bill; recommended passage of Senate File 303.

Adjourned: 11:55 a.m.

STATE GOVERNMENT

Convened: March 17, 1993, 1:10 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, Pate, Priebe, Sorensen and Welsh.

Members Absent: McLaren (excused).

Committee Business: Recommended passage of Senate File 225; approved SSBs 170.1 and 263 as committee bills; amended SSB 268 and ordered redrafted for final approval as a committee bill.

Adjourned: 2:25 p.m.

TRANSPORTATION

Convened: March 17, 1993, 2:37 p.m.

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

Members Absent: Gettings (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 248, 186 and 249 as committee bills.

Adjourned: 3:17 p.m.

PRESENTATION OF VISITOR

Senator Fuhrman presented Miss Shawa Kasner of Kingsley, 1993 Iowa Young Woman of the Year. Shawna is a senior at Kingsley-Pierson High School.

CERTIFICATE OF RECOGNITION

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

Iowa Falls High School boys' basketball team—advancing to the 1993 Boys' State basketball tournament. Senator Taylor. (3-16-93).

BILL SIGNED BY THE GOVERNOR

Communication was received announcing that on March 18, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 20 — An act relating to the completion dates of the juvenile justice system study, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 304

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Jensen

Senate File 321

JUDICIARY: Vilsack, Chair; Giannetto and Pate

Senate File 336

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Lind

Senate File 339

JUDICIARY: Rosenberg, Chair; Connolly and Fuhrman

Senate File 340

BUSINESS & LABOR RELATIONS: Murphy, Chair; Buhr and Fuhrman

House File 450

ENVIRONMENT & ENERGY UTILITIES: Fink, Chair; Banks and Sorensen

House File 451

JUDICIARY: Rosenberg, Chair; Connolly and Drake

House File 454

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Borlaug and Welsh

SSB 280

EDUCATION: Murphy, Chair; Fink and Slife

SSB 281

EDUCATION: Szymoniak, Chair; Connolly and Tinsman

SSB 292

LOCAL GOVERNMENT: Buhr, Chair; Jensen and Priebe

SSB 293

LOCAL GOVERNMENT: Fraise, Chair; Buhr and Zieman

SSB 294

LOCAL GOVERNMENT: Fraise, Chair; Buhr and Zieman

SSB 298

LOCAL GOVERNMENT: Szymoniak, Chair; Rittmer and Vilsack

SSB 302

SMALL BUSINESS/ECONOMIC DEVELOPMENT/TOURISM: Vilsack, Chair;
Maddox and Riordan

SSB 303

AGRICULTURE: Riordan, Chair; Banks and Bartz

SSB 304

AGRICULTURE: Priebe, Chair; Husak and McLaren

SSB 305

JUDICIARY: Giannetto, Chair; Sturgeon and Taylor

SSB 307

JUDICIARY: Vilsack, Chair; Fuhrman and Giannetto

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 401, a bill for an act relating to bees and beekeeping, repealing a section, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren and Zieman. Nays, none. Absent or not voting, 2: Palmer and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 351 (SSB 296), a bill for an act relating to electronic availability of the Iowa Code through the state librarian.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Furhman, Deluhery, Fraise, Jensen and Kersten. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 193, a bill for an act relating to the regulation of hazardous substances on waterways.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Rosenberg, Deluhery, Kersten, Fink, Gronstal, Sorensen and Welsh. Nays, 3: Banks, Borlaug and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 360 (formerly Senate File 197), a bill for an act relating to the opening of certain adoption records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 349 (SSB 188), a bill for an act relating to child support and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Buhr, Judge, Kramer, Rittmer, Sturgeon and Varn. Nays, 1: Riordan. Pass, 1: Bennett.

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 on Senate File 349 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 350 (SSB 209), a bill for an act relating to child support and providing for civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon 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 Human Resources Committee on Senate File 350 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 348 (SSB 199), a bill for an act relating to permits to acquire pistols or revolvers by requiring a firearms safety training course and examination, modifying the eligibility requirements and applications, issuance, renewal, and revocation procedures, and providing for a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 347 (SSB 170.1), a bill for an act relating to public retirement systems, and including effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, Pate, Sorensen and Welsh. Nays, none. Absent or not voting, 2: McLaren and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3157

S. C. R. 14

Patty Judge

AFTERNOON SESSION

The Senate reconvened at 4:13 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 349, by committee on Human Resources, a bill for an act relating to child support and providing effective and retroactive applicability dates.

Read first time and placed on calendar.

Senate File 350, by committee on Human Resources, a bill for an act relating to child support and providing for civil penalties and an effective date.

Read first time and placed on calendar.

Senate File 351, by committee on Communications and Information Policy, a bill for an act relating to electronic availability of the Iowa Code through the state librarian.

Read first time and placed on calendar.

Senate File 352, by Welsh, a bill for an act relating to application of comparative fault to an action brought pursuant to the Iowa dramshop Act.

Read first time and passed on file.

Senate File 353, by committee on Agriculture, a bill for an act relating to renewable fuel.

Read first time and placed on calendar.

Senate File 354, by committee on State Government, a bill for an act relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits, by imposing civil penalties, by appropriating moneys collected through civil penalties, by removing certain restrictions on the sale of alcoholic beverages, and by providing for other properly related matters.

Read first time and placed on calendar.

Senate File 355, by committee on State Government, a bill for an act relating to the assessment of a fee and providing a civil penalty by the board of dental examiners.

Read first time and placed on calendar.

Senate File 356, by committee on State Government, a bill for an act relating to games of skill, games of chance, and amusement devices, and subjecting violators to existing penalties.

Read first time and placed on calendar.

Senate File 357, by committee on State Government, a bill for an act requiring the department of management and the department of personnel to develop a strategic plan for privatizing state functions.

Read first time and placed on calendar.

Senate File 358, by committee on State Government, a bill for an act relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing live racing days, and by providing for other properly related provisions.

Read first time and placed on calendar.

Senate File 359, by committee on Communications and Information Policy, a bill for an act requiring the publication and availability of the administrative code and bulletin in electronic format.

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 46 present, 4 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zieman for the remainder of the day on request of Senator Fuhrman.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 309

On motion of Senator Gettings, Senate File 309, a bill for an act relating to the maximum age for participants in an organized amateur boxing contest and providing an effective date, was taken up for consideration.

Senator Gettings asked and received unanimous consent that House File 501 be substituted for Senate File 309.

House File 501

On motion of Senator Gettings, House File 501, a bill for an act relating to the maximum age for participants in an organized amateur boxing contest and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 501) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Szymoniak

Taylor
Welsh

Tinsman

Varn

Vilsack

Nays, 1:

Sturgeon

Absent or not voting, 4:

Giannetto

Kersten

Pate

Zieman

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

Senator Gettings asked and received unanimous consent that **Senate File 309** be **withdrawn** from further consideration of the Senate.

Senate File 239

On motion of Senator Gettings, Senate File 239, a bill for an act relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge, 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. 239) the vote was:

Ayes, 48:

Banks
Borlaug
Deluhery
Fraise
Gronstal
Husak
Kibbie
Maddox
Palmer
Riordan
Sorensen
Tinsman

Bartz
Boswell
Dieleman
Fuhrman
Hedge
Jensen
Kramer
McKean
Priebe
Rittmer
Sturgeon
Varn

Bennett
Buhr
Drake
Gettings
Hester
Judge
Lind
McLaren
Rensink
Rosenberg
Szymoniak
Vilsack

Bisignano
Connolly
Fink
Giannetto
Horn
Kersten
Lloyd-Jones
Murphy
Rife
Slife
Taylor
Welsh

Nays, none.

Absent or not voting, 2:

Pate

Zieman

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 501** and **Senate File 239** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 360, by committee on Human Resources, a bill for an act relating to the opening of certain adoption records.

Read first time and placed on calendar.

Senate File 361, by committee on Human Resources, a bill for an act relating to substances regulated under the Iowa uniform controlled substances act.

Read first time and placed on calendar.

APPENDIX

BILL ASSIGNED TO COMMITTEE

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

S.F. 352 Judiciary

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 353 (SSB 303), a bill for an act relating to renewable fuel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, and Ziemann. Nays, none. Absent or not voting, 3: McLaren, Palmer and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 286, a bill for an act relating to the release of a mortgage, availability of an abstract of title, and increasing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Priebe, Slife, Varn and Welsh. Nays, none. Absent or not voting, 2: Pate and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 375 (SSB 277), a bill for an act relating to the establishment of flammability standards for furniture and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Palmer, Bisignano, Gettings, Gronstal, Priebe, Sturgeon, Varn and Welsh. Nays, 5: Jensen, Fuhrman, Kersten, Lind and Slife. Absent or not voting, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 359 (SSB 295), a bill for an act requiring the publication and availability of the administrative code in electronic format.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Varn, Fuhman, Deluhery, Fraise, Jensen and Kersten. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3164.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 364 (formerly Senate File 144), a bill for an act making educational materials available upon request to accredited nonpublic school pupils, to the extent funds are appropriated by the general assembly, under terms comparable to those made available to pupils attending public schools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 2: Kibbie and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 376 (SSB 210), a bill for an act relating to community college athletic programs, delaying the establishment and funding of the community college excellence 2000 account and the submission of an annual report on community college quality instructional centers, and repealing community college approval and accreditation standards, community college staff development plans and programs, and certain studies related to community colleges, and other related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack. Nays, 2: Lind and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 377 (formerly Senate File 302), a bill for an act relating to the use of the instructional support program by a school district for increased enrollment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 82, a bill for an act relating to the establishment of a chemical emergency preparedness fund; providing for expenditure and use of the moneys in the fund, and establishing fees and a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3161.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 368 (SSB 132), a bill for an act requiring the collection of waste oil by certain retailers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Rosenberg, Deluhery, Banks, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, 2: Kersten and Borlaug.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 361 (SSB 141), a bill for an act relating to substances regulated under the Iowa uniform controlled substances Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 362 (SSB 275), a bill for an act relating to small group rating practices and the availability of health insurance coverage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 32, a bill for an act imposing an additional criminal penalty surcharge on certain motor vehicle violations.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 174, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 187, a bill for an act relating to the notice provided by landlords in forcible entry and detainer actions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 303, a bill for an act relating to off-duty officers carrying weapons while in an establishment selling alcoholic beverages for consumption on the premises, while consuming alcoholic beverages, or while intoxicated.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 308, a bill for an act increasing the penalties for criminal trespass under certain circumstances, and providing for the issuance of restraining orders at the time of sentencing in criminal cases.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3162.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Vilsack and Welsh. Nays, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 311, a bill for an act relating to acquiring and carrying pistols and revolvers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3163.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 365 (SSB 202), a bill for an act relating to the enforcement of the civil rights law and the recovery of fees and hearing costs by the civil rights commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 366 (formerly Senate File 273), a bill for an act relating to civil rights actions, providing a right to jury trial in certain such actions, and providing related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 370 (SSB 291), a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs and restitution, and allowing community service in lieu of a fine.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 371 (SSB 154), a bill for an act relating to probate, including certain notice provisions and statutory shares.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 372 (SSB 307), a bill for an act relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 373 (SSB 305), a bill for an act relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Rosenberg, McKean, Bisignano, Drake, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, 3: Sturgeon, Connolly and Fuhrman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE FILE 367, a bill for an act relating to payment of legislative salaries when a member resigns or is removed from office, and requiring repayment under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 7, a bill for an act relating to the preservation of restoration work on the physical facilities of the capitol complex.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Buhr, Dieleman, Drake, Fink, Giannetto, Lind, McLaren, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 4: Bisignano, Kramer, McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 195, a bill for an act providing that membership on the state board of regents include a graduate of each of the three universities under its control and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Kibbie, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Sorensen and Welsh. Nays, 5: Rittmer, Kramer, Lind, McLaren and Priebe. Absent or not voting, 2: McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 275, a bill for an act creating an advisory council on critical infrastructure needs and providing for the council's repeal.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3159.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Priebe, Sorensen and Welsh. Nays, 1: McLaren. Absent or not voting, 3: Lind, McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 312, a bill for an act relating to the formation of the friends of capitol hill nonprofit corporation.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, McLaren, Priebe and Sorensen. Nays, none. Absent or not voting, 4: Lind, McKean, Pate and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 354 (SSB 171) a bill for an act relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits, by imposing civil penalties, by appropriating moneys collected through civil penalties, by removing certain restrictions on the sale of alcoholic beverages, and by providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Buhr, Dieleman, Drake, Fink, Giannetto, Lind, McLaren, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 4: Bisignano, Kramer, McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 355 (SSB 243), a bill for an act relating to the assessment of a fee and providing a civil penalty by the board of dental examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, McLaren, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 3: Lind, McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 356 (SSB 198), a bill for an act relating to games of skill, games of chance, and amusement devices, and subjecting violators to existing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, McLaren, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 3: Lind, McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 357 (SSB 290), a bill for an act requiring the department of management and the department of personnel to develop a strategic plan for privatizing state functions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Kibbie, Bisignano, Buhr, Dieleman, Fink, Giannetto, Priebe, Sorensen and Welsh. Nays, 5: Rittmer, Drake, Kramer, Lind and McLaren. Absent or not voting, 2: McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 358 (SSB 268), a bill for an act relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing live racing days, and by providing for other properly related provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Fink, Giannetto, Kramer, Lind, McLaren, Priebe, Sorensen and Welsh. Nays, 2: Dieleman and Drake. Absent or not voting, 2: McKean and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 363 (SSB 249), a bill for an act relating to the display and sale of antique motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Jensen and Kersten. Nays, none. Absent or not voting, 2: Gettings and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 363 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 374 (SSB 248), a bill for an act relating to the state department of transportation concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Jensen and Kersten. Nays, none. Absent or not voting, 2: Gettings and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 374 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 362, by committee on Human Resources, a bill for an act relating to small group rating practices and the availability of health insurance coverage.

Read first time under Rule 28 and placed on calendar.

Senate File 363, by committee on Transportation, a bill for an act relating to the display and sale of antique motor vehicles.

Read first time under Rule 28 and placed on calendar.

Senate File 364, by committee on Education, a bill for an act relating to nonpublic school pupil textbook services.

Read first time under Rule 28 and placed on calendar.

Senate File 365, by committee on Judiciary, a bill for an act relating to the enforcement of the civil rights law and the recovery of fees and hearing costs by the civil rights commission.

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

Senate File 366, by committee on Judiciary, a bill for an act relating to civil rights actions, providing a right to jury trial in certain such actions, and providing related matters.

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

Senate File 367, by committee on Rules and Administration, a bill for an act relating to payment of legislative salaries when a member resigns or is removed from office, and requiring repayment under certain circumstances.

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

Senate File 368, by committee on Environment and Energy Utilities, a bill for an act requiring the collection of waste oil by certain retailers.

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

Senate File 369, by Rosenberg, Murphy and Gronstal, a bill for an act establishing a program and performance audit committee of the legislative council.

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

Senate File 370, by committee on Judiciary, a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine.

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

Senate File 371, by committee on Judiciary, a bill for an act relating to probate, including certain notice provisions and statutory shares.

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

Senate File 372, by committee on Judiciary, a bill for an act relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date.

Read first time under Rule 28 and placed on calendar.

Senate File 373, by committee on Judiciary, a bill for an act relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses.

Read first time under Rule 28 and placed on calendar.

Senate File 374, by committee on Transportation, a bill for an act relating to the state department of transportation concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials.

Read first time under Rule 28 and placed on calendar.

Senate File 375, by committee on Commerce, a bill for an act relating to the establishment of flammability standards for furniture and providing a penalty.

Read first time under Rule 28 and placed on calendar.

Senate File 376, by committee on Education, a bill for an act relating to community college athletic programs, delaying the establishment and funding of the community college excellence 2000 account and the submission of an annual report on community college quality instructional centers, and repealing community college approval and accreditation standards, community college staff development plans and programs, and certain studies related to community colleges, and other related matters.

Read first time under Rule 28 and placed on calendar.

Senate File 377, by committee on Education, a bill for an act relating to the use of the instructional support program by a school district for increased enrollment.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S—3158	S. J. R.	8	Ray Taylor
S—3159	S. F.	275	State Government
S—3160	S. F.	51	William W. Dieleman
S—3161	S. F.	82	Environment and Energy Utilities
S—3162	S. F.	308	Judiciary
S—3163	S. F.	311	Judiciary
S—3164	S. F.	268	Education

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Friday, March 19, 1993.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 19, 1993

The Senate met in regular session at 9:16 a.m., President Boswell presiding.

Prayer was offered by the Reverend Steve Frock, pastor of the Lutheran Church, Hamlin, Iowa.

The Journal of the Thursday, March 18, 1993, was approved.

INTRODUCTION OF BILLS

Senate File 378, by committee on State Government, a bill for an act authorizing the board of nursing and the board of dental examiners to appoint investigators with peace officer powers.

Read first time and placed on calendar.

Senate File 379, by committee on Education, a bill for an act relating to reorganization and supplementary weighting and providing applicability dates.

Read first time and placed on calendar.

Senate File 380, by committee on Human Resources, a bill for an act relating to providing greater accessibility to health care and health care insurance coverage and establishing pilot projects.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Pate, Hester, Rensink, Drake and McKean for the day and Senators Lind and Kersten until they arrive on request of Senator Hedge; and Senator Kibbie for the day on request of Senator Horn.

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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 254

On motion of Senator Szymoniak, Senate File 254, a bill for an act to broaden the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration and to provide for related matters, 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. 254) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Hedge
Horn	Husak	Jensen	Judge
Kersten	Kramer	Lloyd-Jones	Maddox
McLaren	Murphy	Palmer	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 8:

Drake	Gronstal	Hester	Kibbie
Lind	McKean	Pate	Rensink

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

Senate File 288

On motion of Senator Sturgeon, Senate File 288, a bill for an act relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 288) the vote was:

Ayes, 39:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Fink	Fraise	Fuhrman
Gettings	Giannetto	Hedge	Horn
Husak	Jensen	Judge	Kersten
Kramer	Lloyd-Jones	Maddox	McLaren
Murphy	Palmer	Priebe	Rife
Riordan	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh	Zieman	

Nays, 2:

Rittmer	Vilsack
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Absent or not voting, 9:

Dieleman	Drake	Gronstal	Hester
Kibbie	Lind	McKean	Pate
Rensink			

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

Senate File 221

On motion of Senator Kramer, Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and

child day care and providing an effective date, was taken up for consideration.

Senator Tinsman offered amendment S—3165 filed by her from the floor to page 2 of the bill.

Senator Bennett called for a division of amendment S—3165: lines 2-30 as division S—3165A and lines 31-34 as division S—3165B.

Senator Tinsman moved the adoption of division S—3165A, which motion prevailed by a voice vote.

Senator Tinsman moved the adoption of division S—3165B, which motion prevailed by a voice vote.

Senator Horn asked and received unanimous consent that action on **Senate File 221** be deferred.

The Senate stood at ease at 10:21 a.m. until the fall of the gavel.

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

INTRODUCTION OF BILLS

Senate File 381, by committee on Agriculture, a bill for an act relating to the production of livestock.

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

Senate File 382, by committee on Judiciary, a bill for an act relating to the manufacture, possession, or distribution of controlled substances on or near certain real property and establishing penalties.

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

Senate File 383, by committee on Human Resources, a bill for an act relating to programs and services under the purview of the Iowa department of public health, including programs and services relating to the council on chemically exposed infants, operation of radiation equipment, lead abatement, state and local substitute medical decision-making boards, environmental toxins, homemaker-home health aide transportation, training devices

enforcement, burial transit permits, mental health counselors, occupational therapist, and providing criminal penalties.

Read first time and placed on calendar.

Senate File 384, by committee on Judiciary, a bill for an act relating to dependent adult abuse and establishing criminal penalties.

Read first time and placed on calendar.

Senate File 385, by committee on Education, a bill for an act relating to the amount of the foundation property tax levy by certain reorganized school districts under the state school foundation program and providing an effective date.

Read first time and placed on calendar.

Senate File 386, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to establishing bank examination review boards.

Read first time and placed on calendar.

Senate File 387, by committee on Education, a bill for an act relating to the family resource center demonstration program.

Read first time and placed on calendar.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 18, 1993, 8:35 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren and Zieman.

Members Absent: Palmer and Sorensen (both excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 304 as a committee bill; approved SSB 303 as a committee bill; recommended passage of House File 401.

Adjourned: 8:45 a.m.

COMMERCE

Convened: March 18, 1993, 3:40 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: Pate (excused).

Committee Business: Approved SSB 277 as a committee bill; recommended passage of Senate File 286.

Adjourned: 4:10 p.m.

EDUCATION

Convened: March 18, 1993, 2:45 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved Senate Files 144 and 302 and SSBs 299, 256, 281, 308, 309 and 210 as committee bills; recommended passage of Senate File 268 as amended.

Adjourned: 3:45 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 18, 1993, 9:50 a.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 193; recommended passage of Senate File 82 as amended; approved SSB 132 as a committee bill.

Adjourned: 10:40 a.m.

ETHICS

Convened: March 18, 1993, 2:35 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meeting.

Adjourned: 3:35 p.m.

HUMAN RESOURCES

Convened: March 18, 1993, 9:46 a.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Senate File 61 failed recommendation for passage; approved SSBs 279, 275, 276, 141 and Senate File 197 as committee bills.

Adjourned: 10:49 a.m.

JUDICIARY

Convened: March 18, 1993, 12:10 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 291, 154, 111, 287 and 200; approved SSBs 305, 158, 202, 307 and Senate File 273 as committee bills; recommended passage of Senate Files 32, 174, and 187; recommended passage of Senate Files 311 and 308 as amended; Senate File 131 failed recommendation for passage; SSB 285 failed committee approval as a committee bill.

Adjourned: 2:35 p.m.

RULES AND ADMINISTRATION

Convened: March 18, 1993, 2:18 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer and Lind.

Members Absent: Palmer.

Committee Business: Assigned bill to subcommittee; approved proposed committee bill relating to payment of legislative salaries when a member resigns or is removed from office, and requiring repayment under certain circumstances.

Adjourned: 2:30 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 18, 1993, 4:45 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Bartz, Bennett, Borlaug, Judge, Kibbie, Maddox and Sorensen.

Members Absent: Zieman, Ranking Member; Bisignano, Giannetto and Lloyd-Jones (all excused).

Committee Business: Approved SSB 302 as a committee bill.

Adjourned: 4:50 p.m.

STATE GOVERNMENT

Convened: March 18, 1993, 10:55 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McLaren, Priebe, Sorensen and Welsh.

Members Absent: McKean and Pate (excused).

Committee Business: Recommended passage of Senate Files 7, 195 and 312; recommended passage of Senate File 275 as amended; approved SSBs 243, 198, 101, 290, 171 and 268 as committee bills; assigned bill to subcommittee.

Adjourned: 11:40 a.m.

PRESENTATION OF VISITORS

Senator Husak presented John Rocarek, development director of the National Czech and Slovak Museum and Library, Cedar Rapids, Iowa, and his daughter Ann. In observance of St. Joseph's Day, the members of the Senate and staff were treated to the Czech kolach.

SUBCOMMITTEE ASSIGNMENTS

Senate File 257

RULES AND ADMINISTRATION: Horn, Chair; Husak and Rife

Senate File 268

EDUCATION: Szymoniak, Chair; Connolly and Rensink

Senate File 300

WAYS AND MEANS: Murphy, Chair; Dieleman and Hester

SSB 299

EDUCATION: Vilsack, Chair; Connolly and Kramer

SSB 306

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Maddox

SSB 308

EDUCATION: Kibbie, Chair; Fink and Rensink

SSB 309

EDUCATION: Kibbie, Chair; Fink and Rensink

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: *SENATE FILE 381 (SSB 304), a bill for an act relating to the production of livestock.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, and Zieman. Nays, none. Absent or not voting, 3: McLaren, Palmer and Sorensen.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 381 and they were attached to the committee report.

EDUCATION

Final Bill Action: SENATE FILE 379 (SSB 309), a bill for an act relating to reorganization and supplementary weighting and providing applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 385 (SSB 308), a bill for an act relating to the amount of the foundation property tax levy by certain reorganized school districts under the state school foundation program and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 387 (SSB 281), a bill for an act relating to the family resource center demonstration program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. 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 387 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 389 (SSB 256), a bill for an act relating to the transformation of Iowa's public education system by the year 2000, including support for the recommendations of the K-12 education reform study committee, access by students to computers, and creation of a legislative education study committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Lind.

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 389 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 390 (SSB 299), a bill for an act relating to supplemental state funding for federal head start programs in this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 61, a bill for an act relating to the requirements for licensure and nonprofit status of a nonprofit health care facility.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Szymoniak, Lloyd-Jones, Buhr, Judge, Riordan, Sturgeon and Varn. Nays, 5: Tinsman, Bartz, Bennett, Kramer and Rittmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 380 (SSB 276), a bill for an act relating to providing greater accessibility to health care and health care insurance coverage and establishing pilot projects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 383 (SSB 279), a bill for an act relating to programs and services under the purview of the Iowa department of public health, including programs and services relating to the council on chemically exposed infants, operation of radiation equipment, lead abatement, state and local substitute medical decision-making boards, environmental toxins, homemaker-home health aide transportation, training devices enforcement, burial transit permits, mental health counselors, occupational therapist, and providing criminal penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon 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 Human Resources Committee on Senate File 383 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 382 (SSB 200), a bill for an act relating to the manufacture, possession, or distribution of controlled substances on or near certain real property and establishing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 384 (SSB 158), a bill for an act relating to dependent adult abuse and establishing criminal penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 116, a bill for an act establishing procedures for a memorial hospital or county hospital supported by revenue to become a county hospital supported by a tax levy.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE FILE 386 (SSB 302), a bill for an act relating to establishing bank examination review boards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Riordan, Vilsack, Bartz, Bennett, Borlaug, Judge, Kibbie, Maddox and Sorensen. Nays, none. Absent or not voting, 4: Zieman, Bisignano, Giannetto and Lloyd-Jones

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: *SENATE FILE 378 (SSB 101), a bill for an act authorizing the board of nursing to appoint investigators with peace officer powers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, McLaren, Sorensen and Welsh. Nays, 1: Priebe. Absent or not voting, 3: Lind, McKean and Pate.

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 378 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: *SENATE FILE 388 (SSB 186), a bill for an act relating to the offense of operating while intoxicated, providing for minimum hours of community service for certain offenders, minimum periods of license revocation, and other related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Jensen, Kersten and Pate. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 388 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 388, by committee on Transportation, a bill for an act relating to the offense of operating while intoxicated, providing for minimum hours of community service for certain offenders, minimum periods of license revocation, and other related matters.

Read first time under Rule 28 and placed on calendar.

Senate File 389, by committee on Education, a bill for an act relating to the transformation of Iowa's public education system by the year 2000, access by students to computers, and creation of a legislative education transformation review committee, and providing for related matters.

Read first time under Rule 28 and placed on calendar.

Senate File 390, by committee on Education, a bill for an act relating to supplemental state funding for federal head start programs in this state.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3165	S.F.	221	Maggie Tinsman
S-3166	S.F.	221	Merlin Bartz
S-3167	S.F.	163	Tom Vilsack
S-3168	S.F.	271	Patrick J. Deluhery William D. Palmer
S-3169	H.F.	448	Mary Kramer
S-3170	S.F.	356	Mike Gronstal

ADJOURNMENT

On motion of Senator Fraise, the Senate adjourned at 11:13 a.m., until 10:00 a.m., Monday, March 22, 1993.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
 FORTY-SECOND SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, March 22, 1993

The Senate met in regular session at 10:17 a.m., President Boswell presiding.

Prayer was offered by Father Gerald Zeman, pastor of the Sacred Heart Church, Ruthven and Ayrshire, Iowa.

The Journal of the Friday, March 19, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Connolly until he arrives on request of Senator Horn and Senators Tinsman, Lind, Rensink, Jensen and Kersten until they arrive on request of Senator Banks.

INTRODUCTION OF BILLS

Senate File 391, by committee on Judiciary, a bill for an act relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness.

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

Senate File 392, by committee on Judiciary, a bill for an act relating to duties and procedures of the department of corrections, providing for agreements for private employment of inmates, application of witness fees earned by an inmate toward payment of restitution or crime victim compensation, removing language relating to transfers of certain inmates, providing for temporary supervision and placement of inmates in violator facilities, making changes in provisions relating to escape from work release, and changing times of payment of certain funds to inmates.

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

Senate File 393, by committee on Human Resources, a bill for an act establishing a volunteer physician program within the Iowa department of public health.

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

Senate File 394, by committee on Human Resources, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance.

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

Senate File 395, by McKean, a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose a local option tax to partially fund the issuance of certain bonds.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 268** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the Senate Calendar no later than 5:00 p.m., Monday, March 22, 1993.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 271

On motion of Senator Deluhery, Senate File 271, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations, was taken up for consideration.

Senator Deluhery offered amendment S—3168 filed by Senators Deluhery and Palmer on March 19, 1993, to pages 3, 5 and 8 of the bill and moved its adoption.

Amendment S—3168 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. 271) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 6:

Connolly	Jensen	Lind	Rensink
Sturgeon	Tinsman		

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 until he arrives on request of Senator Riordan.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 295

On motion of Senator Szymoniak, Senate File 295, a bill for an act changing the residency requirement for dissolution of marriage from one year to six months, 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. 295) the vote was:

Ayes, 36:

Bennett	Bisignano	Boswell	Buhr
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lloyd-Jones	Maddox	McLaren	Murphy
Palmer	Priebe	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Szymoniak
Taylor	Varn	Vilsack	Welsh

Nays, 7:

Banks	Bartz	Borlaug	Hedge
McKean	Pate	Zieman	

Absent or not voting, 7:

Connolly	Jensen	Lind	Rensink
Slife	Sturgeon	Tinsman	

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

Senate File 278

On motion of Senator Giannetto, Senate File 278, a bill for an act to exclude agricultural commodity promotional boards, which are subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees and from other requirements applicable to state agencies, was taken up for consideration.

Senator Giannetto moved that the bill be read the last time now and placed upon its passage, 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:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 6:

Connolly	Jensen	Lind	Rensink
Sturgeon	Tinsman		

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

Senate File 294

On motion of Senator Welsh, Senate File 294, a bill for an act relating to qualifications for sheriffs, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **Senate File 294** be deferred.

Senate File 8

On motion of Senator Gettings, Senate File 8, a bill for an act relating to transportation services by regulating persons who transport rail workers and requiring liability insurance for taxicabs and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—3117 filed by the committee on Transportation on March 10, 1993, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Senator Drake offered amendment S—3152 filed by him on March 17, 1993, to amendment S—3117 and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 24.

Amendment S—3152 lost.

Senator Drake offered amendment S—3151 filed by him on March 17, 1993, to amendment S—3117.

Senator Gettings raised the point of order that amendment S—3151 to amendment S—3117 was not germane.

The Chair ruled the point well taken and amendment S—3151 out of order.

Senator Gettings asked and received unanimous consent that action on amendment S—3117 and **Senate File 8** be deferred.

Senate File 317

On motion of Senator Bartz, Senate File 317, a bill for an act concerning amber flashing lights on farm trailers, was taken up for consideration.

Senator Lloyd-Jones requested that Senators Bartz and Priebe join her in the well of the Senate.

President Boswell announced that action on **Senate File 317** was **deferred**.

Senator Boswell announced that **Senate File 317** was referred to the committee on **Transportation**.

Senate File 225

On motion of Senator Kibbie, Senate File 225, a bill for an act related to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the governor's office, and providing for related matters,

with report of committee recommending passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on Senate File 225 be deferred.

Senate File 258

On motion of Senator Varn, Senate File 258, a bill for an act establishing the offense of criminal voyeurism 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. 258) the vote was:

Ayes, 43:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Drake	Fink	Fraise	Fuhrman
Gettings	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Varn
Vilsack	Welsh	Zieman	

Nays, 2:

Dieleman	Giannetto
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Absent or not voting, 5:

Connolly	Lind	Rensink	Sturgeon
Tinsman			

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

Senate File 316

On motion of Senator Husak, Senate File 316, a bill for an act relating to the transfer of agricultural land acquired by nonresident aliens, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **Senate File 316** be deferred.

Senate File 320

On motion of Senator Varn, Senate File 320, a bill for an act relating to the development of a community health management information system, 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. 320) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lloyd-Jones	Maddox	McKean
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 5:

Connolly	Lind	McLaren	Rensink
Tinsman			

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

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that Senate Files 100, 109 and 272 be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 319

On motion of Senator Fraise, Senate File 319, a bill for an act relating to records and minutes of public bodies which are subject to public inspection, 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. 319) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fink	Fraise
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Zieman

Nays, 2:

Fuhrman	Welsh
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Absent or not voting, 4:

Connolly	Lind	Rensink	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.

Senate File 293

On motion of Senator Rosenberg, Senate File 293, a bill for an act relating to the presence of victim counselors in proceedings pertaining to the offense, was taken up for consideration.

Senator Rosenberg offered amendment S—3171 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3171 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 293) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fink	Fraiese
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Connolly	Lind	Rensink	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.

Senate File 38

On motion of Senator Sturgeon, Senate File 38, a bill for an act providing for requirements of a financing statement filed under the uniform commercial code, and providing applicability and effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3120 filed by the committee on Commerce on March 11, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3120 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. 38) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Connolly	Lind	Rensink	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.

INTRODUCTION OF BILLS

Senate File 396, by committee on Local Government, a bill for an act relating to the condemnation of private property designated as a century farm.

Read first time and placed on calendar.

Senate File 397, by committee on Local Government, a bill for an act relating to the filing of a belated claim for the military service tax exemption.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 11:55 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 18, 1993, 4:40 p.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Amended SSB 189 and ordered redrafted for final approval as a committee bill.

Adjourned: 5:59 p.m.

HUMAN RESOURCES

Convened: March 19, 1993, 10:29 a.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved SSBs 250 and 5.1 as committee bills; recommended passage of Senate File 61.

Adjourned: 11:02 a.m.

LOCAL GOVERNMENT

Convened: March 19, 1993, 8:20 a.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: Priebe.

Committee Business: Assigned bills to subcommittees; approved SSBs 292 and 306 as committee bills; recommended passage of Senate File 116; amended and approved SSBs 224 and 298 as committee bills.

Adjourned: 9:12 a.m.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 393 (SSB 5.1), a bill for an act establishing a volunteer physician program within the Iowa department of public health and providing for certain immunity from liability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon 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 Human Resources Committee on Senate File 393 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 394 (SSB 250), a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 391 (SSB 287), a bill for an act relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 392 (SSB 111), a bill for an act relating to persons and institutions subject to the authority of the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 396 (SSB 306), a bill for an act relating to the condemnation of private property designated as a century farm.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak and Zieman. Nays, 1: Vilsack. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 397 (SSB 292), a bill for an act relating to the filing of a belated claim for the military service tax exemption.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 398 (SSB 224), a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none. Absent or not voting, 1: 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 on Senate File 398 and they were attached to the committee report.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 319 passed the Senate on March 22, 1993.

LARRY MURPHY

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 17-19, 1993, when the final votes were taken on Senate Files 130, 218, 260, 239, 254, 288 and House File 501.

Had I been present, I would have voted "aye" on the bills.

PAUL D. PATE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 18 and 19, 1993, when the final votes were taken on House File 501 and Senate File 239.

Had I been present, I would have voted "aye" on the bills.

LYLE E. ZIEMAN

PRESENTATION OF VISITORS

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

Twelve girl scouts from troop 2048, Iowa City, Iowa, accompanied by Lynne Draper, Ann Croker and Judy Gilliam. Senator Lloyd-Jones.

AMENDMENTS FILED

S-3171	S.F.	293	Ralph Rosenberg
S-3172	S.F.	326	Ray Taylor
S-3173	S.F.	350	Merlin E. Bartz
			Patty Judge
S-3174	S.F.	358	Michael E. Gronstal
S-3175	S.F.	221	Merlin E. Bartz

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 398, by committee on Local Government, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement.

Read first time and placed on calendar.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 277** be referred from the Regular Calendar to the committee on Commerce and that **Senate File 292** be referred from the Regular Calendar to the committee on Judiciary.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 226

On motion of Senator Deluhery, **Senate File 226**, a bill for an act relating to school administration, accreditation, finance, transportation, and official newspaper publication, was taken up for consideration.

Senator Hedge offered amendment S—3178 filed by Senators Hedge, et al., from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3178 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. 226) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Varn	Vilsack
Welsh	Zieman		

Nays, 2:

Bartz Lind

Absent or not voting, 2:

Rensink Tinsman

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 Kibbie, Senate File 327, a bill for an act providing for a reduction in the foundation property tax levy for certain school districts under the state school foundation program and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 327) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rensink Tinsman

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

Senate File 315

On motion of Senator Priebe, Senate File 315, a bill for an act relating to the selection of trustees for sanitary districts, and providing for retroactive applicability and an effective date, 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. 315) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Riordan	Rittmer	Rosenberg	Slife

Sorensen
Vilsack

Sturgeon
Welsh

Szymoniak
Zieman

Taylor

Nays, none.

Voting present, 1:

Varn

Absent or not voting, 2:

Rensink

Tinsman

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

BUSINESS PENDING

Senate File 8

The Senate resumed consideration of Senate File 8, a bill for an act relating to transportation services by regulating persons who transport rail workers and requiring liability insurance for taxicabs and making penalties applicable, and amendment S—3117 by the committee on Transportation to strike everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Gettings moved the adoption of amendment S—3117, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 8) the vote was:

Ayes, 34:

Bartz
Connolly
Fraise
Hester
Judge
Lind
Priebe

Bisignano
Deluhery
Gettings
Horn
Kersten
Lloyd-Jones
Riordan

Boswell
Dieleman
Giannetto
Husak
Kibbie
Murphy
Rittmer

Buhr
Fink
Gronstal
Jensen
Kramer
Palmer
Rosenberg

Slife
Vilsack

Sorensen
Welsh

Sturgeon

Szymoniak

Nays, 14:

Banks
Fuhrman
McLaren
Varn

Bennett
Hedge
Pate
Zieman

Borlaug
Maddox
Rife

Drake
McKean
Taylor

Absent or not voting, 2:

Rensink

Tinsman

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 174

On motion of Senator Rosenberg, Senate File 174, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator McKean asked and received unanimous consent that action on **Senate File 174** be deferred.

Senate File 364

On motion of Senator Connolly, Senate File 364, a bill for an act relating to nonpublic school pupil textbook services, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 364) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Tinsman

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

BUSINESS PENDING

Senate File 225

The Senate resumed consideration of Senate File 225, a bill for an act related to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the governor's office, and providing for related matters, previously deferred.

Senator Rife offered amendment S—3182 filed by Senators Rife, Priebe and Varn from the floor to pages 1, 2, 29 and the title page of the bill and moved its adoption.

Amendment S—3182 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. 225) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Tinsman

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 312

On motion of Senator Dieleman, Senate File 312, a bill for an act relating to the formation of the friends of capitol hill nonprofit corporation, 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. 312) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Tinsman

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

Senate File 326

On motion of Senator Vilsack, Senate File 326, a bill for an act relating to participation in family support programs, was taken up for consideration.

Senator Taylor offered amendment S—3172 filed by him from the floor to page 1 and to the title page of the bill and moved its adoption.

Senator Connolly raised the point of order that amendment S—3172 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3172 out of order.

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

On the question "Shall the bill pass?" (S.F. 326) the vote was:

Ayes, 47:

Bartz	Bennett	Borlaug	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Varn
Vilsack	Welsh	Zieman	

Nays, 1:

Banks

Absent or not voting, 2:

Bisignano

Tinsman

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

Senate File 360

On motion of Senator Sturgeon, Senate File 360, a bill for an act relating to the opening of certain adoption records, was taken up for consideration.

Senator Jensen asked and received unanimous consent that action on **Senate File 360** be deferred.

BUSINESS PENDING

Senate File 294

The Senate resumed consideration of Senate File 294, a bill for an act relating to qualifications for sheriffs, previously deferred.

Senator Fuhrman offered amendment S—3180 filed by Senators Fuhrman and Szymoniak 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—3180 be adopted?" (S.F. 294) the vote was:

Ayes, 7:

Fuhrman	Kramer	Lloyd-Jones	Maddox
Sturgeon	Szymoniak	Varn	

Nays, 41:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Lind
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Taylor	Vilsack	Welsh
Zieman			

Absent or not voting, 2:

Bisignano	Tinsman
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Amendment S—3180 lost.

Senator Priebe offered amendment S—3183 filed by Senators Priebe and Kibbie from the floor to page 1 of the bill.

Senator Fraise called for a division of amendment S—3183: lines 2-4 as division S—3183A and lines 5-8 as division S—3183B.

Senator Priebe moved the adoption of division S—3183A.

A record roll call was requested.

On the question "Shall division S—3183A be adopted?" (S.F. 294) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fuhrman	Giannetto	Gronstal	Hedge
Horn	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox

McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Zieman		

Nays, 7:

Fraise	Gettings	Hester	Husak
Jensen	Vilsack	Welsh	

Absent or not voting, 1:

Tinsman

Division S—3183A was adopted.

Senator Priebe moved the adoption of division S—3183B, which motion prevailed by voice vote.

Senator Husak asked and received unanimous consent that action on **Senate File 294** be deferred.

Senate File 275

On motion of Senator Gronstal, Senate File 275, a bill for an act creating an advisory council on critical infrastructure needs and providing for the council's repeal, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—3159 filed by the committee on State Government on March 18, 1993, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3159 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. 275) the vote was:

Ayes, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn

Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Nays, 22:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Zieman		

Absent or not voting, 2:

Sorensen	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.

Senate File 286

On motion of Senator Welsh, Senate File 286, a bill for an act relating to the release of a mortgage, availability of an abstract of title, and increasing a penalty, 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. 286) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Tinsman

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

Senator Horn asked and received unanimous consent to take up for consideration Senate File 371.

Senate File 371

On motion of Senator Giannetto, Senate File 371, a bill for an act relating to probate, including certain notice provisions and statutory shares, was taken up for consideration.

Senator Giannetto moved that the bill be read the last time now and placed upon its passage, 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, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Tinsman

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

MOTION TO RECONSIDER LOST

Senate File 103

Senator Connolly called up the motion to reconsider Senate File 103, a bill for an act repealing the starting date for elementary and secondary schools, filed by him on February 25, 1993, found on page 432 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 103) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Borlaug
Boswell	Deluhery	Dieleman	Drake
Fraise	Hedge	Hester	Husak
Judge	Kersten	Kibbie	Lind
McLaren	Murphy	Palmer	Priebe
Rife	Riordan	Slife	Taylor

Nays, 25:

Bisignano	Buhr	Connolly	Fink
Fuhrman	Gettings	Giannetto	Gronstal
Horn	Jensen	Kramer	Lloyd-Jones
Maddox	McKean	Pate	Rensink
Rittmer	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Vilsack	Welsh
Zieman			

Absent or not voting, 1:

Tinsman

The motion lost.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 374.

Senate File 374

On motion of Senator Lloyd-Jones, Senate File 374, a bill for an act relating to the state department of transportation

concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials, 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. 374) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Tinsman

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

BUSINESS PENDING

Senate File 294

The Senate resumed consideration of Senate File 294, a bill for an act relating to qualifications for sheriffs, previously deferred.

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

On the question "Shall the bill pass?" (S.F. 294) the vote was:

Ayes, 43:

Banks	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Gettings
Giannetto	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Vilsack	Welsh	

Nays, 6:

Bartz	Borlaug	Fuhrman	McKean
Pate	Zieman		

Absent or not voting, 1:

Tinsman

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

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 190** be referred from the Ways and Means Calendar to the committee on **State Government** and **Senate File 386** be referred from the Regular Calendar to the committee on **State Government**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 319

Senator Murphy withdrew the motion to reconsider Senate File 319, a bill for an act relating to records and minutes of public bodies which are subject to public inspection, filed by him on March 22, 1993, and found on page 753 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 315, 278 and 319** be **immediately messaged** to the House.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 117

Senators Varn and Szymoniak withdrew the motions to reconsider Senate File 117, a bill for an act to amend the title and scope and responsibilities of the council on chemically exposed infants to include children, filed by them on March 2, 1993, and found on page 472 of the Senate Journal.

INTRODUCTION OF BILL

Senate File 399, by committee on Local Government, a bill for an act relating to the charter commission process and alternative forms of government, including certain taxation authority and a retroactive applicability provision.

Read first time and placed on calendar.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards, commissions and departments to standing committees as indicated for investigation on March 22, 1993:

AGRICULTURE

Marie G. Ellingson and Carolyn A. Roberts as members of the Iowa Grain Indemnity Fund Board.

Linda D. Appelgate, Oliver J. Emerson and Everett Lee Faris as members of the State Soil Conservation Committee.

BUSINESS AND LABOR RELATIONS

Harrison "Skip" Weber as a member of the Employment Appeal Board.

Cynthia S. Houlson, Ann M. Menke and Jean E. Negley as members of the Job Service Advisory Council.

Allen J. Meier as Labor Commissioner.

COMMERCE

Margaret M. Chadwell and Ernest W. Gilson as members of the Credit Union Review Board.

Richard H. Buenneke as Superintendent of Banking.

James E. Forney as Superintendent of Credit Unions.

Robert W. DeCook and Robert Friedrich as members of the Title Guaranty Division Board.

EDUCATION

Judith J. Brueggeman, Vickie L. Caldwell, Mary Conrad, Martha J. Cumpton, Daniel R. Martinez, Monsignor W. Robert Schmidt and Maureen A. White as members of the Board of Educational Examiners.

Donald C. Byers, Barbara J. Higdon and James L. Robinson as members of the First in the National in Education Foundation Governing Board.

Richard C. Bjorlo as a member of the Iowa Higher Education Loan Authority.

Marilyn J. Perkins as a member of the School Budget Review Committee.

Owen J. Newlin, Nancy C. Pellett and Marvin A. Pomerantz as members of the State Board of Regents.

ENVIRONMENT AND ENERGY UTILITIES

Verlon L. Britt, William A. Ehm, Richard C. Hartsuck, Rozanne E. King and Margaret M. Prah as members of the Environmental Protection Commission.

Douglas N. Rozendaal as a member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

A.H. Junior Cooper, William J. Horan and Ramona M. Paulin as members of the Renewable Fuel Advisory Committee.

Dennis Nagel as Chairperson of the Utilities Board.

Nancy S. Boyd as a member of the Utilities Board.

HUMAN RESOURCES

Dr. Thomas J. Henrich, Dominick D. Pellegrino and Ruth M. Roberts as members of the Board of Behavioral Science Examiners.

Dr. Donald L. Skinner and William W. Crews as members of the Board of Physician Assistant Examiners.

Marian A. Williams as a member of the Commission for the Blind.

Kevin J. Beauvais, Sandra G. Evans and Thomas F. Nugent as members of the Commission on Community Action Agencies.

Alyce M. Elmitt, Edwin Gantz and Clemmie Hightower as members of the Commission of Elder Affairs.

George B. Kerr, Jill Robinson and Joan A. Webster-Vore as members of the Commission on the Deaf.

Richard D. Arnold, Richard S. Burchett, Thomas G. Rotherham and Catherine Williams as members of the Council on Human Services.

Charles Palmer as Director of Human Services.

Joan A. Brown, Dr. Marilee Fredericks, Frank H. Hermsen and Beverly A. Sanderson as members of the Mental Health and Mental Retardation Commission.

Billy S. Cox, Verna L. Welte and Frank Zlatnik as members of the Prevention of Disabilities Policy Council.

Jerry R. Foxhoven, Glenda Griffin and Kathryn M. Youberg as members of the State Citizen Foster Care Review Board.

Joni L. Keith and Marion R. Neely as members of the State Health Facilities Council.

JUDICIARY

Richard G. Moore as Administrator of the Division of Criminal and Juvenile Justice Planning.

Mildred Elliott and Suellen Overton as members of the Board of Corrections.

Robert Jackson, Sr. and Joanne C. Lorence as members of the Board of Parole.

Lester D. Menke as a member of the Commission on Judicial Qualifications.

Loras A. Jaeger and Connie Sue Ricklefs as members of the Drug Abuse Prevention and Education Advisory Council.

Gopal T.K. Krishna as a member of the Indigent Defense Advisory Commission.

Jeffrey W. Courter, Orlando Ray Dial, Carolyn J. Rants and Dale P. Repass as member of the Iowa State Civil Rights Commission.

Douglas W. Book, Judy Bradshaw and Jackie Kenniker as members of the Narcotics Enforcement Advisory Council.

Virginia E. Ruark as a member of the State Judicial Nominating Commission,

William L. Wegman as State Public Defender.

LOCAL GOVERNMENT

Jill L. Kirkberg and Sharon K. McCrabb as members of the County Finance Committee.

NATURAL RESOURCES

Thomas G. Monroe, Douglas Smalley and Lavonne M. Troyna as members of the Natural Resource Commission.

Judith E. Harrison, Hillary B. Maurer, Stan M. Milles and Gary R. Shawver as members of the Well Contractors' Council.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Julie J. Bulkeley, Frederick W. Hagemann, Harris D. Honsey and William B. Trent, Jr. as members of the Iowa Economic Development Board.

Carol A. Garrett, Doris A. Hansen and John B. Parks as members of the Iowa Product Development Corporation.

Donald R. Graves, II, Eugene H. Philip, Max S. Phillips and Patrick A. Ricks as members of the Small Business Advisory Council.

Lois E. Gurdin, Gary D. Lamb and Nancy J. Tomes as members of the Wallace Technology Transfer Foundation of Iowa.

STATE GOVERNMENT

Dorothy R. Dunphy as a member of the Accountancy Examining Board.

Gary L. Lawson as Administrator of the Division on the Status of African-Americans.

Philip A. Hauan as a member of the Alcoholic Beverages Commission.

Gwendolyn S. Ecklund, Katherine L. Schwensen and Kenneth J. Steffen as members of the Architectural Examining Board.

Raymond D. Barker and Suzanne J. Palmer as members of the Barber Examining Board.

Patricia L. Gourley and Ruth Daggett as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Sandra K. Bane, Eugene M. Meister and Cherie Oetker as members of the Board of Nursing Examiners.

Molly W. Williams as a member of the Campaign Finance Disclosure Commission.

Dr. Mark A. Kruse, Janis B. Rowedder and John W. Quinlan as members of the Chiropractic Examining Board.

David O. Creighton, Kenneth M. Lang, Barbara A. Lukavsky and Catherine I. Ward as members of the Cosmetology Examining Board.

Marilyn J. Corwin, Dr. Bruce C. Heilman and Marilyn J. May as members of the Dental Examining Board.

Kathy E. Buffington as a member of the Dietetic Examining Board.

J. Michael Carlstrom as Director of the Department of General Services.

Gwendolyn M. Boeke, Dr. Kenneth A. Brewer and Harold Wight as members of the Engineering and Land Surveying Examining Board.

Sandra Lee Benedett and Joanne L. Stockdale as members of the Investment Board of the IPERS.

Norma D. Lyon and Michael K. Eberle as members of the Iowa Board of Veterinary Medicine.

Dennis A. Ausenhuis, Gregory C. Jones and Joan F. Vitale as members of the Landscape Architectural Examining Board.

Edra E. Broich, Dr. Eddie D. DeHaan and Dr. Roger F. Senty as members of the Medical Examining Board.

Shellie L. Madsen and Ruth A. Ohde as members of the Mortuary Science Examining Board.

Dr. Donovan L. Crouch and Dr. Larry W. Hicks as members of the Optometry Examining Board.

Mary P. Mitchell, Phyllis A. Olson and Matthew C. Osterhaus as members of the Pharmacy Examining Board.

Kathryn D. Eilers, Daniel L. Mack and Deborah J. Mehlhop as members of the Physical and Occupational Therapy Examining Board.

Dr. Ronald D. Lee and Cheryl A. Semerad as members of the Podiatry Examining Board.

Kathryn C. Gerken, Dr. Robert D. Jones and Madonna J. McGuire as members of the Psychology Examining Board.

Lyle Craig Harris, Dianne L. Paca and Lil M. Perry as members of the Real Estate Appraiser Examining Board.

John E. Knapp and Theresa A. Loffredo as members of the Real Estate Commission.

Dr. Greg A. Hicklin and Joan M. Treirvieler as members of the Respiratory Care Advisory Committee.

Bruce D. Buchanan and Raymond E. Franklin as members of the Social Work Examining Board.

Colette J. Kinkel and Jill M. Miller as members of the Speech Pathology and Audiology Examining Board.

Karen L. Bossard and Naomi O. Merryman as members of the State Board of Examiners for Nursing Home Administrators.

Rita D. Sealock and Del Van Horn as members of the State Racing and Gaming Commission.

TRANSPORTATION

Jacqueline Day and Thomas C. Lillquist as members of the Iowa Law Enforcement Academy Council.

Darrel Rensink as Director of Transportation.

Lloyd Clarke and M. Catherine Dunn as members of the State Transportation Commission.

WAYS AND MEANS

James H. Crane, Deborah S. Krauth and Earl Yoder as members of the Iowa Finance Authority.

Richard G. Peebler as a member of the State Board of Tax Review.

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 399 (SSB 298), a bill for an act relating to the charter commission process and alternative forms of government, including certain taxation authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Buhr, Fraise, Jensen, Rittmer, Szymoniak, Vilsack and Ziemann. Nays, 1: Maddox. Absent or not voting, 1: 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 399 and they were attached to the committee report.

WAYS AND MEANS

Final Bill Action: SENATE FILE 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 226 passed the Senate on March 22, 1992.

WILLIAM PALMER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 286 passed the Senate on March 22, 1993.

BERLE E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 286 passed the Senate on March 22, 1993.

JOE J. WELSH

BILLS ASSIGNED TO COMMITTEE

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

S.F.	369	Appropriations
S.F.	395	State Government

AMENDMENTS FILED

S-3176	S.F.	314	Linn Fuhrman
S-3177	S.F.	196	Jim Riordan
S-3178	S.F.	226	H. Kay Hedge Berl E. Priebe Ray Taylor Emil J. Husak
S-3179	S.F.	348	Linn Fuhrman Richard F. Drake
S-3180	S.F.	294	Linn Fuhrman Elaine Szymoniak
S-3181	S.F.	140	Albert Sorensen
S-3182	S.F.	225	Jack Rife Berl E. Priebe Richard J. Varn

S—3183	S.F.	294	Berl Priebe John P. Kibbie
S—3184	S.F.	221	Randal J. Giannetto
S—3185	H.F.	430	Joe J. Welsh James B. Kersten
S—3186	S.F.	221	Mary Kramer Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Tuesday, March 23, 1993.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
 FORTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, March 23, 1993

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

Prayer was offered by the Reverend Michael Stadie, pastor of the Bethesda Lutheran Church, Clarinda, Iowa.

The Journal of the Monday, March 22, 1993, was approved.

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 347

On motion of Senator Kibbie, Senate File 347, a bill for an act relating to public retirement systems, and including effective and retroactive applicability dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 347) the vote was:

Ayes, 49:

Banks
 Borlaug
 Deluhery
 Fraise

Bartz
 Boswell
 Dieleman
 Fuhrman

Bennett
 Buhr
 Drake
 Gettings

Bisignano
 Connolly
 Fink
 Giannetto

Gronstal	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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 347 be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hedge until he arrives on request of Senator Rife.

President pro tempore Palmer took the chair at 9:26 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 140

On motion of Senator Sorensen, Senate File 140, a bill for an act to allow an electric generation and transmission cooperative to establish classes of memberships, was taken up for consideration.

Senator Sorensen offered amendment S—3181 filed by him on March 22, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3181 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 140) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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

Senate File 296

On motion of Senator Sturgeon, Senate File 296, a bill for an act relating to criminal proceedings and amounts available for victim reparation, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 296) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise

Fuhrman	Gettings	Giannetto	Gronstal
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Boswell Hedge

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

Senate File 314

On motion of Senator Connolly, Senate File 314, a bill for an act relating to railroad sanitation laws and appeal rights under the occupational safety and health laws and making other technical changes, was taken up for consideration.

Senator Fuhrman offered amendment S—3176 filed by him on March 22, 1993, to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 30.

Amendment S—3176 lost.

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

On the question "Shall the bill pass?" (S.F. 314) the vote was:

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lind
Lloyd-Jones	Murphy	Palmer	Riordan

Rosenberg
Varn

Sorensen
Vilsack

Sturgeon
Welsh

Szymoniak

Nays, 22:

Banks
Drake
Kersten
McLaren
Rife
Tinsman

Bartz
Fuhrman
Kramer
Pate
Rittmer
Zieman

Bennett
Hester
Maddox
Priebe
Slife

Borlaug
Jensen
McKean
Rensink
Taylor

Absent or not voting, 1:

Hedge

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

Senate File 342

On motion of Senator Sturgeon, Senate File 342, a bill for an act relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on **Senate File 342** be deferred.

Senator Horn asked and received unanimous consent to take up for consideration Senate File 149.

Senate File 149

On motion of Senator Fuhrman, Senate File 149, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants, was taken up for consideration.

Senator Rosenberg offered amendment S—3188 filed by him from the floor to pages 1-3 of the bill.

Senator Sturgeon asked and received unanimous consent that action on amendment S—3188 and **Senate File 149** be deferred.

BUSINESS PENDING

Senate File 342

The Senate resumed consideration of Senate File 342, a bill for an act relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties, previously deferred.

Senator Slife offered amendment S—3192 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3192 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. 342) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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 for consideration Senate File 387.

Senate File 387

On motion of Senator Szymoniak, Senate File 387, a bill for an act relating to the family resource center demonstration program, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 387) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Hedge

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

Senate File 361

On motion of Senator Sturgeon, Senate File 361, a bill for an act relating to substances regulated under the Iowa uniform controlled substances act, was taken up for consideration.

Senator Priebe offered amendment S—3190 filed by Senators Priebe, et al., from the floor to pages 1 and 4 of the bill.

Senator Bartz asked and received unanimous consent that action on amendment S—3190 and Senate File 361 be deferred.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that Senate File 342 be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 400, by Murphy, a bill for an act relating to the taxation of interest income from securities issued by a political subdivision of this state and providing effective and applicability date provisions.

Read first time and passed on file.

RECESS

On motion of Senator Husak, the Senate recessed at 10:40 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:45 p.m., President Boswell 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.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S. F.	7	Rules and Administration
S. F.	82	Ways and Means
S. F.	323	Agriculture
S. F.	328	Ways and Means
S. F.	331	Ways and Means
S. F.	341	Ways and Means
S. F.	351	Rules and Administration
S. F.	359	Rules and Administration
S. F.	370	Ways and Means
S. F.	372	Ways and Means
S. C. R.	17	Rules and Administration
S. R.	4	Rules and Administration

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 14

On motion of Senator Fink, Senate Concurrent Resolution 14, a concurrent resolution to prohibit the establishment of a repository for the disposal of nuclear waste, including a monitored retrievable storage facility, in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Judge offered amendment S—3157 filed by her on March 18, 1993, to page 1 of the resolution and moved its adoption.

Amendment S—3157 was adopted by a voice vote.

Senator Fink moved the adoption of Senate Concurrent Resolution 14 as amended, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 318

On motion of Senator Judge, Senate File 318, a bill for an act requiring the approval of the general assembly prior to the granting of a permit for the establishment and operation of a nuclear waste disposal site in Iowa, was taken up for consideration.

Senator Judge offered amendment S—3203 filed by her from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3203 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 318) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 1:

Taylor

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 361

The Senate resumed consideration of Senate File 361, a bill for an act relating to substances regulated under the Iowa uniform controlled substances act, and amendment S—3190 by Senators Priebe, et al., to pages 1 and 4 of the bill, previously deferred.

Senator Fuhrman offered amendment S—3200 filed by Senators Fuhrman, Bartz and Sturgeon from the floor to amendment S—3190 and moved its adoption.

Amendment S—3200 was adopted by a voice vote.

Senator Priebe moved the adoption of amendment S—3190 as amended, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 361) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 373

On motion of Senator Giannetto, Senate File 373, a bill for an act relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses, was taken up for consideration.

Senator McKean offered amendment S—3198 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—3198 be adopted?" (S.F. 373) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Borlaug
Dieleman	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Slife	Taylor
Tinsman	Zieman		

Nays, 28:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rittmer	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Vilsack	Welsh

Amendment S—3198 lost.

Senator Connolly asked and received unanimous consent that action on **Senate File 373** be deferred.

Senator Horn asked and received unanimous consent to take up for consideration **Senate File 392**.

Senate File 392

On motion of Senator Rosenberg, Senate File 392, a bill for an act relating to duties and procedures of the department of corrections, providing for agreements for private employment of inmates, application of witness fees earned by an inmate toward payment of restitution or crime victim compensation, removing language relating to transfers of certain inmates, providing for temporary supervision and placement of inmates in violator facilities, making changes in provisions relating to escape from work release, and changing times of payment of certain funds to inmates, was taken up for consideration.

Senator Rosenberg offered amendment S—3201 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3201 was adopted by a voice vote.

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

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

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

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 193** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 367

On motion of Senator Husak, Senate File 367, a bill for an act relating to payment of legislative salaries when a member resigns or is removed from office, and requiring repayment under certain circumstances, was taken up for consideration.

Senator Husak offered amendment S—3210 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3210 was adopted by a voice vote.

Senator Priebe offered amendment S—3193 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—3193 be adopted?" (S.F. 367) the vote was:

Ayes, 37:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Deluhery	Dieleman
Drake	Fraise	Fuhrman	Gettings
Giannetto	Hedge	Hester	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittner
Slife	Taylor	Tinsman	Vilsack
Zieman			

Nays, 13:

Bisignano	Connolly	Fink	Gronstal
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Horn
Sorensen
Welsh

Lloyd-Jones
Sturgeon

Murphy
Szymoniak

Rosenberg
Varn

Amendment S—3193 was adopted.

Senator Varn offered amendment S—3212 filed by Senators Varn, Lind and Husak from the floor to page 1 of the bill.

Senator Rittmer asked and received unanimous consent that action on amendment S—3212 and Senate File 367 be deferred.

Senator Horn asked and received unanimous consent to take up for consideration Senate File 384.

Senate File 384

On motion of Senator Sturgeon, Senate File 384, a bill for an act relating to dependent adult abuse and establishing criminal penalties, was taken up for consideration.

Senator Sturgeon asked and received unanimous consent that action on Senate File 384 be deferred.

Senate File 219

On motion of Senator Szymoniak, Senate File 219, a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility, was taken up for consideration.

Senator Szymoniak offered amendment S—3153 filed by her on March 17, 1993, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—3153 was adopted by a voice vote.

Senator Bartz offered amendment S—3091 filed by him on March 8, 1993, to pages 1-3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3091 be adopted?" (S.F. 219) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Bisignano
Borlaug	Buhr	Dieleman	Fuhrman
Giannetto	Hedge	Hester	Husak
Jensen	Kersten	Lind	Maddox
McLaren	Pate	Priebe	Rensink
Rife	Slife	Taylor	Zieman

Nays, 26:

Boswell	Connolly	Deluhery	Drake
Fink	Fraise	Gettings	Gronstal
Horn	Judge	Kibbie	Kramer
Lloyd-Jones	McKean	Murphy	Palmer
Riordan	Rittmer	Rosenberg	Sorensen
Sturgeon	Szymoniak	Tinsman	Varn
Vilsack	Welsh		

Amendment S—3091 lost.

Senator Husak asked and received unanimous consent that action on Senate File 219 be deferred.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Jeremy Mueller, Oelwein—Attaining the distinguished rank of Eagle Scout. Senator Murphy (3-15-93).

Coach Doug Moody and the Crusaders boys basketball team of Bishop Heelan Catholic High School—Being ranked number one during a successful basketball season, and placing fourth - Class 4A Iowa Boys State basketball tournament on March 20, 1993. Senators Sturgeon and Banks (3-22-93).

Steve Larkin of the Heelan Crusaders—Being selected to the All Tournament basketball team at the Iowa Boys State basketball tournament on March 20, 1993. Senator Banks (3-22-93).

Scott Hogeland and the New Hampton Chickasaw's boys basketball team—Winning the Class 3A Boys State basketball tournament 1993. Senator Borlaug (3-23-93).

Bob Greer, Correctionville—Recognition of his 100th birthday. Senator Banks (3-26-93).

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 20

EDUCATION: Szymoniak, Chair; Kibbie and Tinsman

Senate File 277

COMMERCE: Gronstal, Chair; Deluhery, Fuhrman, Jensen and Varn

Senate File 317

TRANSPORTATION: Jensen, Chair; Fink and Gettings

Senate File 332

EDUCATION: Connolly, Chair; Kibbie and Kramer

Senate File 337

HUMAN RESOURCES: Szymoniak, Chair; Sturgeon and Tinsman

House File 384**EDUCATION: Murphy, Chair; Kramer and Varn****House File 409****TRANSPORTATION: Dieleman, Chair; Fraise and Jensen****House File 448****EDUCATION: Szymoniak, Chair; Kramer and Vilsack****EXPLANATION OF VOTES**

MR. PRESIDENT: Due to the weather, I was necessarily absent from the Senate chamber on March 22, 1993. Had I been present, I would have voted "aye" on the following bills:

Senate Files 295, 278, 258, 320, 319, 293 and 38.

MIKE CONNOLLY

SPECIAL VISITORS

Senator Riordan introduced Dr. Leonid Kiselev, President of the Russian Institute of Agriculture in Balashika, Russia; Tatiana Severnaya from Moscow, an MBA student at Fairfield, Iowa; and their host, Mr. Charles Borden.

Dr. Kiselev is in Iowa visiting colleges and universities in order to develop relationships with institutions of higher learning to use models they have developed in his country.

Senator McLaren presented him with a gift of an Iowa pin and a tin of caramels.

REPORTS OF COMMITTEE MEETINGS**RULES AND ADMINISTRATION**

Convened: March 22, 1993, 10:02 a.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gronstal, Husak and Palmer.

Members Absent: Gettings, Kramer and Lind.

Committee Business: Assigned governor's appointees to Senate standing committees for investigation.

Adjourned: 10:05 a.m.

WAYS AND MEANS

Convened: March 22, 1993, 1:38 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: none.

Committee Business: Recommended passage of Senate File 268.

Adjourned: 2:02 p.m.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs and providing for the elimination of the health data commission and the department of human rights.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3213.

Final Vote: Ayes, 24: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

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

S.F. 400 Ways and Means

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3091 to Senate File 219 failed to be adopted by the Senate on March 23, 1993.

JAMES RIORDAN

AMENDMENTS FILED

S-3187	S. F.	221	Elaine Szymoniak Maggie Tinsman
S-3188	S. F.	149	Ralph Rosenberg
S-3189	S. F.	325	Jack W. Hester
S-3190	S. F.	361	Berl Priebe Jean Lloyd-Jones Mike Connolly Ralph Rosenberg Jim Kersten Jim Lind
S-3191	S. F.	382	Ray Taylor
S-3192	S. F.	342	Harry Slife
S-3193	S. F.	367	Berl Priebe
S-3194	S. F.	3	Joe Welsh
S-3195	S. F.	349	Joe Welsh
S-3196	S. F.	138	Berl Priebe
S-3197	S. F.	32	Tony Bisignano John W. Jensen
S-3198	S. F.	373	Andy McKean
S-3199	S. F.	363	Joe J. Welsh Richard F. Drake
S-3200	S. F.	361	Linn Fuhrman Merlin Bartz Al Sturgeon
S-3201	S. F.	392	Ralph Rosenberg
S-3202	S. F.	61	Human Resources
S-3203	S. F.	318	Patty Judge
S-3204	S. F.	358	Joe Welsh
S-3205	S. F.	3	Maggie Tinsman Florence Buhr Richard J. Varn
S-3206	S. F.	354	Joe J. Welsh

S-3207	S.F.	398	Elaine Szymoniak
S-3208	S.F.	358	O. Gene Maddox Tony Bisignano Mary E. Kramer Elaine Szymoniak
S-3209	S.F.	165	Paul Pate
S-3210	S.F.	367	Emil Husak
S-3211	S.F.	303	Tony Bisignano
S-3212	S.F.	367	Richard Varn Jim Lind Emil Husak
S-3213	H.F.	429	Appropriations
S-3214	S.F.	365	Jim Lind

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 22 and 23, 1993, to investigate the appointment of the following appointees:

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

MARIE G. ELLINGSON: Priebe, Chair; Sorensen and Bartz
CAROLYN A. ROBERTS: Husak, Chair; Boswell and McLaren

As members of the State Soil Conservation Committee:

LINDA D. APPELGATE: Palmer, Chair; Riordan and Judge
OLIVER J. EMERSON: Zieman, Chair; Fraise and Giannetto
EVERETT LEE FARIS: Hester, Chair; Banks and Boswell

BUSINESS AND LABOR RELATIONS

As a member of the Employment Appeal Board:

HARRISON "SKIP" WEBER: Buhr, Chair; Gettings and Maddox

As members of the Job Service Advisory Council:

CYNTHIA S. HOULSON: Giannetto, Chair; Connolly and Taylor
ANN M. MENKE: Sturgeon, Chair; Giannetto and Taylor

JEAN E. NEGLEY: Fuhrman, Chair; Gettings and Connolly

As Labor Commissioner:

ALLEN J. MEIER: Gettings, Chair; Murphy and Slife

COMMERCE

As members of the Credit Union Review Board:

MARGARET M. CHADWELL: Gettings, Chair; Bisignano and Pate

ERNEST W. GILSON: Gettings, Chair; Bisignano and Pate

As Superintendent of Banking:

RICHARD H. BUENNEKE: Deluhery, Chair; Palmer and Jensen

As Superintendent of Credit Unions:

JAMES E. FORNEY: Gettings, Chair; Deluhery and Kersten

As members of the Title Guaranty Division Board:

ROBERT W. DeCOOK: Gronstal, Chair; Varn and Pate

ROBERT FRIEDRICH: Gronstal, Chair; Varn and Pate

EDUCATION

As members of the Board of Educational Examiners:

JUDITH J. BRUEGEMAN: Fink, Chair; Szymoniak and Lind

VICKIE L. CALDWELL: Varn, Chair; Szymoniak and Rensink

MARY CONRAD: Kibbie, Chair; Szymoniak and Rensink

MARTHA J. CUMPTON: Fink, Chair; Deluhery and Rensink

DANIEL R. MARTINEZ: Fink, Chair; Vilsack and Tinsman

MONSIGNOR W. ROBERT SCHMIDT: Deluhery, Chair; Kibbie and Kramer

MAUREEN A. WHITE: Szymoniak, Chair; Murphy and Slife

As members of the First in the Nation in Education Foundation Governing Board:

DONALD C. BYERS: Dieleman, Chair; Varn and Kramer

BARBARA J. HIGDON: Fink, Chair; Szymoniak and Rensink

JAMES L. ROBINSON: Murphy, Chair; Vilsack and Lind

As a member of the Iowa Higher Education Loan Authority:

RICHARD C. BJORLO: Deluhery, Chair; Dieleman and Tinsman

As a member of the School Budget Review Committee:

MARILYN J. PERKINS: Fink, Chair; Kibbie and Kramer

As members of the State Board of Regents:

OWEN J. NEWLIN: Deluhery, Chair; Vilsack and Slife

NANCY C. PELLETT: Varn, Chair; Vilsack and Kramer

MARVIN A. POMERANTZ: Connolly, Chair; Kibbie and Slife

ENVIRONMENT AND ENERGY UTILITIES

As members of the Environmental Protection Commission:

VERLON L. BRITT: Gronstal, Chair; Rosenberg and Kersten

WILLIAM A. EHM: Welsh, Chair; Sorensen and Hedge

RICHARD C. HARTSUCK: Sorensen, Chair; Gronstal and Borlaug

ROZANNE E. KING: Fink, Chair; Welsh and Hedge

MARGARET M. PRAHL: Welsh, Chair; Fink and Banks

As a member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

DOUGLAS N. ROZENDAAL: Gronstal, Chair; Rosenberg and Kersten

As members of the Renewable Fuel Advisory Committee:

A.H. JUNIOR COOPER: Welsh, Chair; Borlaug and Sorensen

WILLIAM J. HORAN: Fink, Chair; Banks and Welsh

RAMONA M. PAULIN: Sorensen, Chair; Hedge and Deluhery

As Chairperson of the Utilities Board:

DENNIS NAGEL: Rosenberg, Chair; Gronstal and Kersten

As a member of the Utilities Board:

NANCY S. BOYD: Deluhery, Chair; Rosenberg and Kersten

HUMAN RESOURCES

As members of the Board of Behavioral Science Examiners:

RUTH M. ROBERTS: Varn, Chair; Lloyd-Jones and Kramer

DOMINICK D. PELLEGRINO: Varn, Chair; Lloyd-Jones and Kramer

DR. THOMAS J. HENRICH: Varn, Chair; Lloyd-Jones and Kramer

As members of the Board of Physician Assistant Examiners:

WILLIAM W. CREWS: Riordan, Chair; Rittmer and Sturgeon

DR. DONALD L. SKINNER: Riordan, Chair; Rittmer and Sturgeon

As a member of the Commission for the Blind:

MARIAN A. WILLIAMS: Judge, Chair; Riordan and Tinsman

As members of the Commission of Elder Affairs:

ALYCE M. ELMITT: Buhr, Chair; Tinsman and Rittmer

EDWIN GANTZ: Buhr, Chair; Tinsman and Rittmer

CLEMMIE HIGHTOWER: Buhr, Chair; Tinsman and Rittmer

As members of the Commission on Community Action Agencies:

KEVIN J. BEAUVAIS: Lloyd-Jones, Chair; Buhr and Tinsman

SANDRA G. EVANS: Lloyd-Jones, Chair; Buhr and Tinsman

THOMAS F. NUGENT: Lloyd-Jones, Chair; Buhr and Tinsman

As members of the Commission on the Deaf:

GEORGE B. KERR: Szymoniak, Chair; Judge and Bartz

JILL ROBINSON: Szymoniak, Chair; Judge and Bartz

JOAN A. WEBSTER-VORE: Szymoniak, Chair; Judge and Bartz

As members of the Council on Human Services:

RICHARD D. ARNOLD: Tinsman, Chair; Szymoniak and Rittmer

RICHARD S. BURCHETT: Lloyd-Jones, Chair; Buhr and Tinsman

THOMAS G. ROTHERHAM: Tinsman, Chair; Szymoniak and Rittmer

CATHERINE WILLIAMS: Lloyd-Jones, Chair; Buhr and Tinsman

As Director of Human Services:

CHARLES PALMER: Szymoniak, Chair; Kramer and Lloyd-Jones

As members of the Mental Health and Mental Retardation Commission:

JOAN A. BROWN: Bartz, Chair; Tinsman and Buhr

DR. MARILEE FREDERICKS: Bartz, Chair; Tinsman and Buhr

FRANK H. HERMSEN: Bartz, Chair; Tinsman and Buhr

BEVERLY A. SANDERSON: Bartz, Chair; Tinsman and Buhr

As members of the Prevention of Disabilities Policy Council:

BILLY S. COX: Kramer, Chair; Tinsman and Riordan

VERNA L. WELTE: Kramer, Chair; Tinsman and Riordan

FRANK ZLATNIK: Kramer, Chair; Tinsman and Riordan

As members of the State Citizen Foster Care Review Board:

JERRY R. FOXHOVEN: Tinsman, Chair; Sturgeon and Bartz

KATHRYN M. YOUNG: Tinsman, Chair; Sturgeon and Bartz

GLENDA GRIFFIN: Tinsman, Chair; Sturgeon and Bartz

As members of the State Health Facilities Council:

JONI L. KEITH: Buhr, Chair; Bennett and Judge

MARION R. NEELY: Buhr, Chair; Bennett and Judge

JUDICIARY

As Administrator of the Criminal and Juvenile Justice Planning:

RICHARD G. MOORE: Sturgeon, Chair; Connolly and Fuhrman

As members of the Board of Corrections:

MILDRED ELLIOTT: Szymoniak, Chair; Lloyd-Jones and Drake

SUELLEN OVERTON: Rosenberg, Chair; Giannetto and Taylor

As members of the Board of Parole:

ROBERT JACKSON, SR.: Drake, Chair; Connolly and Giannetto

JOANNE C. LORENCE: Bisignano, Chair; Lloyd-Jones and Drake

As a member of the Commission on Judicial Qualifications:

LESTER D. MENKE: Welsh, Chair; Giannetto and Taylor

As members of the Drug Abuse Prevention and Education Advisory Council:

LORAS A. JAEGER: Taylor, Chair; Lloyd-Jones and Welsh

CONNIE SUE RICKLEFS: McKean, Chair; Rosenberg and Welsh

As a member of the Indigent Defense Advisory Commission:

GOPAL T.K. KRISHNA: Sturgeon, Chair; Rosenberg and Slife

As members of the Iowa State Civil Rights Commission:

JEFFREY W. COURTER: Rosenberg, Chair; Bisignano and Pate

ORLANDO RAY DIAL: Slife, Chair; Connolly and Szymoniak

CAROLYN J. RANTS: Sturgeon, Chair; Lloyd-Jones and Drake

DALE P. REPASS: Connolly, Chair; Giannetto and Pate

As members of the Narcotics Enforcement Advisory Council:

DOUGLAS W. BOOK: Pate, Chair; Giannetto and Lloyd-Jones

JUDY BRADSHAW: Fuhrman, Chair; Szymoniak and Connolly

JACKIE KENNIKER: Lloyd-Jones, Chair; Vilsack and Pate

As a member of the State Judicial Nominating Commission:

VIRGINIA E. RUARK: Vilsack, Chair; Szymoniak and McKean

As State Public Defender:

WILLIAM L. WEGMAN: Giannetto, Chair; Vilsack and Slife

LOCAL GOVERNMENT

As members of the County Finance Committee:

JILL L. KIRKBERG: Jensen, Chair; Priebe and Rittmer

SHARON K. McCRABB: Fraise, Chair; Vilsack and Zieman

NATURAL RESOURCES

As members of the Natural Resource Commission:

THOMAS G. MONROE: Judge, Chair; Dieleman and Hedge

DOUGLAS SMALLEY: Fink, Chair; Dieleman and Hedge

LAVONNE M. TROYNA: Riordan, Chair; Kibbie and Rensink

As members of the Well Contractors' Council:

JUDITH E. HARRISON: Judge, Chair; Sturgeon and McKean

HILLARY B. MAURER: Dieleman, Chair; Judge and Hedge

STAN N. NILLES: Kibbie, Chair; Banks and Riordan

GARY R. SHAWVER: Kibbie, Chair; Priebe and Rensink

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As members of the Iowa Economic Development Board:

JULIE J. BULKELEY: Riordan, Chair; Judge and Zieman

FREDERICK W. HAGEMANN: Bisignano, Chair; Lloyd-Jones and Maddox

HARRIS D. HONSEY: Kibbie, Chair; Riordan and Bartz

WILLIAM B. TRENT, JR.: Vilsack, Chair; Riordan and Borlaug

As members of the Iowa Product Development Corporation:

CAROL A. GARRETT: Lloyd-Jones, Chair; Vilsack and Bartz

DORIS A. HANSEN: Lloyd-Jones, Chair; Bisignano and Maddox

JOHN B. PARKS: Sorensen, Chair; Vilsack and Bennett

As members of the Small Business Advisory Council:

DONALD R. GRAVES II: Maddox, Chair; Bisignano and Kibbie

EUGENE H. PHILIPH: Bennett, Chair; Giannetto and Judge

MAX A. PHILLIPS: Borlaug, Chair; Riordan and Bartz

PATRICK A. RICKS: Giannetto, Chair; Judge and Bartz

As members of the Wallace Technology Transfer Foundation of Iowa:

LOIS E. GURDIN: Kibbie, Chair; Sorensen and Bennett

GARY D. LAMB: Riordan, Chair; Judge and Zieman

NANCY J. TOMES: Judge, Chair; Riordan and Borlaug

STATE GOVERNMENT

As a member of the Accountancy Examining Board:

DOROTHY R. DUNPHY: Kramer, Chair; Bisignano and Buhr

As Administrator of the Division on the Status of African-Americans:

GARY L. LAWSON: Rittmer, Chair; Buhr and Priebe

As a member of the Alcoholic Beverages Commission:

PHILIP A. HAUAN: McLaren, Chair; Welsh and Buhr

As members of the Architectural Examining Board:

GWENDOLYN S. ECKLUND: Pate, Chair; Sorensen and Kibbie

KATHERINE L. SCHWENNSSEN: McLaren, Chair; Fink and Priebe

KENNETH J. STEFFEN: Dieleman, Chair; Drake and Giannetto

As members of the Barber Examining Board:

RAYMOND D. BARKER: McKean, Chair; Buhr and Fink

SUZANNE J. PALMER: Lind, Chair; Bisignano and Dieleman

As members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers:

RUTH A. DAGGETT: Kramer, Chair; Fink and Giannetto

PATRICIA L. GOURLEY: Lind, Chair; Buhr and Dieleman

As members of the Board of Nursing Examiners:

SANDRA K. BANE: Kramer, Chair; Buhr and Giannetto

EUGENE M. MEISTER: Rittmer, Chair; Fink and Sorensen

CHERIE OETKER: Giannetto, Chair; Gronstal and Drake

As a member of the Campaign Finance Disclosure Commission:

MOLLY W. WILLIAMS: Kramer, Chair; Gronstal and Kibbie

As members of the Chiropractic Examining Board:

DR. MARK A. KRUSE: Pate, Chair; Dieleman and Fink

JOHN W. QUINLAN: McLaren, Chair; Bisignano and Buhr
JANIS B. ROWEDDER: Drake, Chair; Bisignano and Buhr

As members of the Cosmetology Examining Board:

DAVID O. CREIGHTON: McKean, Chair; Welsh and Gronstal
KENNETH M. LANG: Kibbie, Chair; Welsh and Drake
BARBARA A. LUKAVSKY: Lind, Chair; Priebe and Sorensen
CATHERINE I. WARD: Kramer, Chair; Fink and Giannetto

As members of the Dental Examining Board:

MARILYN K. CORWIN: McKean, Chair; Welsh and Giannetto
DR. BRUCE C. HEILMAN: Drake, Chair; Buhr and Dieleman
MARILYN J. MAY: Rittmer, Chair; Kibbie and Bisignano

As a member of the Dietetic Examining Board:

KATHY E. BUFFINGTON: Pate, Chair; Welsh and Gronstal

As Director of the Department of General Services:

J. MICHAEL CARLSTROM: Lind, Chair; Welsh and Sorensen

As members of the Engineering and Land Surveying Examining Board:

GWENDOLYN M. BOEKE: McLaren, Chair; Priebe and Sorensen
DR. KENNETH A. BREWER: Lind, Chair; Buhr and Priebe
HAROLD WIGHT: McKean, Chair; Fink and Giannetto

As members of the Investment Board of the IPERS:

SANDRA LEE BENEDETT: Kibbie, Chair; Bisignano and Kramer
JOANNE L. STOCKDALE: Kibbie, Chair; Bisignano and Kramer

As members of the Iowa Board of Veterinary Medicine:

MICHAEL K. EBERLE: Bisignano, Chair; Gronstal and Drake
NORMA D. LYON: Pate, Chair; Welsh and Giannetto

As members of the Landscape Architectural Examining Board:

DENNIS A. AUSENHUS: Pate, Chair; Priebe and Sorensen
GREGORY C. JONES: McLaren, Chair; Fink and Giannetto
JOAN F. VITALE: Rittmer, Chair; Gronstal and Kibbie

As members of the Medical Examining Board:

EDRA E. BROICH: McKean, Chair; Buhr and Dieleman
DR. EDDIE D. DeHAAN: Lind, Chair; Kibbie and Bisignano

DR. ROGER F. SENTRY: Kramer, Chair; Welsh and Gronstal

As members of the Mortuary Science Examining Board:

SHELLIE L. MADSEN: Drake, Chair; Priebe and Sorensen

RUTH A. OHDE: Rittmer, Chair; Welsh and Gronstal

As members of the Optometry Examining Board:

DR. DONOVAN L. CROUCH: McKean, Chair; Dieleman and Fink

DR. LARRY W. HICKS: Rittmer, Chair; Fink and Giannetto

As members of the Pharmacy Examining Board:

MARY P. MITCHELL: Lind, Chair; Bisignano and Buhr

PHYLLIS A. OLSON: Kramer, Chair; Gronstal and Kibbie

MATTHEW C. OSTERHAUS: Rittmer, Chair; Sorensen and Welsh

As members of the Physical and Occupational Therapy Examining Board:

KATHRYN D. EILERS: Pate, Chair; Giannetto and Priebe

DANIEL L. MACK: McLaren, Chair; Dieleman and Fink

DEBORAH J. MEHLHOP: McKean, Chair; Bisignano and Buhr

As members of the Podiatry Examining Board:

DR. RONALD D. LEE: Lind, Chair; Gronstal and Kibbie

CHERYL E. SEMERAD: Pate, Chair; Buhr and Dieleman

As members of the Psychology Examining Board:

KATHRYN C. GERKEN: Kramer, Chair; Sorensen and Welsh

DR. ROBERT D. JONES: McLaren, Chair; Kibbie and Bisignano

MADONNA J. MCGUIRE: Rittmer, Chair; Giannetto and Priebe

As members of the Real Estate Appraiser Examining Board:

LYLE CRAIG HARRIS: McKean, Chair; Welsh and Gronstal

DIANNE L. PACA: Priebe, Chair; Kramer and Dieleman

LIL M. PERRY: Lind, Chair; Priebe and Sorensen

As members of the Real Estate Commission:

JOHN E. KNAPP: Rittmer, Chair; Sorensen and Giannetto

THERESA A. LOFFREDO: Pate, Chair; Priebe and Bisignano

As members of the Respiratory Care Advisory Committee:

DR. GREG A. HICKLIN: Pate, Chair; Welsh and Priebe

JOAN M. TREIRVIELER: McLaren, Chair; Dieleman and Fink

As members of the Social Work Examining Board:

BRUCE D. BUCHANAN: McKean, Chair; Buhr and Giannetto
RAYMOND E. FRANKLIN: Lind, Chair; Bisignano and Priebe

As members of the Speech Pathology and Audiology Examining Board:

COLETTE J. KUNKEL: Kramer, Chair; Kibbie and Sorensen
JILL M. MILLER: Rittmer, Chair; Gronstal and Welsh

As members of the State Board of Examiners for Nursing Home Administrators:

KAREN L. BOSSARD: Pate, Chair; Buhr and Priebe
NAOMI O. MERRYMAN: McLaren, Chair; Giannetto and Gronstal

As members of the State Racing and Gaming Commission:

RITA D. SEALOCK: Gronstal, Chair; Kibbie and Drake
DEL VAN HORN: Welsh, Chair; Drake and Kibbie

TRANSPORTATION

As members of the Iowa Law Enforcement Academy Council:

JACQUELINE DAY: Fraise, Chair; Gettings and Drake
THOMAS C. LILLQUIST: Fink, Chair; Lloyd-Jones and Pate

As Director of Transportation:

DARREL RENSINK: Dielman, Chair; Connolly and Pate

As members of the State Transportation Commission:

LLOYD CLARKE: Kersten, Chair; Dieleman and Fink
M. CATHERINE DUNN: Lloyd-Jones, Chair; Gettings and Jensen

WAYS AND MEANS

As members of the Iowa Finance Authority:

JAMES H. CRANE: Rosenberg, Chair; Hester and McLaren
DEBORAH S. KRAUTH: Bennett, Chair; Fuhrman and Deluhery
EARL YODER: Lloyd-Jones, Chair; Drake and McLaren

As a member of the State Board of Tax Review:

RICHARD G. PEEBLER: Hedge, Chair; Hester and Palmer

WALLY E. HORN, Chair

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:22 p.m., until 9:00 a.m., Wednesday, March 24, 1993.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 24, 1993

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

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

The Journal of the Tuesday, March 23, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 169, a bill for an act relating to rural water districts, by providing for authority to execute agreements for the administration of services, and the incorporation of real property.

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

House File 270, a bill for an act relating to all-terrain vehicles.

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

House File 373, a bill for an act relating to the places where civil commitment hearings are held.

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

House File 415, a bill for an act relating to the authority to approve the establishment of satellite banking terminals.

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

House File 443, a bill for an act relating to the selection of hunting zones by nonresident deer hunters.

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

House File 491, a bill for an act relating to postsecondary enrollment options for pupils at the school for the deaf and the Iowa braille and sight saving school.

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

House File 496, a bill for an act relating to area education agency and school district procedures regarding school reorganization.

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

ALSO: That the House has on March 23, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 227, a bill for an act appropriating funds to the department of economic development, the Wallace technology transfer foundation, INTERNET, state university of Iowa, and Iowa state university of science and technology, establishing the economic development deaf interpreters revolving fund, and eliminating state involvement in INTERNET.

INTRODUCTION OF BILL

Senate File 401, by Murphy, a bill for an act providing for licensing of athletic trainers, imposing fees, and making penalties applicable.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the day on request of Senator Horn.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 379

On motion of Senator Kibbie, Senate File 379, a bill for an act relating to reorganization and supplementary weighting and providing applicability dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 379) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Sturgeon

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

Senator Horn asked and received unanimous consent to take up for consideration Senate File 397.

Senate File 397

On motion of Senator Buhr, Senate File 397, a bill for an act relating to the filing of a belated claim for the military service tax exemption, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 397) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Maddox Sturgeon

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 Lloyd-Jones, Senate File 349, a bill for an act relating to child support and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Welsh offered amendment S—3195 filed by him on March 23, 1993, to page 2 of the bill and moved its adoption.

Amendment S—3195 was adopted by a voice vote.

Senator Varn offered amendment S—3223 filed by him from the floor to pages 3 and 34 of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—3223 and **Senate File 349** be deferred.

Senate File 389

On motion of Senator Varn, Senate File 389, a bill for an act relating to the transformation of Iowa's public education system by the year 2000, access by students to computers, and creation of a legislative education transformation review committee, and providing for related matters, was taken up for consideration.

Senator Varn offered amendment S—3220 filed by Senators Varn, Kramer and Connolly to pages 1-8 of the bill and moved its adoption.

Amendment S—3220 was adopted by a voice vote.

Senator Welsh raised the point of order that a senator, according to senate rules, cannot ask another senator on the floor how he will vote on any piece of legislation.

The Chair ruled the point well taken.

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. 389) the vote was:

Ayes, 33:

Boswell	Buhr	Connolly	Deluhery
Drake	Fink	Fraise	Gettings
Gronstal	Horn	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	Murphy	Palmer	Pate
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 16:

Banks	Bartz	Bennett	Bisignano
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Borlaug	Dieleman	Fuhrman	Giannetto
Hedge	Hester	Husak	Jensen
McKean	McLaren	Priebe	Sorensen

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.

BUSINESS PENDING

Senate File 349

The Senate resumed consideration of Senate File 349, a bill for an act relating to child support and providing effective and retroactive applicability dates, and amendment S—3223 by Senator Varn to pages 3 and 34 of the bill, previously deferred.

Senator Varn asked and received unanimous consent that action on amendment S—3223 and Senate File 349 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 290

On motion of Senator Gronstal, Senate File 290, a bill for an act relating to the moratorium of the granting of permits for the construction or operation of infectious waste treatment or disposal facilities, 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. 290) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn

Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Sturgeon

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

Senate File 335

On motion of Senator Riordan, Senate File 335, a bill for an act relating to the Wallace technology transfer foundation, and providing an effective date, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on Senate File 335 be deferred.

UNFINISHED BUSINESS (Deferred March 19, 1993)

Senate File 221

The Senate resumed consideration of Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care and providing an effective date, deferred March 19, 1993.

Senator Kramer offered amendment S—3186 filed by Senators Kramer and Bartz on March 22, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3186 was adopted by a voice vote.

Senator Giannetto offered amendment S—3184 filed by him on March 22, 1993, to pages 1, 3 and the title page of the bill and moved its adoption.

Amendment S—3184 was adopted by a voice vote.

Senator Horn asked and received unanimous consent that action on **Senate File 221** be deferred.

RECESS

On motion of Senator Horn, the Senate recessed at 11:34 a.m., until 4:00 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 310 Ways & Means**

Relating to a taxpayers' procedural bill of rights to promote procedural fairness and due process in matters related to taxation and providing effective and applicability date provisions.

SSB 311 Ways & Means

Authorizing a county to impose an income surtax to fund mental health, mental retardation, and developmental disabilities services costs and providing an effective date.

SSB 312 Ways & Means

Relating to and increasing certain fees collected by the clerk of the district court, establishing a law enforcement training fund, and providing an effective date.

SSB 313 Transportation

A concurrent resolution relating to the common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation, and the Chicago and Northwestern Transportation Company.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 4**

RULES & ADMINISTRATION: Horn, Chair; Husak and Rife

Senate Concurrent Resolution 17

RULES & ADMINISTRATION: Horn, Chair; Husak and Rife

Senate File 7

RULES & ADMINISTRATION: Palmer, Chair; Horn and Rife

Senate File 82

WAYS & MEANS: Dieleman, Chair; Hedge and Husak

Senate File 100

WAYS & MEANS: McLaren, Chair; Fuhrman and Palmer

Senate File 109

WAYS & MEANS: Connolly, Chair; Fuhrman and Lloyd-Jones

Senate File 190

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 193

WAYS & MEANS: Dieleman, Chair; Hedge and Husak

Senate File 272

WAYS & MEANS: Husak, Chair; Dieleman and Hester

Senate File 323

AGRICULTURE: Sorensen, Chair; Hedge and Riordan

Senate File 328

WAYS & MEANS: Rosenberg, Chair; Dieleman and Hester

Senate File 331

WAYS & MEANS: Riordan, Chair; Dieleman and Hedge

Senate File 341

WAYS & MEANS: Deluhery, Chair; Drake and Rosenberg

Senate File 345

STATE GOVERNMENT: Fink, Chair; Pate and Sorensen

Senate File 351

RULES & ADMINISTRATION: Boswell, Chair; Lind and Palmer

Senate File 359

RULES & ADMINISTRATION: Horn, Chair; Kramer and Palmer

Senate File 369

APPROPRIATIONS: Rosenberg, Chair; Boswell, Kramer, McLaren and Murphy

Senate File 370

WAYS & MEANS: Fuhrman, Chair; Hedge and Lloyd-Jones

Senate File 372

WAYS & MEANS: Drake, Chair; Bennett and Murphy

Senate File 386

STATE GOVERNMENT: Gronstal, Chair; Priebe and Rittmer

Senate File 395

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

Senate File 400

WAYS & MEANS: Riordan, Chair; McLaren and Murphy

House File 104

EDUCATION: Connolly, Chair; Kibbie and Kramer

House File 259

STATE GOVERNMENT: Bisignano, Chair; Pate and Sorensen

SSB 310

WAYS & MEANS: Palmer, Chair; Drake and Rosenberg

SSB 311

WAYS & MEANS: Dieleman, Chair; Hester and Husak

SSB 312

WAYS & MEANS: Rosenberg, Chair; Bennett and Deluhery

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: March 23, 1993, 10:50 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 429 as amended.

Adjourned: 11:45 a.m.

EDUCATION

Convened: March 23, 1993, 1:32 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; presentation on curriculum for homeless students.

Adjourned: 1:52 p.m.

ETHICS

Convened: March 23, 1993, 1:35 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Drake, Husak and McKean.

Members Absent: Hedge, Ranking Member (excused).

Committee Business: Discussed House File 144.

Adjourned: 2:35 p.m.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 23, 1993, when the votes were taken on the following bills.

Had I been present, I would have voted "aye" on Senate Files 140, 296, 342, 347 and 387. I would have voted "nay" on Senate File 314.

H. KAY HEDGE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 1993, when the final votes were taken on the following bills:

Had I been present, I would have voted "aye" on Senate Files 38, 225, 258, 271, 278, 286, 293, 294, 295, 312, 315, 319, 320, 326, 327, 364, 371 and 374. I would have voted "nay" on Senate Files 8, 226 and 275.

MAGGIE TINSMAN

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3091 to Senate File 219 failed to be adopted by the Senate on March 23, 1993.

EUGENE FRAISE

PRESENTATION OF VISITORS

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

Five sixth grade students from Grundy Center Community School, Grundy Center, accompanied by Keith Hall. Senator Jensen.

Thirty-seven fifth grade students from Aurora Heights School, Newton, accompanied by Mr. Rinner, Mrs. Peterson, Mr. Bisgard, Mrs. Marchant, Mrs. Ehler and Mrs. Gordon. Senator Dieleman.

Twenty-six twelfth grade students from Baxter High School, Baxter, Iowa, accompanied by Mr. Jeff Hoskins. Senator Dieleman.

Sixteen fifth grade students from Kellogg Elementary School, Kellogg, Iowa, accompanied by Hazel Peterson. Senator Dieleman.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 190, a bill for an act relating to the state commission of veterans affairs, to employees and duties of county commissions of veteran affairs, and to the salary of the commandant of the veterans home, and providing a retroactive applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3230.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Lind, McKean, McLaren, Pate, Priebe and Sorensen. Nays, none. Absent or not voting, 2: Kramer and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 366, a bill for an act relating to merged area annual elections.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3215	S.F.	356	Jim Lind
S-3216	S.F.	356	Jim Lind
S-3217	H.F.	429	Mary E. Kramer
S-3218	S.F.	335	Jim Riordan
S-3219	S.F.	373	Mike Connolly
S-3220	S.F.	389	Richard Varn Mary Kramer Mike Connolly
S-3221	S.F.	350	Jean Lloyd-Jones
S-3222	S.F.	206	Ray Taylor Mike Connolly
S-3223	S.F.	349	Richard Varn
S-3224	S.F.	335	Jim Riordan
S-3225	S.F.	358	Mike Connolly
S-3226	S.F.	349	Tom Vilsack
S-3227	S.F.	335	Allen Borlaug

S-3228	S.F.	3	O. Gene Maddox Derryl McLaren Joe Welsh Berl Priebe
S-3229	S.F.	335	Andy McKean
S-3230	S.F.	190	State Government
S-3231	S.F.	399	Tony Bisignano
S-3232	S.F.	383	John Kibbie Derryl McLaren Jim Kersten
S-3233	S.F.	268	Emil Husak Sheldon Rittmer

AFTERNOON SESSION

The Senate reconvened at 4:04 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 47 present, 3 absent and a quorum present.

BUSINESS PENDING

Senate File 349

The Senate resumed consideration of Senate File 349, a bill for an act relating to child support and providing effective and retroactive applicability dates, and amendment S—3223 by Senator Varn to pages 3 and 34 of the bill, previously deferred.

Senator Varn moved the adoption of amendment S—3223.

A non record roll call was requested.

The ayes were 11, nays 33.

Amendment S—3223 lost.

Senator Vilsack withdrew amendment S—3226 filed by him from the floor to page 1 of the bill.

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. 349) the vote was:

Ayes, 49:

Banks	Bart	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones

Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Sturgeon

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 3

On motion of Senator Buhr, Senate File 3, a bill for an act relating to the establishment and regulation of elder group homes, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment S—3205 filed by Senators Tinsman, Buhr and Varn on March 23, 1993, to strike everything after the enacting clause of the bill.

Senator Welsh offered amendment S—3228 filed by Senators Welsh and Priebe from the floor to amendment S—3205 and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 31.

Amendment S—3228 lost.

Senator Tinsman moved the adoption of amendment S—3205, which motion prevailed by voice vote.

With the adoption of amendment S—3205, the Chair ruled the following amendments out of order:

S—3038 filed by the committee on Human Resources on February 16, 1993, to pages 1-3 of the bill and S—3194 filed by Senator Welsh on March 23, 1993, to pages 2 and 3 of the bill.

Senator Husak asked and received unanimous consent that action on **Senate File 3** be **deferred**.

INTRODUCTION OF BILL

Senate File 402, by Taylor, a bill for an act relating to the testing of student athletes for the human immunodeficiency virus and the hepatitis B virus, providing for disclosure of test results, and making testing, confidentiality, and penalty provisions applicable.

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

APPENDIX

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 March 24, 1993, and recommended the appointee be confirmed:

Harrison "Skip" Weber as a member of the Employment Appeal Board.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on March 24, 1993, and recommended the appointees be confirmed:

Gary L. Lawson as Administrator of the Division on the Status of African-Americans.

Eugene M. Meister as a member of the Board of Nursing Examiners.

Dr. Bruce C. Heilman and Marilyn J. May as members of the Dental Examining Board.

Michael K. Eberle as a member of the Iowa Board of Veterinary Medicine.

Ruth A. Ohde as a member of the Mortuary Science Examining Board.

Dr. Larry W. Hicks as a member of the Optometry Examining Board.

John E. Knapp as a member of the Real Estate Commission.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following governor's appointment, completed its investigation on March 24, 1993, and recommended the appointee be confirmed:

Jacqueline Day as a member of the Iowa Law Enforcement Academy Council.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 201, a bill for an act allowing an account

maintenance fee to be charged in connection with consumer line of credit accounts in state or national financial institutions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Deluhery, Palmer, Jensen, Fuhrman, Gettings, Gronstal, Lind, Pate, Slife and Welsh. Nays, 3: Bisignano, Priebe and Varn. Pass, 1: Kersten. Absent or not voting, 1: Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 207, a bill for an act relating to the authority of the superintendent of banking to remove a director or officer of a state bank, providing for the continued suspension of certain banking laws, and providing for the retroactive applicability of the Act.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Priebe, Slife and Varn. Nays, none. Absent or not voting, 2: Sturgeon and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 382, a bill for an act relating to delinquency charges on, and the conversion of, certain consumer transactions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3242.

Final Vote: Ayes, 13: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Priebe, Slife and Varn. Nays, none. Absent or not voting, 2: Sturgeon and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 88, a bill for an act relating to the use of stickers on government vehicles notifying the traveling public that the vehicles are being operated on gasoline blended with ethanol, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Drake, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 317, a bill for an act concerning amber flashing lights on farm trailers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3241.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Drake, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none. Absent or not voting, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Ten junior high students from Cottage Grove Presbyterian Church, Des Moines, accompanied by Mark Nockels. Senator Buhr.

AMENDMENTS FILED

S—3234	S.F.	350	Randal J. Giannetto
S—3235	S.F.	226	Mike Connolly
S—3236	S.F.	362	Richard Varn
S—3237	S.F.	380	Richard Varn
S—3238	S.F.	377	Richard Varn
S—3239	S.F.	268	Elaine Szymoniak
S—3240	S.F.	160	Ray Taylor
S—3241	S.F.	317	Transportation
S—3242	H.F.	382	Commerce
S—3243	S.F.	399	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:17 p.m., until 9:00 a.m., Thursday, March 25, 1993.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 25, 1993

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

Prayer was offered by the Reverend Jeff Nelsen, pastor of the First Baptist Church, Harlan, Iowa.

The Journal of the Wednesday, March 24, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 17, a joint resolution to nullify an administrative rule of the board of nursing defining the term nurse and providing an effective date.

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

ALSO: That the House has on March 23, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 267, a bill for an act relating to the definition of resident for taking fish, game, and other protected species of animal.

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

House File 484, a bill for an act relating to the authority of the department of inspections and appeals by providing for the collection of debts owed to the department of human services, by providing for the licensure of certain facilities as psychiatric

medical institutions for children, by authorizing access to criminal histories to certain tribal gaming officials, and by providing an effective date.

This bill was read first time and passed on file.

ALSO: That the House has on March 24, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 232, 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates (S—3244).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Varn for the day on request of Senator Horn.

QUORUM CALL

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

The vote revealed 48 present, 2 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 355

On motion of Senator Kibbie, Senate File 355, a bill for an act relating to the assessment of a fee and providing a civil penalty by the board of dental examiners, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 355) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Taylor
Tinsman	Welsh	Zieman	

Nays, 1:

Vilsack

Absent or not voting, 2:

Szymoniak Varn

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

Senate File 363

On motion of Senator Welsh, Senate File 363, a bill for an act relating to the display and sale of antique motor vehicles, was taken up for consideration.

Senator Welsh offered amendment S—3199 filed by Senators Welsh and Drake on March 23, 1993, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3199 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. 363) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Varn

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

UNFINISHED BUSINESS (Deferred March 22, 1993)

Senate File 174

The Senate resumed consideration of Senate File 174, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable, deferred March 22, 1993.

Senator Rosenberg offered amendment S—3245 filed by Senators Rosenberg and McKean from the floor to page 1 of the bill and moved its adoption.

Amendment S—3245 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 174) the vote was:

Ayes, 42:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Gettings
Giannetto	Gronstal	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Tinsman
Welsh	Zieman		

Nays, 7:

Banks	Borlaug	Fuhrman	Hedge
Pate	Taylor	Vilsack	

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.

UNFINISHED BUSINESS (Deferred March 24, 1993)

Senate File 221

The Senate resumed consideration of Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care and providing an effective date, deferred March 24, 1993.

Senator Szymoniak offered amendment S—3187 filed by Senators Szymoniak and Tinsman on March 23, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3187 was adopted by a voice vote.

Senator Bartz offered amendment S—3166 filed by him on March 19, 1993, to page 3 of the bill.

Senator Bartz offered amendment S—3175 filed by him on March 22, 1993, to amendment S—3166 and moved its adoption.

Amendment S—3175 was adopted by a voice vote.

Senator Bartz moved the adoption of amendment S—3166 as amended, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 221) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none.

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.

UNFINISHED BUSINESS (Deferred March 17, 1993)

Senate File 206

The Senate resumed consideration of Senate File 206, a bill for an act relating to educational finances, activities, and

procedures and providing an effective date, deferred March 17, 1993.

Senator Taylor offered amendment S—3222 filed by Senators Taylor and Connolly on March 24, 1993, to page 4 of the bill and moved its adoption.

Amendment S—3222 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 206) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none.

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.

UNFINISHED BUSINESS

(Deferred March 23, 1993)

Senate File 219

The Senate resumed consideration of Senate File 219, a bill for an act relating to the establishment of a preadmission

assessment program for frail elders considering placement or residing in a nursing facility, deferred March 23, 1993.

Senator Riordan called up the motion to reconsider the vote by which amendment S—3091 to Senate File 219 failed to be adopted by the Senate on March 23, 1993, filed by him on March 23, 1993, found on page 798 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3091 by Senator Bartz to pages 1-3 of the bill, was taken up for reconsideration.

Senator Bartz moved the adoption of amendment S—3091, which motion prevailed by voice vote.

The motion to reconsider the vote by which amendment S—3091 to Senate File 219 failed to be adopted by the Senate on March 23, 1993, filed by Senator Taylor on March 24, 1993, found on page 822 of the Senate Journal, was out of order.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 219** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 396

On motion of Senator Sorensen, Senate File 396, a bill for an act relating to the condemnation of private property designated as a century farm, was taken up for consideration.

Senator Tinsman asked and received unanimous consent that action on **Senate File 396** be deferred.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 396** be referred to the committee on **Transportation**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that

Senate Files 206, 221 and 355 be immediately messaged to the House.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senate File 287

On motion of Senator Riordan, Senate File 287, a bill for an act relating to hospital privileges provided certain professionals including certified health service providers in psychology, was taken up for consideration.

Senator Palmer asked and received unanimous consent that action on **Senate File 287** be deferred.

Senate File 398

On motion of Senator Szymoniak, Senate File 398, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement, was taken up for consideration.

Senator Szymoniak offered amendment S—3207 filed by her on March 23, 1993, to pages 8 and 11 of the bill.

Senator Sturgeon raised the point of order that Senate File 398 should be referred to the committee on Judiciary.

After consultation in the well, President Boswell announced that action on **Senate File 398** was deferred and that Senator Horn would announced later on the bill's referral.

Senate File 325

On motion of Senator Fraise, Senate File 325, a bill for an act relating to the completion of educational programs by certain persons regulated by the department of agriculture and land stewardship, and providing for fees, was taken up for consideration.

Senator Hester offered amendment S—3189 filed by him on March 23, 1993, to page 1 of the bill and called for a division: lines 2-3 as division S—3189A and lines 4-14 as division S—3189B.

Senator Hester moved the adoption of division S—3189A, which motion prevailed by voice vote.

Senator Hester moved the adoption of division S—3189B.

A record roll call was requested.

On the question "Shall division S—3189B be adopted?" (S.F. 325) the vote was:

Ayes, 23:

Buhr	Connolly	Deluhery	Dieleman
Fink	Fraise	Giannetto	Gronstal
Hedge	Hester	Jensen	Judge
Kramer	Lloyd-Jones	Maddox	Murphy
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Welsh	Zieman	

Nays, 24:

Banks	Bartz	Bennett	Borlaug
Boswell	Drake	Fuhrman	Gettings
Horn	Husak	Kersten	Kibbie
Lind	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Taylor	Vilsack

Voting present, 1:

Tinsman

Absent or not voting, 2:

Bisignano Varn

Division S—3189B lost.

Senator Murphy asked and received unanimous consent that action on **Senate File 325** be deferred.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 22, by committee on Agriculture, a concurrent resolution supporting an investigation into government-guaranteed agriculture loans, supporting a moratorium on the Farmers Home Administration's debt

collection ability, and requesting that Congressional hearings be held within the state of Iowa.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 11:24 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee on March 24, 1993:

S.F.	401	Human Resources
H.F.	169	Local Government
H.F.	270	Transportation
H.F.	373	Judiciary
H.F.	415	Commerce
H.F.	443	Natural Resources
H.F.	491	Education
H.F.	496	Education

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: March 24, 1993, 1:35 p.m.

Members Present: Gettings, Chair; Fuhrman, Ranking Member; Buhr, Giannetto, Maddox, Murphy, Slife and Taylor.

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

Committee Business: Assigned governor's appointees to subcommittees; recommended confirmation of governor's appointee.

Adjourned: 1:38 p.m.

COMMERCE

Convened: March 24, 1993, 3:07 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Kersten, Lind, Pate, Priebe, Slife, Varn and Welsh.

Members Absent: Sturgeon (excused).

Committee Business: Recommended passage of House Files 207 and 201; recommended passage of House File 382 as amended.

Adjourned: 3:40 p.m.

JUDICIARY

Convened: March 24, 1993, 3:55 p.m.

Members Present: Rosenberg, Vice Chair; Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Sturgeon, Chair (excused); McKean, Ranking Member; Bisignano, Connolly and Slife.

Committee Business: Assigned governor's appointees to subcommittees.

Adjourned: 3:58 p.m.

STATE GOVERNMENT

Convened: March 24, 1993, 11:37 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: none.

Committee Business: Recommended passage of Senate File 190 as amended; recommended passage of House File 366; recommended confirmation of governor's appointees.

Adjourned: 11:47 a.m.

TRANSPORTATION

Convened: March 24, 1993, 2:28 p.m.

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

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended passage of Senate File 317 (as amended) and House File 88; recommended confirmation of governor's appointees.

Adjourned: 2:59 p.m.

COMMUNICATION FROM THE GOVERNOR

March 25, 1993

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Secretary Dwyer:

Due to the resignation of Patrick A. Ricks from the Small Business Advisory commission, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

PRESENTATION OF VISITORS

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

Twelve students from Indianola South Central Youth Services, Indianola, accompanied by Alan Archibold and Melinda Norwood. Senator Fink.

Thirty members of the Good Times Club, Strawberry Point. Senator Zieman.

Fifty-seven eleventh grade students from Colo-Nesco High School, Colo, accompanied by Jack Roberts. Senator Giannetto.

Guests of Senator Jensen: Joey Brown, Australia; Tobias Anderson, Sweden; Lorenzo Benuzzi, Italy and Charlotte Johannsen, Denmark.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of March, 1993:

Senate Files 227 and 167.

JOHN F. DWYER
Secretary of the Senate

STUDY BILL RECEIVED

SSB 314 Ways & Means

Relating to the definition of state resident for purposes of the state individual income tax and providing effective applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 109
(Reassignment)

WAYS AND MEANS: Szymoniak, Chair; Fuhrman and Lloyd-Jones

Senate File 396

TRANSPORTATION: Fraise, Chair; Gettings and Jensen

SSB 313

TRANSPORTATION: Lloyd-Jones, Chair; Fink, Gettings, Kersten and Pate

SSB 314

WAYS AND MEANS: Dieleman, Chair; Husak and McLaren

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the following governor's appointments, completed its investigations on March 25, 1993, and recommended the appointees be confirmed:

As members of the County Finance Committee:

Jill L. Kirkberg and Sharon K. McCrabb

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following governor's appointment, completed its investigation on March 24, 1993, and recommended the appointee be confirmed:

Lloyd Clarke as a member of the State Transportation Commission.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 22 (formerly Senate Concurrent Resolution 19), a concurrent resolution supporting an investigation into government-guaranteed agriculture loans, supporting a moratorium on the Farmers Home Administration's debt collection ability, and requesting that Congressional hearings be held within the state of Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Husak, Judge, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 2: Hester and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 136, a bill for an act relating to the care of dogs and cats transferred by animal care facilities, authorizing fees and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Riordan, Bartz, Banks, Boswell, Giannetto, Hedge, Hester, Husak, Judge, McLaren and Sorensen. Nays, none. Absent or not voting, 3: Fraise, Palmer and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 365, a bill for an act relating to farm mediation and legal assistance to farmers, by extending the effectiveness of provisions, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Husak, Judge, McLaren, Sorensen and Zieman. Nays, none. Absent or not voting, 2: Hester and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 100, a bill for an act requiring licensure of social workers, providing an effective date, imposing fees, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Dieleman, Husak, Deluhery, Hester, Lloyd-Jones, McLaren, Palmer and Riordan. Nays, 3: Bennett, Fuhrman and Hedge. Absent or not voting, 4: Drake, Murphy, Rosenberg and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 331, a bill for an act authorizing a city or county to impose an economic development levy consisting of a property tax levy, income surtax, or both.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hester, Lloyd-Jones, Palmer, Riordan and Rosenberg. Nays, 3: Drake, Hedge and McLaren. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 50, a bill for an act discontinuing a requirement that entrance fees be collected at the Montauk governor's mansion.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan and Rosenberg. Nays, none. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3244	S. F.	232	House amendment
S—3245	S. F.	174	Ralph Rosenberg Andy McKean
S—3246	S. F.	399	O. Gene Maddox Mary Kramer
S—3247	S. F.	399	O. Gene Maddox Mary Kramer
S—3248	S. F.	399	Mary Kramer O. Gene Maddox
S—3249	S. F.	399	Mary Kramer O. Gene Maddox
S—3250	H. F.	429	Mike Connolly
S—3251	S. F.	344	James B. Kersten
S—3252	S. F.	350	William D. Palmer
S—3253	S. F.	343	Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 403, by Murphy, a bill for an act relating to the deduction for individual income tax purposes of certain governmental pensions, annuities, or retirement allowances received and providing effective and applicability dates.

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 43 present, 7 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	259	State Government
S. F.	276	State Government
S. F.	344	Commerce
S. F.	346	State Government

CONSIDERATION OF BILL (Regular Calendar)

Senate File 283

On motion of Senator Deluhery, Senate File 283, a bill for an act relating to the cancellation of certain consumer credit transactions, 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. 283) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Kibbie Varn

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 32** be referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 23, by Szymoniak, a concurrent resolution to honor the Drake University Mock Trial Team for winning the 1993 National Intercollegiate Mock Trial Championship.

Read first time and passed on file.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	402	Human Resources
S. F.	403	Ways and Means
H. F.	267	Natural Resources
H. F.	484	State Government
H. J. R.	17	Human Resources

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following governor's appointments, completed its investigations on March 25, 1993, and recommended the appointees be confirmed:

As members of the Iowa Grain Indemnity Fund Board:

Marie G. Ellingson and Carolyn A. Roberts.

As members of the State Soil Conservation Committee:

Oliver J. Emerson and Everett Lee Faris.

COMMITTEE REPORT

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 342, a bill for an act relating to the sale, use, possession, and transportation of minnows for commercial or personal use.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Fink, Dieleman, Hester, Banks, Hedge, Judge, Priebe, Rensink, Riordan and Sturgeon. Nays, none. Absent or not voting, 2: Kibbie and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Forty-five sixth grade students from Gladbrook-Reinbeck Middle School, Gladbrook, accompanied by Terri Luehring. Senators Husak and Jensen.

AMENDMENTS FILED

S—3254	S.F.	382	Andy McKean
S—3255	S.F.	382	Andy McKean
S—3256	S.F.	358	Eugene Fraise
S—3257	S.F.	376	John Kibbie Mike Connolly
S—3258	S.F.	373	Andy McKean Randal J. Giannetto

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:53 p.m., until 10:00 a.m., Monday, March 29, 1993.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 29, 1993

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

Prayer was offered by the Reverend Alan Jo Henderson, pastor of the Evangelical Lutheran Church, Ankeny, Iowa.

The Journal of the Thursday, March 25, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rosenberg for the day on request of Senator Horn and Senator Pate until he arrives on request of Senator Jensen.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 214, a bill for an act establishing a loess hills development and conservation authority, specify its membership, powers, and duties, and providing for other properly related matters.

This bill was read first time and passed on file.

House File 419, a bill for an act relating to the recovery by the department of public safety of costs associated with the cleanup of a clandestine laboratory site.

This bill was read first time and passed on file.

House File 541, a bill for an act relating to vital records by directing the Iowa department of public health to implement a vital records modernization project and providing an appropriation.

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

House File 562, a bill for an act relating to requirements for licensure of massage therapists.

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

House File 563, a bill for an act relating to commercial breeders of dogs.

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

House File 565, a bill for an act relating to membership of community action agency boards and providing effective and retroactive applicability dates.

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

ALSO: That the House has on March 25, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 518, a bill for an act relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving health care, providing for the application of a civil penalty, providing for effective and applicability dates, and providing for retroactive applicability.

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

House File 527, a bill for an act relating to the duties of the clerk of the district court and the appointment of an associate probate judge.

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

House File 538, a bill for an act repealing provisions relating to and abolishing the county boards of social welfare and providing an effective date.

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

House File 545, a bill for an act relating to motor carrier certificates and permits and providing penalties.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 24, by Rensink, Taylor, and Banks, a concurrent resolution to uphold the current ban on homosexuals serving in the active, reserve, and National Guard forces of the United States.

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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 316** be referred from the Unfinished Business Calendar to the committee on **Agriculture**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 242

On motion of Senator Priebe, **Senate File 242**, a bill for an act relating to the protection of nongame species, was taken up for consideration.

Senator Priebe asked and received unanimous consent that **House File 346** be substituted for **Senate File 242**.

House File 346

On motion of Senator Priebe, **House File 346**, a bill for an act relating to the protection of nongame species, 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. 346) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Riordan	Rittmer	Slife	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Pate	Rosenberg	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.

Senator Priebe asked and received unanimous consent that **Senate File 242** be **withdrawn** from further consideration of the Senate.

Senate File 153

On motion of Senator Giannetto, Senate File 153, a bill for an act authorizing certified public accountants and accounting practitioners to practice as limited liability companies, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that **House File 191** be substituted for **Senate File 153**.

House File 191

On motion of Senator Giannetto, House File 191, a bill for an act authorizing certified public accountants and accounting

practitioners to practice as limited liability companies, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 191) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Riordan	Rittmer	Slife	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Pate	Rosenberg	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.

Senator Giannetto asked and received unanimous consent that **Senate File 153** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 190

On motion of Senator Husak, Senate File 190, a bill for an act relating to the state commission of veterans affairs, to employees and duties of county commissions of veteran affairs, and to the salary of the commandant of the veterans home, and providing a retroactive applicability date, with report of committee on State

Government recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3230 filed by the committee on State Government on March 24, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3230 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. 190) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rosenberg Sturgeon

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 350

On motion of Senator Lloyd-Jones, Senate File 350, a bill for an act relating to child support and providing for civil penalties and an effective date, was taken up for consideration.

Senator Bartz offered amendment S—3173 filed by Senators Bartz and Judge on March 22, 1993, to page 3 of the bill and moved its adoption.

Amendment S—3173 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—3221 filed by her on March 24, 1993, to page 27 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 20.

Amendment S—3221 was adopted.

Senator Giannetto withdrew amendment S—3234 filed by him on March 24, 1993, to page 31 of the bill.

Senator Palmer offered amendment S—3252 filed by him on March 25, 1993, to page 32 of the bill.

Senator Palmer asked and received unanimous consent that action on amendment S—3252 be deferred.

Senator Lloyd-Jones offered amendment S—3263 filed by her from the floor to page 32 of the bill and moved its adoption.

Amendment S—3263 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3252 by Senator Palmer to page 32 of the bill, previously deferred.

Senator Riordan offered amendment S—3273 filed by Senators Riordan and Palmer from the floor to amendment S—3252 and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

Senator Palmer moved the adoption of amendment S—3252 as amended, which motion prevailed by voice vote.

Senator Bartz filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT, I move to reconsider the vote by which amendment S—3173 to Senate File 350 was adopted by the senate on March 29, 1993.

The motion prevailed by a voice vote and amendment S—3173 by Senators Bartz and Judge was taken up for reconsideration.

Senator Bartz asked and received unanimous consent that action on amendment S—3173 be deferred.

The Senate stood at ease at 11:16 a.m. until the fall of the gavel.

The Senate resumed session at 11:30 a.m., President Boswell presiding.

Senator Vilsack withdrew amendment S—3274 filed by him from the floor to page 3 of the bill.

The Senate resumed consideration of amendment S—3173 by Senators Bartz and Judge to page 3 of the bill, previously deferred.

Senator Vilsack offered amendment S—3276 filed by him from the floor to amendment S—3173 and moved its adoption.

Amendment S—3276 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon until he arrives on request of Senator Riordan.

BUSINESS PENDING

Senate File 350

The Senate resumed consideration of Senate File 350.

Senator Bartz moved the adoption of amendment S—3173 as amended, which motion prevailed by a voice vote.

President pro tempore Palmer took the chair at 11:46 a.m.

Senator Giannetto asked and received unanimous consent that action on **Senate File 350** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House**

Files 191 and 346 and Senate File 190 be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 398** be referred from the Unfinished Business Calendar to the committee on **Judiciary** to be returned to the Senate Calendar no later than 5:00 p.m., Wednesday, March 31, 1993.

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S.F.	43	Commerce
S.F.	108	Education
S.F.	390	Education

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 25, by Giannetto and Bartz, a concurrent resolution requesting the Legislative Council to establish a committee to study the impact of petroleum-contaminated property on the viability of rural small businesses and rural communities.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 12:17 p.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 25, 1993, 8.32 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Sorensen and Zieman.

Members Absent: Palmer (excused).

Committee Business: Recommended passage of House Files 136 and 365; amended and approved Senate Concurrent Resolution 19 as a committee bill.

Adjourned: 8:50 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 25, 1993, 1:36 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Presentations by the chair of the underground storage tank finance board and a representative of the underground storage tank task force.

Adjourned: 2:43 p.m.

HUMAN RESOURCES

Convened: March 25, 1993, 1:41 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer and Sturgeon.

Members Absent: Varn (excused).

Committee Business: Presentation on "Move the Mountain"; assigned governor's appointees to subcommittees.

Adjourned: 2:24 p.m.

LOCAL GOVERNMENT

Convened: March 25, 1993, 2:47 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: Jensen (excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 2:52 p.m.

NATURAL RESOURCES

Convened: March 25, 1993, 3:53 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: Kibbie and McKean.

Committee Business: Recommended passage of House File 342; recommended confirmation of governor's appointees.

Adjourned: 4:10 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: March 25, 1993, 3:00 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Bisignano, Giannetto, Judge, Lloyd-Jones, Maddox and Sorensen.

Members Absent: Borlaug and Kibbie (both excused).

Committee Business: Assigned governor's appointees to subcommittees; recommended confirmation of governor's appointees.

Adjourned: 3:15 p.m.

WAYS AND MEANS

Convened: March 25, 1993, 11:31 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan and Rosenberg.

Members Absent: Murphy and Szymoniak (excused).

Committee Business: Recommended passage of Senate Files 100, 331 and House File 50.

Adjourned: 11:52 a.m.

REPORTS OF STANDING COMMITTEES
(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 appointments, completed its investigations on March 25, 1993, and recommended the appointees be confirmed:

Thomas G. Monroe and Lavonne M. Troyna as members of the Natural Resource Commission.

Judith E. Harrison and Hillary B. Maurer as members of the Well Contractors' Council.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development, and Tourism assigned to investigate the following governor's appointments, completed its investigations on March 25, 1993, and recommended the appointees be confirmed:

William B. Trent, Jr. as a member of the Iowa Economic Development Board.

Donald R. Graves II and Eugene H. Philip as members of the Small Business Advisory Council.

ALSO:

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development, and Tourism assigned to investigate the following secretary of agriculture's appointment, completed its investigation on March 25, 1993, and recommended the appointee be confirmed:

Gary D. Lamb as a member of the Wallace Technology Transfer Foundation of Iowa.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development, and Tourism assigned to investigate the following governor's appointment, completed its investigation on March 25, 1993, and recommended the appointee be confirmed:

Nancy J. Tomes as a member of the Wallace Technology Transfer Foundation of Iowa.

PETITION

The following petition was presented and placed on file by:

Senator Rittmer from 52 residents of Clinton County opposing legislation making gambling laws more permissive.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 349, the following corrections were made:

1. Page 35, line 4, the word and numbers "Sections 6, 47, 48," were changed to the word and numbers "Sections 7, 48, 49,".
2. Page 35, line 6, the word and number "Section 44" were changed to the word and number "Section 45".

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 389, the following corrections were made:

1. Page 5, line 31, the number "301A.7" was changed to the number "301A.5".
2. Page 6, line 5, the number "301A.8" was changed to the number "301A.6".
3. Page 6, line 19, the number "301A.9" was changed to the number "301A.7".
4. Page 6, line 26, the number "301A.10" was changed to the number "301A.8".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Coach Bill Harris and the Valley High School Tigers — For winning the 1993 Class 4-A Boys' State basketball tournament. Senators Maddox and Kramer (3-25-93).

Brad Moss, Boyden-Hull High School — For winning the 1993 Class A student athlete achievement award. Senator Rensink (3-25-93).

Coach Jim Ekhoﬀ and the Hull Western Christian Indians — For placing fourth in the 1993 Class 3-A Boys' State basketball tournament. Senator Rensink (3-25-93).

Coach Paul Walton and the Boyden-Hull Comets — For placing second in the 1993 Class 1-A Boys' State basketball tournament. Senator Rensink (3-25-93).

AMENDMENTS FILED

S—3259	H.F.	429	Maggie Tinsman Florence Buhr
S—3260	S.F.	268	Elaine Szymoniak
S—3261	S.F.	116	Elaine Szymoniak
S—3262	S.F.	356	Michael Gronstal
S—3263	S.F.	350	Jean Lloyd-Jones
S—3264	S.F.	367	Sheldon Rittmer
S—3265	S.F.	367	Sheldon Rittmer
S—3266	S.F.	268	Elaine Szymoniak
S—3267	S.F.	268	Elaine Szymoniak
S—3268	S.F.	331	Merlin E. Bartz
S—3269	S.F.	368	Tony Bisignano Emil J. Husak
S—3270	S.F.	335	Jim Riordan Tony Bisignano Larry Murphy Jim Lind Brad Banks Allen Borlaug
S—3271	S.F.	357	Derryl McLaren Mary E. Kramer Maggie Tinsman

S-3272	S.F.	357	Derryl McLaren Mary E. Kramer Maggie Tinsman
S-3273	S.F.	350	Jim Riordan William D. Palmer
S-3274	S.F.	350	Tom Vilsack
S-3275	S.F.	211	Mike Connolly
S-3276	S.F.	350	Tom Vilsack
S-3277	S.F.	358	Mike Connolly

AFTERNOON SESSION

The Senate reconvened at 2:36 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

House File 182

On motion of Senator Buhr, House File 182, a bill for an act relating to the expansion of the state historical society board of trustees, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 182) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rosenberg Varn

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

Senate File 303

On motion of Senator Bisignano, Senate File 303, a bill for an act relating to off-duty peace officers carrying weapons while in an establishment selling alcoholic beverages for consumption on the premises, while consuming alcoholic beverages, or while intoxicated, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano offered amendment S—3211 filed by him on March 23, 1993, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3211 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 303) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rosenberg Varn

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 182** and **Senate File 303** be immediately messaged to the House.

BUSINESS PENDING

Senate File 350

The Senate resumed consideration of Senate File 350, a bill for an act relating to child support and providing for civil penalties and an effective date, previously deferred.

Senator Giannetto offered amendment S—3280 filed by Senators Giannetto and Fuhrman from the floor to page 10 of the bill and moved its adoption.

Amendment S—3280 was adopted by a voice vote.

Senator Kersten offered amendment S—3283 filed by Senators Kersten and Lloyd-Jones from the floor to page 33 of the bill and moved its adoption.

Amendment S—3283 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. 350) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy

Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rosenberg Varn

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

Senator Horn asked and received unanimous consent that Senate File 350 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

House File 138

On motion of Senator Palmer, House File 138, a bill for an act relating to the time limitation within which an administratively dissolved corporation may apply for reinstatement, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 138) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife

Sorensen
Tinsman
Zieman

Sturgeon
Varn

Szymoniak
Vilsack

Taylor
Welsh

Nays, none.

Absent or not voting, 1:

Rosenberg

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

Senator Palmer asked and received unanimous consent that **Senate File 181** be **withdrawn** from further consideration of the Senate.

Senate File 268

On motion of Senator Szymoniak, Senate File 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates, with report of committee on Business and Labor Relations recommending amendment and passage; report of committee on Small Business, Economic Development, and Tourism recommending amendment and passage; report of committee on Education recommending amendment and passage, and report of committee on Ways and Means recommending passage, was taken up for consideration.

The Senate stood at ease at 3:31 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:00 p.m., President Boswell presiding.

Senator Szymoniak offered amendment S—3130 filed by the committee on Business and Labor Relations on March 15, 1993, to pages 12-14 of the bill and moved its adoption.

Amendment S—3130 was adopted by a voice vote.

Senator Connolly offered amendment S—3164 filed by the committee on Education on March 18, 1993, to pages 14 and 15 of the bill.

Senator Szymoniak offered amendment S—3260 filed by her from the floor to amendment S—3164 and moved its adoption.

Amendment S—3260 was adopted by a voice vote.

Senator Connolly moved the adoption of amendment S—3164 as amended, which motion prevailed by voice vote.

Senator Riordan offered amendment S—3148 filed by the committee on Small Business, Economic Development, and Tourism on March 16, 1993, to pages 20-24 of the bill and moved its adoption.

Amendment S—3148 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3267 filed by her from the floor to pages 4, 7, 8 and 10 of the bill and moved its adoption.

Amendment S—3267 was adopted by a voice vote.

Senator Rittmer offered amendment S—3233 filed by him on March 24, 1993, to page 9 of the bill and moved its adoption.

Amendment S—3233 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3239 filed by her on March 24, 1993, to page 10 of the bill and moved its adoption.

Amendment S—3239 was adopted by a voice vote.

Senator Bartz offered amendment S—3143 filed by him on March 16, 1993, to page 12 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 19.

Amendment S—3143 was adopted.

Senator Szymoniak offered amendment S—3266 filed by her from the floor to pages 15-20 of the bill and moved its adoption.

Amendment S—3266 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. 268) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Rosenberg

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

UNFINISHED BUSINESS (Deferred March 24, 1993)

Senate File 335

The Senate resumed consideration of Senate File 335, a bill for an act relating to the Wallace transfer foundation and providing an effective date, deferred March 24, 1993.

Senator Riordan offered amendment S—3270 filed by Senators Riordan, et al., from the floor to pages 1-3 of the bill and moved its adoption.

Amendment S—3270 was adopted by a voice vote.

With the adoption of amendment S—3270, the Chair ruled the following amendments out of order:

S—3218 filed by Senator Riordan on March 24, 1993, to pages 1-3 of the bill, S—3224 filed by Senator Riordan on March 24, 1993, to page 2 of the bill, and S—3227 filed by Senators Borlaug, Maddox and McLaren on March 24, 1993, to page 1 of the bill.

Senator McKean withdrew amendment S—3229 filed by him on March 24, 1993, to page 2 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?" (S.F. 335) the vote was:

Ayes, 36:

Banks	Bisignano	Boswell	Buhr
Connolly	Deluhery	Dieleman	Drake
Fink	Fraise	Gettings	Giannetto
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	Murphy	Palmer	Pate
Rensink	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Zieman

Nays, 13:

Bartz	Bennett	Borlaug	Fuhrman
Gronstal	Hester	Kramer	Maddox
McKean	McLaren	Priebe	Rife
Welsh			

Absent or not voting, 1:

Rosenberg

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

**CONSIDERATION OF BILL
(Regular Calendar)**

House File 401

On motion of Senator Zieman, House File 401, a bill for an act relating to bees and beekeeping, repealing a section, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 401) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Rosenberg

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 138 and 401** and **Senate Files 268 and 335** be **immediately messaged** to the House.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

House File 429

On motion of Senator Buhr, House File 429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs and providing for the elimination of the health data commission and the department of human rights, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Buhr offered amendment S—3213 filed by the committee on Appropriations on March 23, 1993, to pages 16, 21 and 22 of the bill.

Senator Varn asked and received unanimous consent that action on amendment S—3213 be deferred.

Senator Tinsman asked and received unanimous consent to withdraw amendment S—3259 filed by Senators Tinsman and Buhr from the floor to page 21 of the bill.

Senator Connolly offered amendment S—3250 filed by him on March 25, 1993, to page 21 of the bill.

Senator Lind raised the point of order that amendment S—3250 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3250 out of order.

Senator Kramer offered amendment S—3217 filed by her on March 24, 1993, to page 22 and to the title page of the bill.

Senator Murphy raised the point of order that amendment S—3217 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3217 out of order.

Senator Horn asked and received unanimous consent that action on **House File 429** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 163

On motion of Senator Vilsack, Senate File 163, a bill for an act relating to civil service, was taken up for consideration.

Senator Vilsack asked and received unanimous consent that action on **Senate File 163** be deferred.

Senate File 381

On motion of Senator Priebe, Senate File 381, a bill for an act relating to the production of livestock, was taken up for consideration.

Senator McLaren asked and received unanimous consent that action on **Senate File 381** be deferred.

BUSINESS PENDING

House File 429

The Senate resumed consideration of House File 429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs and providing for the elimination of the health data commission and the department of human rights, and amendment S—3213 by the committee on Appropriations to pages 16, 21 and 22 of the bill, previously deferred .

Senator Varn offered amendment S—3286 filed by him from the floor to amendment S—3213.

Senator Varn asked and received unanimous consent that action on amendment S—3286 to amendment S—3213 be deferred.

Senator Buhr offered amendment S—3278 filed by Senators Buhr, et al., from the floor to amendment S—3213 and moved its adoption.

Amendment S—3278 was adopted by a voice vote.

With the adoption of amendment S—3278 to amendment S—3213, the Chair ruled amendment S—3286 to amendment S—3213, previously deferred, out of order.

Senator Buhr moved the adoption of amendment S—3213 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 429) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Rosenberg

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

Senator Horn asked and received unanimous consent that **House File 429** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 404, by Palmer, a bill for an act relating to the deduction of certain expenses in computing income for purposes of the state corporate income tax.

Read first time and passed on file.

Senate File 405, by committee on Ways and Means, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

Read first time and placed on calendar.

APPENDIX

STUDY BILL RECEIVED

SSB 315 Appropriations

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate File 32

WAYS AND MEANS: Rosenberg, Chair; Fuhrman and Szymoniak

Senate File 403

WAYS AND MEANS: Dieleman, Chair; Hester and Murphy

House Joint Resolution 17

HUMAN RESOURCES: Riordan, Chair; Lloyd-Jones and Rittmer

SSB 315

APPROPRIATIONS: Murphy, Chair; Boswell and McLaren

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were received in the office of the secretary of the senate:

March 24, 1993

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Secretary Dwyer:

Due to the resignation of Douglas N. Rozendaal from the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board, I am withdrawing his name for consideration by the Senate for this appointment.

March 25, 1993

Due to the resignation of Janice Rowedder from the Chiropractic Examining Board, I am withdrawing her name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 190, the following corrections were made:

1. Page 4, line 17, the word and number "Section 4" were changed to the word and number "Section 6".

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 350, the following corrections were made:

1. Pge 36, line 7, the word and number "Section 200" were changed to the word and number "Section 41".

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 82, a bill for an act relating to the establishment of a chemical emergency preparedness fund, providing for expenditure and use of the moneys in the fund, and establishing fees and a penalty.

Recommendation: DO PASS.

Final Vote: Ayes; 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 1: Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 372, a bill for an act relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Riordan and Szymoniak. Nays, none. Absent or not voting, 2: Palmer and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 405 (SSB 264), a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dieleman, Husak, Deluhery, Drake, Hedge, Lloyd-Jones, McLaren, Murphy, Riordan and Szymoniak. Nays, 3: Fuhrman, Hester and Palmer. Pass, 1: Bennett. Absent or not voting, 1: Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

Senator Riordan introduced the Akatombo Children's Chorus from Kofu, Japan, who were seated in the Senate gallery. The chorus from Yamanashi Prefecture was formed in 1955 by its current director, Ms. Mayumi Amemiya. The 31 children and their chaperones will be in the Des Moines area from March 27 through March 31.

Senator Riordan announced that the chorus would be performing on the first floor of the Capitol after introduction before the Senate.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 404 Ways and Means

S. C. R.	23	Judiciary
S. C. R.	24	Human Resources
S. C. R.	25	Environment & Energy Utilities
H. F.	214	Local Government
H. F.	419	Judiciary
H. F.	518	Appropriations
H. F.	527	Judiciary
H. F.	538	Human Resources
H. F.	541	Human Resources
H. F.	545	Transportation
H. F.	562	State Government
H. F.	563	Agriculture
H. F.	565	State Government

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 29, 1993, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 167 — An act relating to the statute of limitations for marketable title.

SENATE FILE 227 — An act appropriating funds to the department of economic development, the Wallace technology transfer foundation, INTERNET, state university of Iowa, and Iowa state university of science and technology, establishing the economic development deaf interpreters revolving fund, and eliminating state involvement in INTERNET.

AMENDMENTS FILED

S—3278	H. F.	429	Florence Buhr Michael E. Gronstal Maggie Tinsman Larry Murphy Wayne D. Bennett
S—3279	S. F.	331	Merlin E. Bartz Patty Judge
S—3280	S. F.	350	Randal J. Giannetto Linn Fuhrman
S—3281	S. F.	399	James R. Riordan John P. Kibbie William W. Dieleman

			John W. Jensen
			O. Gene Maddox
			Emil J. Husak
			William A. Fink
S—3282	S. F.	399	Ray Taylor
S—3283	S. F.	350	Jim Kersten
			Jean Lloyd-Jones
S—3284	S. F.	376	John P. Kibbie
S—3285	S. F.	393	Elaine Szymoniak
S—3286	H. F.	429	Richard Varn
S—3287	S. F.	163	Tom Vilsack
S—3288	S. F.	383	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:08 p.m., until 9:00 a.m., Tuesday, March 30, 1993.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 30, 1993

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

Prayer was offered by the Reverend Tim Walker, pastor of the United Methodist Churches, Nichols, Conesville and Cedar Valley, Iowa.

The Journal of the Monday, March 29, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1993, adopted the following resolutions in which the concurrence of the House was asked:

Senate Concurrent Resolution 9, a concurrent resolution to condemn the atrocities of systematic rape of women and abandonment of children in Bosnia.

Senate Concurrent Resolution 12, a concurrent resolution honoring Robins H. Jackson of Waterloo, Iowa, for achieving the office of President of the Associated General Contractors of America, the highest elected office in American construction.

ALSO: That the House has on March 26, 1993, amended and adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, a concurrent resolution to designate Council Bluffs, Iowa, the Purple Martin Capital of Iowa (S—3289).

ALSO: That the House has on March 26, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 133, a bill for an act authorizing the governor to obtain financial support for the construction of a rural water system.

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

House File 200, a bill for an act establishing a volunteer physician program within the Iowa department of public health and providing for certain immunity from liability.

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

House File 348, a bill for an act relating to the filing of certain birth certificates.

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

House File 533, a bill for an act allowing the use of mobile transmitters to hunt coyotes and subjecting violators to an existing scheduled fine.

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

House File 578, a bill for an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date.

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

House File 580, a bill for an act concerning wild game feeds by nonprofit organizations.

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 46 present, 4 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 376

On motion of Senator Kibbie, Senate File 376, a bill for an act relating to community college athletic programs, delaying the establishment and funding of the community college excellence 2000 account and the submission of an annual report on community college quality instructional centers, and repealing community college approval and accreditation standards, community college staff development plans and programs, and certain studies related to community colleges, and other related matters, was taken up for consideration.

Senator Kibbie offered amendment S—3257 filed by Senators Kibbie and Connolly on March 25, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Kibbie offered amendment S—3284 filed by him on March 29, 1993, to amendment S—3257 and moved its adoption.

Amendment S—3284 was adopted by a voice vote.

Senator Lind offered amendment S—3293 filed by Senators Lind and Slife from the floor to amendment S—3257 and moved its adoption.

A non record roll call was requested.

The ayes were 32, nays 18.

Amendment S—3293 was adopted.

Senator Kibbie moved the adoption of amendment S—3257 as amended, which motion prevailed by 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. 376) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	McKean	McLaren

Murphy	Palmer	Pate	Rensink
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, 6:

Bisignano	Hedge	Maddox	Priebe
Rife	Varn		

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

UNFINISHED BUSINESS (Deferred March 29, 1993)

Senate File 163

The Senate resumed consideration of Senate File 163, a bill for an act relating to civil service, deferred March 29, 1993.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kramer until she returns on request of Senator Hedge and Senator Varn excused himself until he returns.

BUSINESS PENDING

Senate File 163

Senator Vilsack offered amendment S—3167 filed by him on March 19, 1993, to pages 1-9 and to the title page of the bill and moved its adoption.

Amendment S—3167 was adopted by a voice vote.

Senator Vilsack offered amendment S—3287 filed by him on March 29, 1993, to page 2 of the bill and moved its adoption.

Amendment S—3287 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 163) the vote was:

Ayes, 44:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Tinsman	Vilsack	Welsh

Nays, 4:

Banks	Borlaug	Taylor	Zieman
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Absent or not voting, 2:

Kramer	Varn
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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)

Senate File 343

On motion of Senator Welsh, Senate File 343, a bill for an act relating to standards for land surveying by designating an Iowa plane coordinate system, was taken up for consideration.

Senator Welsh offered amendment S—3253 filed by him on March 25, 1993, to page 2 of the bill and moved its adoption.

Amendment S—3253 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. 343) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Kramer Varn

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

Senate File 331

On motion of Senator Judge, Senate File 331, a bill for an act authorizing a city or county to impose an economic development levy consisting of a property tax levy, income surtax, or both, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Bartz withdrew amendment S—3268 filed by him on March 29, 1993, to pages 3 and 5 of the bill.

Senator Bartz offered amendment S—3279 filed by Senators Bartz and Judge on March 29, 1993, to pages 3 and 5 of the bill.

Senator Riordan asked and received unanimous consent that action on amendment S—3279 and Senate File 331 be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 163, 343 and 376** be **immediately messaged** to the House.

The Senate stood at ease at 10:53 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:50 a.m., President Boswell presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 11:53 a.m., until 2:45 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 268, the following corrections were made:

1. Page 11, line 31, the word and number "section 11" were changed to the word and number "section 12".
2. Page 25, line 14, the words and numbers "Sections 500 and 501 were changed to the words and numbers "Sections 18 and 19.
3. Page 25, line 15, the word and number "Section 500" were changed to the word and number "Section 18".
4. Page 25, line 16, the word and number "Section 501" were changed to the word and number "Section 19".

JOHN F. DWYER
Secretary of the Senate

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: March 29, 1993, 1:34 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, and Szymoniak.

Members Absent: Rosenberg (excused).

Committee Business: Approved SSB 264 as a committee bill; recommended passage of Senate Files 82 and 372.

Adjourned: 2:25 p.m.

PRESENTATION OF VISITORS

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

Forty students, members of the Linn County 4-H program, accompanied by Sandy Teggate. Senators Horn, Varn, Pate and McKean.

Forty-four fifth grade students from Western Hills Elementary School, West Des Moines. Senator Kramer.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 23

JUDICIARY: Rosenberg, Chair; Lloyd-Jones and Slife

Senate Concurrent Resolution 24

HUMAN RESOURCES: Szymoniak, Chair; Tinsman and Varn

Senate Concurrent Resolution 25

ENVIRONMENT AND ENERGY UTILITIES: Fink, Chair; Kersten and Sorensen

Senate File 398

JUDICIARY: Szymoniak, Chair; Pate and Vilsack

Senate File 401

HUMAN RESOURCES: Sturgeon, Chair; Bennett and Buhr

Senate File 402

HUMAN RESOURCES: Buhr, Chair; Judge and Rittmer

House File 151

JUDICIARY: Rosenberg, Chair; McKean and Welsh

House File 169

LOCAL GOVERNMENT: Fraise, Chair; Rittmer and Sorensen

House File 373

JUDICIARY: Rosenberg, Chair; Fuhrman and Sturgeon

House File 419

JUDICIARY: Welsh, Chair; Drake and Giannetto

House File 518

APPROPRIATIONS: Varn, Chair; Buhr and Kramer

House File 527

JUDICIARY: McKean, Chair; Giannetto and Vilsack

House File 538

HUMAN RESOURCES: Lloyd-Jones, Chair; Riordan and Rittmer

House File 541

HUMAN RESOURCES: Buhr, Chair; Lloyd-Jones and Tinsman

AMENDMENTS FILED

S-3289	S. C. R.	5	House amendment
S-3290	S. F.	357	Tom Vilsack
S-3291	S. F.	211	Mike Connolly
S-3292	S. F.	393	John W. Jensen Jim Riordan
S-3293	S. F.	376	Jim Lind Harry Slife
S-3294	S. F.	359	Richard Varn Berl E. Priebe
S-3295	S. F.	356	Michael Gronstal
S-3296	S. F.	354	Jim Kersten Tony Bisignano
S-3297	S. F.	357	Derryl McLaren Mary Kramer Maggie Tinsman
S-3298	S. F.	383	Ray Taylor
S-3299	S. F.	380	Richard Varn

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 394

On motion of Senator Varn, Senate File 394, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance, 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. 394) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Kersten

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

Senate File 354

On motion of Senator Welsh, Senate File 354, a bill for an act relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits; by imposing civil penalties; by appropriating moneys collected through civil penalties, by removing certain restrictions on the sale of alcoholic beverages, and by providing for other properly related matters, was taken up for consideration.

Senator Kersten offered amendment S—3296 filed by Senators Kersten and Bisignano from the floor to page 11 of the bill and moved its adoption.

Amendment S—3296 was adopted by a voice vote.

Senator Welsh offered amendment S—3206 filed by him on March 23, 1993, to page 12 of the bill and moved its adoption.

Amendment S—3206 was adopted by a voice vote.

Senator Jensen asked and received unanimous consent that action on **Senate File 354** be deferred.

Senate File 211

On motion of Senator Connolly, Senate File 211, a bill for an act establishing the campus care program and the community service assistance program to organize student volunteers in service to a local community, and providing for the establishment of funds and making of appropriations, was taken up for consideration.

Senator Connolly offered amendment S—3275 filed by him on March 29, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Connolly offered amendment S—3291 filed by him from the floor to page 6 of amendment S—3275 and moved its adoption.

Amendment S—3291 was adopted by a voice vote.

Senator Connolly moved the adoption of amendment S—3275 as amended, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 211) the vote was:

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

Ayes, 24:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Fink	Fraise	Gettings
Giannetto	Gronstal	Husak	Judge
Kibbie	Lloyd-Jones	Murphy	Palmer
Priebe	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Vilsack	Welsh

Nays, 25:

Banks	Bartz	Bennett	Borlaug
Dieleman	Drake	Fuhrman	Hedge
Hester	Horn	Jensen	Kersten
Kramer	Lind	Maddox	McKean
McLaren	Pate	Rensink	Rife
Rittmer	Slife	Taylor	Tinsman
Zieman			

Absent or not voting, 1:

Riordan

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

UNFINISHED BUSINESS
(Deferred March 22, 1993)

Senate File 360

The Senate resumed consideration of Senate File 360, a bill for an act relating to the opening of certain adoption records, deferred March 22, 1993.

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. 360) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Horn	Husak	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Varn	Vilsack	Welsh
Zieman			

Nays, 4:

Hedge	Hester	Jensen	Rensink
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Absent or not voting, 1:

Tinsman

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 394 and 360 be immediately messaged to the House.

MOTION TO RECONSIDER ADOPTED

Senate Horn filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 211 failed to pass the Senate on March 30, 1993.

On the question "Shall the motion to reconsider be adopted?" (S.F. 211) the vote was:

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Nays, 22:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Zieman		

Absent or not voting, 1:

Tinsman

The motion prevailed.

Senator Horn moved to reconsider the vote by which Senate File 211 went to its last reading, which motion prevailed by a voice vote.

Senate File 211

On motion of Senator Connolly, Senate File 211, a bill for an act establishing the campus care program and the community service assistance program to organize student volunteers in service to a local community, and providing for the establishment

of funds and making of appropriations, was taken up for reconsideration.

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

On the question "Shall the bill pass?" (S.F. 211) the vote was:

Ayes, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Nays, 23:

Banks	Bartz	Bennett	Borlaug
Dieleman	Drake	Fuhrman	Hedge
Hester	Jensen	Kersten	Kramer
Lind	Maddox	McKean	McLaren
Pate	Rensink	Rife	Rittmer
Slife	Taylor	Zieman	

Absent or not voting, 1:

Tinsman

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

BUSINESS PENDING

Senate File 354

The Senate resumed consideration of Senate File 354, a bill for an act relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits, by imposing civil penalties, by appropriating moneys collected through civil penalties, by

removing certain restrictions on the sale of alcoholic beverages, and by providing for other properly related matters, previously deferred.

Senator Welsh offered amendment S—3305 filed by him from the floor to pages 7 and 8 of the bill and moved its adoption.

Amendment S—3305 was adopted by a voice vote.

Senator Jensen offered amendment S—3302 filed by Senators Jensen, Bisignano and Welsh from the floor to page 10 and to the title page of the bill and moved its adoption.

Amendment S—3302 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. 354) the vote was:

Ayes, 44:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh

Nays, 6:

Banks	Dieleman	Hedge	McKean
Rensink	Zieman		

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

**CONSIDERATION OF BILL
(Regular Calendar)**

Senate File 357

On motion of Senator Vilsack, Senate File 357, a bill for an act requiring the department of management and the department of personnel to develop a strategic plan for privatizing state functions, was taken up for consideration.

Senator McLaren offered amendment S—3297 filed by Senators McLaren, Kramer and Tinsman from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Vilsack offered amendment S—3303 filed by Senators Vilsack, et al., from the floor to amendment S—3297 and moved its adoption.

Amendment S—3303 was adopted by a voice vote.

Senator McLaren moved the adoption of amendment S—3297 as amended, which motion prevailed by voice vote.

With the adoption of amendment S—3297 as amended, the Chair ruled the following amendments to page 1 of the bill out of order:

S—3271 filed by Senators McLaren, Kramer and Tinsman on March 29, 1993.

S—3272 filed by Senators McLaren, Kramer and Tinsman on March 29, 1993.

S—3290 filed by Senator Vilsack from the floor.

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

On the question "Shall the bill pass?" (S.F. 357) the vote was:

Ayes, 46:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal

Hedge	Horn	Husak	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, 4:

Banks	Hester	Jensen	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 380

On motion of Senator Varn, Senate File 380, a bill for an act relating to providing greater accessibility to health care and health care insurance coverage and establishing pilot projects, was taken up for consideration.

Senator Varn offered amendment S—3237 filed by him on March 24, 1993, to pages 1-3 of the bill and moved its adoption.

Amendment S—3237 was adopted by a voice vote.

Senator Varn offered amendment S—3299 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3299 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. 380) the vote was:

Ayes, 47:

Bartz	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kibbie	Kramer

Lind	Lloyd-Jones	Maddox	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Banks	Kersten	McKean
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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 253

On motion of Senator Connolly, Senate File 253, a bill for an act to establish a midwestern higher education compact, was taken up for consideration.

Senator Varn offered amendment S—3150 filed by him on March 17, 1993, to pages 5-7 of the bill and moved its adoption.

Amendment S—3150 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 253) the vote was:

Ayes, 24:

Bisignano	Boswell	Buhr	Deluhery
Fink	Fraise	Gettings	Giannetto
Gronstal	Horn	Judge	Kibbie
Lloyd-Jones	Murphy	Palmer	Rensink
Riordan	Rittmer	Rosenberg	Sorensen
Sturgeon	Szymoniak	Varn	Welsh

Nays, 26:

Banks	Bartz	Bennett	Borlaug
Connolly	Dieleman	Drake	Fuhrman
Hedge	Hester	Husak	Jensen
Kersten	Kramer	Lind	Maddox
McKean	McLaren	Pate	Priebe

Rife
Vilsack

Slife
Zieman

Taylor

Tinsman

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 399

On motion of Senator Szymoniak, Senate File 399, a bill for an act relating to the charter commission process and alternative forms of government, including certain taxation authority and a retroactive applicability provision, was taken up for consideration.

Senator Taylor offered amendment S—3282 filed by him on March 29, 1993, to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 28.

Amendment S—3282 lost.

Senator Bisignano offered amendment S—3231 filed by him on March 24, 1993, to pages 6 and 7 of the bill and moved its adoption.

Amendment S—3231 was adopted by a voice vote,

Senator Szymoniak offered amendment S—3243 filed by her on March 24, 1993, to pages 9 and 10 of the bill and moved its adoption.

Amendment S—3243 was adopted by a voice vote.

With the adoption of amendment S—3243, the Chair ruled amendment S—3281 filed by Senators Riordan, et al., on March 29, 1993, to page 9 of the bill, out of order.

Senator Kramer asked and received unanimous consent that action on amendment S—3308 filed by Senators Kramer and Maddox on March 30, 1993, to page 10 of the bill be deferred for consideration of amendment S—3248.

Senator Kramer offered amendment S—3248 filed by Senators Kramer and Maddox on March 25, 1993, to page 10 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3248 be adopted?" (S.F. 399) the vote was:

Ayes, 23:

Bartz	Bennett	Borlaug	Drake
Fuhrman	Hedge	Hester	Jensen
Kersten	Kramer	Lind	Maddox
McKean	McLaren	Pate	Rensink
Rife	Riordan	Rittmer	Slife
Taylor	Tinsman	Zieman	

Nays, 27:

Banks	Bisignano	Boswell	Buhr
Connolly	Deluhery	Dieleman	Fink
Fraise	Gettings	Giannetto	Gronstal
Horn	Husak	Judge	Kibbie
Lloyd-Jones	Murphy	Palmer	Priebe
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Amendment S—3248 lost.

Senator Kramer moved the adoption of amendment S—3308 by Senators Kramer and Maddox to page 10 of the bill, previously deferred.

Amendment S—3308 lost by a voice vote.

Senator Kramer offered amendment S—3307 filed by Senators Kramer and Maddox on March 30, 1993, to page 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 21.

Amendment S—3307 was adopted.

Senator Maddox offered amendment S—3246 filed by Senators Maddox and Kramer on March 25, 1993, to pages 11, 12, 14-16 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3246 be adopted?" (S.F. 399) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Gettings	Hedge
Hester	Jensen	Kersten	Kramer
Lind	Maddox	McKean	McLaren
Pate	Rensink	Rife	Rittmer
Slife	Taylor	Tinsman	Zieman

Nays, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Priebe	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Varn
Vilsack	Welsh		

Amendment S—3246 lost.

Senator Kramer offered amendment S—3249 filed by Senators Kramer and Maddox on March 25, 1993, to page 15 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 25, nays 25.

Amendment S—3249 lost.

Senator Maddox asked and received unanimous consent to withdraw amendment S—3247 filed by Senators Maddox and Kramer on March 25, 1993, to page 17 of the bill.

Senator Riordan offered amendment S—3313 filed by him on March 30, 1993, to page 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 27.

Amendment S—3313 lost.

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. 399) the vote was:

Ayes, 22:

Bisignano	Buhr	Connolly	Deluhery
Fraise	Giannetto	Gronstal	Horn
Kibbie	Kramer	Lloyd-Jones	Murphy
Palmer	Pate	Priebe	Slife
Sorensen	Sturgeon	Tinsman	Varn
Vilsack	Welsh		

Nays, 27:

Banks	Bartz	Bennett	Borlaug
Boswell	Dieleman	Drake	Fink
Fuhrman	Gettings	Hedge	Hester
Husak	Jensen	Judge	Kersten
Lind	Maddox	McKean	McLaren
Rensink	Rife	Riordan	Rittmer
Szymoniak	Taylor	Zieman	

Absent or not voting, 1:

Rosenberg

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate File 357 be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1993, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 267, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates (S—3300).

INTRODUCTION OF RESOLUTIONS

Senate Resolution 6, by committee on Rules and Administration, a resolution to amend Senate Rule 12 regarding amendments.

Read first time and placed on calendar.

Senate Concurrent Resolution 26, by Husak, Dieleman, Jensen, Boswell, Drake, Gettings, Kibbie, Fink, Giannetto, Hester, Rensink, Fuhrman, Horn, Fraise, and Slife, a concurrent resolution supporting the expansion of the Fitzsimons Army Medical Center.

Read first time and passed on file.

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

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 30, 1993, and recommended the appointees be confirmed:

Cynthia S. Houlson, Ann M. Menke and Jean E. Negley as members of the Job Service Advisory Council.

Allen J. Meier as Labor Commissioner.

SUBCOMMITTEE ASSIGNMENT

Senate File 316

AGRICULTURE: Husak, Chair; McLaren and Riordan

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Shane Anderson, Des Moines; Brian Billings, Johnston; Justin Reis, Johnston and Michael Remer, Johnston — For attaining the coveted rank of Eagle Scout. Senator Maddox (5-29-93).

Dunkerton High School student body — For being recognized by the United States Department of Transportation for exceptional compliance to the seatbelt law. Senator Murphy (3-30-93).

PRESENTATION OF VISITORS

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

Thirty-six eleventh grade students from Clarksville High School, Clarksville, accompanied by Dave Waskon. Senator Jensen.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	133	Natural Resources
H.F.	348	Human Resources
H.F.	580	Natural Resources

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 354 passed the Senate on March 30, 1993.

RANDAL J. GIANNETTO

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3302 to Senate File 354 was adopted by the Senate on March 30, 1993.

RANDAL J. GIANNETTO

MR. PRESIDENT: I move to reconsider the vote by which Senate File 354 passed the Senate on March 30, 1993.

JOE J. WELSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 399 failed to pass the Senate on March 30, 1993.

ELAINE SZYMONIAK

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 430, a bill for an act relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, allocating use tax revenue for GAAP deficit reductions, making appropriations for certain tax credits, and providing for other properly related matters and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3314.

Final Vote: Ayes, 22: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 3: Pate, Rensink and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 6, a resolution to amend Senate Rule 12 regarding amendments.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Horn, Boswell, Rife, Husak, Lind and Palmer. Nays, none. Absent or not voting, 3: Gettings, Gronstal and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 351, a bill for an act relating to electronic availability of the Iowa Code through the state librarian.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Horn, Boswell, Rife, Gronstal, Husak, Lind and Palmer. Nays, none. Absent or not voting, 2: Gettings and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 359, a bill for an act requiring the publication and availability of the administrative code and bulletin in electronic format.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3304.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Kramer, Lind and Palmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3300	S.F.	267	House amendment
S-3301	S.F.	171	Randal J. Giannetto
S-3302	S.F.	354	John W. Jensen Tony Bisignano Joe J. Welsh
S-3303	S.F.	357	Tom Vilsack Patty Judge Randal J. Giannetto

			Derryl McLaren
			Mary E. Kramer
			Michael E. Gronstal
S-3304	S.F.	359	Rules & Administration
S-3305	S.F.	354	Joe J. Welsh
S-3306	S.F.	356	Merlin E. Bartz
S-3307	S.F.	399	Mary E. Kramer
			O. Gene Maddox
S-3308	S.F.	399	Mary E. Kramer
			O. Gene Maddox
S-3309	S.F.	383	Elaine Szymoniak
S-3310	S.F.	367	Sheldon Rittmer
S-3311	S.F.	367	Sheldon Rittmer
S-3312	S.F.	358	Andy McKean
S-3313	S.F.	399	Jim Riordan
S-3314	H.F.	430	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:40 p.m., until 9:00 a.m., March 31, 1993.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
 FORTY-EIGHTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, March 31, 1993

The Senate met in regular session at 9:04 a.m., President Boswell presiding.

Prayer was offered by the Reverend Tom Raphael Nakos, pastor of the Gatchel United Methodist Church, Des Moines, Iowa.

The Journal of the Tuesday, March 30, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 1993, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 20, a concurrent resolution relating to product labeling and supporting flag labeling all goods and services.

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

House Joint Resolution 19, a joint resolution to nullify an administrative rule of the department of education relating to a requirement for an instructional time audit and providing an effective date.

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

ALSO: That the House has on March 29, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 354, a bill for an act relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of transportation, by eliminating liens

on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports.

This bill was read first time and passed on file.

House File 603, a bill for an act relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation.

This bill was read first time and passed on file.

INTRODUCTION OF BILL

Senate File 406, by committee on Appropriations, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date.

Read first time and placed on Appropriations Calendar.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 380** be immediately messaged to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bisignano for the day and Senator Murphy until he arrives on request of Senator Horn.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 6.

Senate Resolution 6

On motion of Senator Horn, Senate Resolution 6, a resolution to amend Senate Rule 12 regarding amendments, was taken up for consideration.

Senator Horn moved the adoption of Senate Resolution 6, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Rife.

HOUSE AMENDMENT CONSIDERED

Senate File 97

Senator Judge called up for consideration Senate File 97, a bill for an act relating to the Iowa adoption exchange system, amended by the House, and moved that the Senate concur in House amendment S—3114 filed March 10, 1993.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Judge moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 97) the vote was:

Ayes, 46:

Banks
Boswell
Dieleman

Bartz
Buhr
Drake

Bennett
Connolly
Fink

Borlaug
Deluhery
Fraise

Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 160

On motion of Senator Vilsack, Senate File 160, a bill for an act providing for an alternative method of accreditation for public and nonpublic schools, was taken up for consideration.

Senator Connolly asked and received unanimous consent that action on **Senate File 160** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Welsh until he arrives on request of Senator Horn.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 351

On motion of Senator Varn, Senate File 351, a bill for an act relating to electronic availability of the Iowa Code through the state librarian, with report of committee on Rules and

Administration 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. 351) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bisignano	Kramer	Murphy	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.

UNFINISHED BUSINESS (Deferred March 22, 1993)

Senate File 317

The Senate resumed consideration of Senate File 317, a bill for an act concerning amber flashing lights on farm trailers, deferred on March 22, 1993, referred to the committee on Transportation on March 22, 1993, and the report of committee on Transportation recommending amendment and passage on March 24, 1993.

Senator Jensen offered amendment S—3241 filed by the committee on Transportation on March 24, 1993, to page 1 and to the title page of the bill.

Senator Priebe raised the point of order that amendment S—3241 was not germane to the bill.

Senator Priebe withdrew his point of order.

Senator Lloyd-Jones asked and received unanimous consent that action on amendment S—3241 and Senate File 317 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 362

On motion of Senator Varn, Senate File 362, a bill for an act relating to small group rating practices and the availability of health insurance coverage, was taken up for consideration.

Senator Varn offered amendment S—3236 filed by him on March 24, 1993, to pages 1, 5 and 7 of the bill and moved its adoption.

Amendment S—3236 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. 362) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano Kramer

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

Senate File 391

On motion of Senator Szymoniak, Senate File 391, a bill for an act relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness, 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. 391) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 1:

Riordan

Absent or not voting, 2:

Bisignano Kramer

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

UNFINISHED BUSINESS
(Deferred March 23, 1993)

Senate File 367

The Senate resumed consideration of Senate File 367, a bill for an act relating to payment of legislative salaries when a member resigns or is removed from office, and requiring repayment under certain circumstances, and amendment S—3212 by Senators Varn, Lind and Husak to page 1 of the bill, deferred March 23, 1993.

Senator Varn asked and received unanimous consent that action on amendment S—3212 continue to be deferred.

Senator Rittmer withdrew amendment S—3264 filed by him on March 29, 1993, to amendment S—3212 and amendment S—3265 filed by him on March 29, 1993, to page 1 and to the title page of the bill.

Senator Rittmer offered amendment S—3310 filed by him on March 30, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3310 was adopted by a voice vote.

With the adoption of amendment S—3310, the Chair ruled the following amendments out of order:

S—3311 filed by Senator Rittmer on March 30, 1993, to amendment S—3212.

S—3212 by Senators Varn, Lind and Husak to page 1 of the bill, previously deferred.

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. 367) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak

Jensen	Judge	Kersten	Kibbie
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 1:

Lind

Absent or not voting, 2:

Bisignano Kramer

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 372

On motion of Senator Vilsack, Senate File 372, a bill for an act relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date, with report of committee on Ways and Means recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 372) the vote was:

Ayes, 47:

Banks	Bennett	Boswell	Buhr
Connolly	Deluhery	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe

Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 2:

Bartz Borlaug

Absent or not voting, 1:

Bisignano

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

The Senate stood at ease at 10:26 a.m. until the fall of the gavel.

The Senate resumed session at 10:38 a.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 623, a bill for an act relating to appropriations and revenue involving agriculture and natural resources, and making related statutory changes.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 82

On motion of Senator Rosenberg, Senate File 82, , a bill for an act relating to the establishment of a chemical emergency preparedness fund, providing for expenditure and use of the moneys in the fund, and establishing fees and a penalty, with report of committee on Environment and Energy Utilities

recommending amendment and passage, and report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3161 filed by the committee on Environment and Energy Utilities on March 18, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Rosenberg offered amendment S—3322 filed by him from the floor to amendment S—3161 and moved its adoption.

Amendment S—3322 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that action on amendment S—3161 as amended and Senate File 82 be deferred.

Senate File 165

On motion of Senator Sturgeon, Senate File 165, a bill for an act relating to the duties of the county recorder and auditor, was taken up for consideration.

Senator Sturgeon offered amendment S—3315 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3315 was adopted by a voice vote.

Senator Pate offered amendment S—3209 filed by him on March 23, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3209 lost by a voice vote.

Senator Zieman asked unanimous consent that action on Senate File 165 be deferred.

Senator Zieman withdrew his motion to defer, filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3315 to Senate File 165 was adopted by the Senate on March 31, 1993.

The motion prevailed by a voice vote and amendment S—3315 by Senator Sturgeon to page 1 of the bill was taken up for reconsideration.

Senator Sturgeon withdrew amendment S—3315.

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. 165) the vote was:

Ayes, 31:

Banks	Buhr	Connolly	Dieleman
Fink	Fraise	Fuhrman	Giannetto
Gronstal	Hester	Horn	Husak
Jensen	Kramer	Lind	Lloyd-Jones
Maddox	Murphy	Palmer	Priebe
Rensink	Rittmer	Rosenberg	Slife
•Sorensen	Sturgeon	Szymoniak	Tinsman
Varn	Vilsack	Zieman	

Nays, 18:

Bartz	Bennett	Borlaug	Boswell
Deluhery	Drake	Gettings	Hedge
Judge	Kersten	Kibbie	McKean
McLaren	Pate	Rife	Riordan
Taylor	Welsh		

Absent or not voting, 1:

Bisignano

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 165, 351, 362, 367, 372 and 391** be **immediately messaged** to the House.

Senator Horn asked and received unanimous consent to send an immediate message to the House on **Senate File 97**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 112, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

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

RECESS

On motion of Senator Horn, the Senate recessed at 11:26 a.m., until 4:30 p.m.

APPENDIX

PRESENTATION OF VISITORS

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

Forty junior high students from Holmes Jr. High School, Cedar Falls, accompanied by Mr. Andreasen. Senator Slife.

Twenty-two high school students from Highland High School, Riverside, accompanied by Chris Samuelson. Senator Hedge.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 406, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 3: Connolly, Horn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 369, a bill for an act providing for certification for eye enucleation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3327.

Final Vote: Ayes, 10: Sorensen, Buhr, Maddox, Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 259, a bill for an act relating to the establishment of an information policy council.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Buhr, Dieleman, Drake, Fink, Giannetto, McLaren, Pate and Priebe. Nays, 1: McKean. Absent or not voting, 5: Bisignano, Kramer, Lind, Sorensen and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 346, a bill for an act relating to the inventory and coordination of geographic information systems.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3326.

Final Vote: Ayes, 16: Gronstal, Kibbie, Rittmer, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 253 failed to pass the Senate on March 30, 1993.

MIKE CONNOLLY

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: March 30, 1993, 12:15 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Connolly and Palmer (both excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 315 as a committee bill.

Recessed: 12:55 p.m.

Reconvened: March 30, 1993, 6:45 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Slife, Tinsman, Varn and Vilsack.

Members Absent: Pate (excused), Rensink and Rosenberg (excused).

Committee Business: Recommended passage of House File 430.

Adjourned: 7:10 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 30, 1993, 1:35 p.m.

Members Present: Gettings, Chair; Sturgeon, Vice Chair; Fuhrman, Ranking Member; Giannetto, Maddox, Murphy, Slife and Taylor.

Members Absent: Buhr and Connolly (both excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 1:40 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 30, 1993, 1:10 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen.

Members Absent: Welsh.

Committee Business: Presentation on industrial energy efficiency by representatives from Northeast Midwest Institute, Iowa Utilities Board, Office of Consumer Advocate and ISE Industries, Inc.

Adjourned: 2:43 p.m.

RULES AND ADMINISTRATION**Convened:** March 30, 1993, 2:35 p.m.**Members Present:** Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer, Lind and Palmer.**Members Absent:** none.**Committee Business:** Approved committee resolution regarding Senate Rule 12; recommended passage of Senate File 351; recommended passage of Senate File 359 as amended.**Adjourned:** 2:52 p.m.**BILLS ASSIGNED TO COMMITTEE**

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

S. C. R.	26	Human Resources
H. F.	112	Judiciary
H. F.	331	Environment & Energy Utilities
H. F.	354	Transportation
H. F.	603	Local Government
H. J. R.	19	Education

SUBCOMMITTEE ASSIGNMENTS

Senate File 43
(Reassigned)

COMMERCE: Deluhery, Chair; Gettings and Jensen**Senate File 259****STATE GOVERNMENT:** Gronstal, Chair; Fink and Pate**Senate File 276****STATE GOVERNMENT:** Kibbie, Chair; Kramer and Sorensen**Senate File 344****COMMERCE:** Palmer, Chair; Deluhery and Slife**Senate File 346****STATE GOVERNMENT:** Gronstal, Chair; Fink and Pate

House File 267

NATURAL RESOURCES: Judge, Chair; Rensink and Riordan

House File 348

HUMAN RESOURCES: Judge, Chair; Kramer and Sturgeon

House File 415

COMMERCE: Deluhery, Chair; Fuhrman and Welsh

House File 484

STATE GOVERNMENT: Buhr, Chair; Bisignano and McKean

House File 562

STATE GOVERNMENT: Buhr, Chair; McKean and Priebe

House File 565

STATE GOVERNMENT: Giannetto, Chair; Drake and Welsh

AMENDMENTS FILED

S-3315	S.F.	165	Al Sturgeon
S-3316	S.F.	382	Linn Fuhrman
			Randal J. Giannetto
S-3317	S.F.	281	Berl E. Priebe
			Jim Riordan
			Emil J. Husak
			Larry Murphy
			H. Kay Hedge
			Ralph Rosenberg
			Ray Taylor
			Jim Kersten
			Tom Vilsack
			William D. Palmer
S-3318	S.F.	331	Andy McKean
S-3319	S.F.	356	Jim Lind
S-3320	S.F.	358	Andy McKean
			William W. Dieleman
S-3321	S.F.	281	Ralph Rosenberg
			Berl E. Priebe

S-3322	S.F.	82	Ralph Rosenberg
S-3323	H.F.	301	Al Sturgeon
S-3324	S.F.	406	Jim Riordan
			Allen Borlaug
S-3325	S.F.	317	Jean Lloyd-Jones
S-3326	S.F.	346	State Government
S-3327	H.F.	369	Local Government

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 331, a bill for an act authorizing compliance with federal air quality regulations and creating penalties.

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

QUORUM CALL

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

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

UNFINISHED BUSINESS

(Deferred March 23, 1993)

Senate File 373

The Senate resumed consideration of Senate File 373, a bill for an act relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses, deferred March 23, 1993.

Senator Connolly offered amendment S—3219 filed by him on March 24, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Lind raised the point of order that amendment S—3219 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3219 in order.

Senator Connolly moved the adoption of amendment S—3219.

A record roll call was requested.

On the question "Shall the amendment S—3219 be adopted?" (S.F. 373) the vote was:

Ayes, 13:

Connolly	Deluhery	Fink	Horn
Judge	Kibbie	Lloyd-Jones	Murphy
Palmer	Riordan	Rosenberg	Sturgeon
Vilsack			

Nays, 35:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Dieleman	Drake
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Husak
Jensen	Kramer	Lind	Maddox
McKean	McLaren	Pate	Priebe
Rensink	Rife	Rittmer	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Varn	Welsh	Zieman	

Absent or not voting, 2:

Bisignano	Kersten
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Amendment S—3219 lost.

Senator McKean offered amendment S—3258 filed by Senators McKean and Giannetto on March 25, 1993, to pages 1-3 of the bill and moved its adoption.

Amendment S—3258 was adopted by a voice vote.

Senator Giannetto moved that the bill be read the last time now and placed upon its passage, 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, 44:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings

Giannetto	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, 4:

Connolly	Deluhery	Murphy	Sturgeon
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Absent or not voting, 2:

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

Senator Horn asked and received unanimous consent that **Senate 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:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 495, a bill for an act relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty.

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

House File 559, a bill for an act relating to indemnity and subrogation concerning workers' compensation benefits.

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

APPENDIX**BILL RETURNED TO CALENDAR
(Senate File 398)**

Pursuant to Senate Rule 13 and unanimous consent received by Senator Horn on March 29, 1993, on Senate Journal page 861, **Senate File 398** was returned to the Senate Unfinished Calendar from the committee on Judiciary at 5:00 p.m., Wednesday, March 31, 1993, without committee recommendation for passage.

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: HOUSE FILE 327, a bill for an act relating to limited liability companies.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Deluhery, Palmer, Jensen, Fuhrman, Gettings, Gronstal, Kersten, Lind, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 2: Bisignano and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 277, a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3332.

Final Vote: Ayes, 8: Deluhery, Palmer, Jensen, Gronstal, Slife, Sturgeon, Varn and Welsh. Nays, 3: Kersten, Lind and Priebe. Absent or not voting, 4: Bisignano, Fuhrman, Gettings and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ETHICS

Final Bill Action: HOUSE FILE 144, a bill for an act relating to government ethics, providing penalties, transition provisions, providing for retroactive applicability, and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3335.

Final Vote: Ayes, 6: Gettings, Rosenberg, Hedge, Drake, Husak and McKean.
Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3328	S.F.	232	John W. Jensen Eugene Fraise
S-3329	H.F.	354	John Jensen Eugene Fraise
S-3330	S.F.	405	Wayne Bennett Randal J. Giannetto Maggie Tinsman Wilmer Rensink Brad Banks
S-3331	S.F.	358	William W. Dieleman
S-3332	S.F.	277	Commerce
S-3333	S.F.	358	William W. Dieleman
S-3334	S.F.	358	William W. Dieleman
S-3335	H.F.	144	Ethics

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Thursday, April 1, 1993.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 1, 1993

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

Prayer was offered by the Reverend Gordon Packard, pastor of the Union Park United Methodist Church, Des Moines, Iowa.

The Journal of the Wednesday, March 31, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano until he arrives on request of Senator Horn.

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.

UNFINISHED BUSINESS (Deferred March 25, 1993)

Senate File 398

The Senate resumed consideration of Senate File 398, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement, and amendment S—3207 by Senator Szymoniak to pages 8 and 11 of the bill, deferred March 25, 1993, referred to the committee on Judiciary on March 25, 1993, and returned to the calendar without committee recommendation on March 31, 1993.

President pro tempore Palmer took the chair at 9:35 a.m.

Senator Szymoniak moved the adoption of amendment S—3207, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 398) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 1:

Sturgeon

Absent or not voting, 2:

Bisignano Slife

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 346

On motion of Senator Varn, Senate File 346, a bill for an act relating to the inventory and coordination of geographic information systems, with report of committee on State Government recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **Senate File 346** be deferred.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Gary D. Lamb be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

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:

Gary L. Lawson as Administrator of the Division on the Status of African-Americans.

Eugene M. Meister as a member of the Board of Nursing Examiners.

Jill L. Kirkberg and Sharon K. McCrabb as members of the County Finance Committee.

Dr. Bruce C. Heilman as a member of the Dental Examining Board.

Harrison "Skip" Weber as a member of the Employment Appeal Board.

Michael K. Eberle as a member of the Iowa Board of Veterinary Medicine.

William B. Trent, Jr. as a member of the Iowa Economic Development Board.

Carolyn A. Roberts as a member of the Iowa Grain Indemnity Fund Board.

Jacqueline Day as a member of the Iowa Law Enforcement Academy Council.

Cynthia S. Houlson as a member of the Job Service Advisory Council.

Allen J. Meier as Labor Commissioner.

Ruth A. Ohde as a member of the Mortuary Science Examining Board.

Thomas G. Monroe as a member of the Natural Resource Commission.

John E. Knapp as a member of the Real Estate Commission.

Donald R. Graves, II as a member of the Small Business Advisory Council.

Oliver J. Emerson and Everett Lee Faris as members of the State Soil Conservation Committee.

Lloyd Clarke as a member of the State Transportation Commission.

Wayne T. Newton as a member of the Wallace Technology Transfer Foundation of Iowa.

Hillary B. Maurer as a member of the Well Contractors' Council.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Bisignano

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS (Deferred March 31, 1993)

Senate File 82

The Senate resumed consideration of Senate File 82, a bill for an act relating to the establishment of a chemical emergency preparedness fund, providing for expenditure and use of the moneys in the fund, and establishing fees and a penalty, and amendment S—3161 as amended by the committee on Environment and Energy Utilities to strike everything after the enacting clause and to the title page of the bill, deferred March 31, 1993.

Senator Dieleman asked and received unanimous consent that action on amendment S—3161 as amended and **Senate File 82** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 281

On motion of Senator Rosenberg, Senate File 281, a bill for an act relating to the collection and use of tonnage fees for the disposal of solid waste, and providing for retroactive applicability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3155 filed by the committee on Environment and Energy Utilities on March 17, 1993, to page 1 of the bill.

Senator Rosenberg offered amendment S—3321 filed by Senators Rosenberg and Priebe on March 31, 1993, to amendment S—3155 and moved its adoption.

Amendment S—3321 was adopted by a voice vote.

Senator Rosenberg moved the adoption of amendment S—3155 as amended, which motion prevailed by voice vote.

Senator Priebe offered amendment S—3317 filed by Senators Priebe, et al., on March 31, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3317 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 281) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Bisignano

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

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 286

Senator Priebe withdrew the motion to reconsider Senate File 286, a bill for an act relating to the release of a mortgage, availability of an abstract of title, and increasing a penalty, filed by him on March 22, 1993, and found on page 777 of the Senate Journal.

Senator Welsh withdrew the motion to reconsider Senate File 286, filed by him on March 22, 1993, and found on page 777 of the Senate Journal.

President Boswell took the chair at 10:20 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 329

On motion of Senator Welsh, Senate File 329, a bill for an act relating to the employment of persons in the department of natural resources, 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. 329) the vote was:

Ayes, 41:

Banks	Bartz	Boswell	Buhr
Connolly	Deluhery	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	Murphy	Palmer
Pate	Priebe	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Tinsman	Varn	Vilsack
Welsh			

Nays, 8:

Bennett
Rensink

Borlaug
Rife

Hedge
Taylor

McLaren
Zieman

Absent or not voting, 1:

Bisignano

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

Senate File 100

On motion of Senator Gronstal, Senate File 100, a bill for an act requiring licensure of social workers, providing an effective date, imposing fees, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—3129 filed by him on March 15, 1993, to page 8 of the bill and moved its adoption.

Amendment S—3129 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that action on **Senate File 100** be **deferred**.

BUSINESS PENDING

Senate File 82

The Senate resumed consideration of Senate File 82, a bill for an act relating to the establishment of a chemical emergency preparedness fund, providing for expenditure and use of the moneys in the fund, and establishing fees and a penalty, and amendment S—3161 as amended by the committee on Environment and Energy Utilities to strike everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Rosenberg moved the adoption of amendment S—3161 as amended, which motion prevailed by voice vote.

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

On the question "Shall the bill pass?" (S.F. 82) the vote was:

Ayes, 32:

Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Hedge	Horn
Husak	Judge	Kersten	Kibbie
Kramer	Lloyd-Jones	Maddox	Murphy
Palmer	Priebe	Riordan	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Tinsman	Varn	Vilsack	Welsh

Nays, 17:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hester	Jensen
Lind	McKean	McLaran	Pate
Rensink	Rife	Rittmer	Taylor
Zieman			

Absent or not voting, 1:

Bisignano

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 100

The Senate resumed consideration of Senate File 100, a bill for an act requiring licensure of social workers, providing an effective date, imposing fees, and making penalties applicable, previously deferred.

Senator Welsh offered amendment S—3344 filed by him from the floor to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3344 be adopted?" (S.F. 100) the vote was:

Ayes, 24:

Banks	Borlaug	Boswell	Connolly
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Hedge	Horn
Husak	Jensen	Kersten	Lind
McKean	Murphy	Palmer	Pate
Priebe	Rensink	Vilsack	Welsh

Nays, 25:

Bartz	Bennett	Buhr	Fink
Giannetto	Gronstal	Hester	Judge
Kibbie	Kramer	Lloyd-Jones	Maddox
McLaren	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Zieman			

Absent or not voting, 1:

Bisignano

Amendment S—3344 lost.

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

On the question "Shall the bill pass?" (S.F. 100) the vote was:

Ayes, 41:

Bartz	Borlaug	Boswell	Buhr
Connolly	Deluhery	Dieleman	Drake
Fink	Gettings	Giannetto	Gronstal
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 6:

Banks	Bennett	Fuhrman	Hedge
Rensink	Taylor		

Absent or not voting, 3:

Bisignano

Fraise

Murphy

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 82, 100 and 329** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:10 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 31, 1993, 2:15 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Fuhrman, Gettings, Gronstal, Kersten, Lind, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: Bisignano (excused) and Pate.

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House File 327 and Senate File 277 (as amended).

Adjourned: 3:20 p.m.

ETHICS

Convened: March 31, 1993, 1:40 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Recommended passage of House File 144 as amended.

Adjourned: 2:15 p.m.

HUMAN RESOURCES

Convened: March 31, 1993, 3:07 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees and assigned bills to subcommittees.

Adjourned: 3:20 p.m.

JUDICIARY

Convened: March 31, 1993, 3:55 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Connolly, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Bisignano (excused) and Drake.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; recommended passage of House File 79 as amended.

Adjourned: 4:35 p.m.

LOCAL GOVERNMENT

Convened: March 31, 1993, 1:35 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Szymoniak, Vilsack and Zieman.

Members Absent: none.

Committee Business: Recommended passage of House File 369 as amended.

Adjourned: 1:53 p.m.

STATE GOVERNMENT

Convened: March 31, 1993, 11:30 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: Bisignano (excused).

Committee Business: Recommended passage of Senate File 259; recommended passage of Senate File 346 as amended; Senate File 276 failed recommendation for passage; recommended confirmation of governor's appointees.

Adjourned: 12:09 p.m.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 281 passed the Senate on April 1, 1993.

JOE WELSH

MR. PRESIDENT: I move to reconsider the vote by which Senate File 398 passed the Senate on April 1, 1993.

RALPH ROSENBERG

MR. PRESIDENT: I move to reconsider the vote by which Senate File 398 passed the Senate on April 1, 1993.

ELAINE SZYMONIAK

PRESENTATION OF VISITORS

Senators Riordan and Lloyd-Jones presented Boiko Doitchinov, Borislav Borissov, Radoul Kovatchev and Krassen Kralev from Bulgaria who were visiting the Senate as guests of the Iowa Peace Institute and the United States Information Agency. Each guest was presented with an Iowa pin.

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

Fifty-four fifth grade students from McKee Elementary School, Des Moines, accompanied by Patricia Fitzsimmons. Senator Buhr.

Thirty fifth grade students from Cambridge Elementary School, Cambridge, accompanied by Joan Larson. Senator Rosenberg.

SUBCOMMITTEE ASSIGNMENTS**Senate File 338**

LOCAL GOVERNMENT: Sorensen, Chair; Buhr and Rittmer

House File 112

JUDICIARY: Sturgeon, Chair; Giannetto and McKean

House File 270

TRANSPORTATION: Fraise, Chair; Dieleman and Pate

House File 331

ENVIRONMENT AND ENERGY UTILITIES: Rosenberg, Chair; Deluhery and Kersten

House File 354

TRANSPORTATION: Lloyd-Jones, Chair; Drake and Fraise

House File 491

EDUCATION: Varn, Chair; Kramer and Murphy

House File 496

EDUCATION: Deluhery, Chair; Kibbie and Rensink

House File 545

TRANSPORTATION: Dieleman, Chair; Drake and Fink

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: HOUSE FILE 448, a bill for an act extending the time limit for filling school board vacancies.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman and Varn. Nays, none. Absent or not voting, 2: Murphy and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 341, a bill for an act relating to a records management fee to be collected by the county recorder.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3349.

Final Vote: Ayes, 12: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hedge, Hester, McLaren, Murphy, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Drake, Lloyd-Jones and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 370, a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3350.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 investigation on April 1, 1993, and recommended the appointee be confirmed:

Linda D. Appelgate as a member of the State Soil Conservation Committee.

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 31, 1993, and recommended the appointees be confirmed:

Dominick D. Pellegrino and Ruth M. Roberts as members of the Board of Behavioral Science Examiners.

William W. Crews and Dr. Donald L. Skinner as members of the Board of Physician Assistant Examiners.

Marian A. Williams 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.

Kevin J. Beauvais, Sandra G. Evans and Thomas F. Nugent as members of the Commission on Community Action Agencies.

George B. Kerr, Jill Robinson and Joan A. Webster-Vore as members of the Commission on the Deaf.

Richard D. Arnold, Richard S. Burchett, Thomas G. Rotherham and Catherine Williams as members of the Council on Human Services.

Charles Palmer as Director of Human Services.

Joan A. Brown, Dr. Marilee Fredericks, Frank H. Hermesen and Beverly A. Sanderson as members of the Mental Health and Mental Retardation Commission.

Billy S. Cox, Verna L. Welte and Frank Zlatnik as members of the Prevention of Disabilities Policy Council.

Kathryn M. Youberg as a member of the State Citizen Foster Care Review Board.

Joni L. Keith and Marion R. Neely as members of the State Health Facilities Council.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointments, completed its investigations on March 31, 1993, and recommended the appointees be confirmed:

Mildred Elliott and Suellen Overton as members of the Board of Corrections.

Joanne C. Lorence as a member of the Board of Parole.

Lester D. Menke as a member of the Commission on Judicial Qualifications.

Loras A. Jaeger and Connie Sue Ricklefs as members of the Drug Abuse Prevention and Education Advisory Council.

Orlando Ray Dial and Dale P. Repass as members of the Iowa State Civil Rights Commission.

Judy Bradshaw and Jackie Kenniker as members of the Narcotics Enforcement Advisory Council.

Virginia E. Ruark as a member of the State Judicial Nominating Commission.

William L. Wegman as State Public Defender.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on March 31, 1993, and recommended the appointees be confirmed:

Dorothy R. Dunphy as a member of the Accountancy Examining Board.

Philip A. Hauan as a member of the Alcoholic Beverages Commission.

Gwendolyn S. Ecklund, Katherine L. Schwensen and Kenneth J. Steffen as members of the Architectural Examining Board.

Suzanne J. Palmer as a member of the Barber Examining Board.

Ruth A. Daggett and Patricia L. Gourley as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Sandra K. Bane and Cherie Oetker as members of the Board of Nursing Examiners.

Molly W. Williams as a member of the Campaign Finance Disclosure Commission.

John W. Quinlan as a member of the Chiropractic Examining Board.

Kenneth M. Lang, Barbara A. Lukavsky and Catherine I. Ward as members of the Cosmetology Examining Board.

Kathy E. Buffington as a member of the Dietetic Examining Board.

J. Michael Carlstrom as Director of the Department of General Services.

Gwendolyn M. Boeke and Dr. Kenneth A. Brewer as members of the Engineering and Land Surveying Examining Board.

Sandra Lee Benedett and Joanne L. Stockdale as members of the Investment Board of the IPERS.

Norma D. Lyon as a member of the Iowa Board of Veterinary Medicine.

Dennis A. Ausenhus, Gregory C. Jones and Joan F. Vitale as members of the Landscape Architectural Examining Board.

Dr. Eddie D. DeHaan and Dr. Roger F. Senty as members of the Medical Examining Board.

Shellie L. Madsen as a member of the Mortuary Science Examining Board.

Mary P. Mitchell, Phyllis A. Olson and Matthew C. Osterhaus as members of the Pharmacy Examining Board.

Daniel L. Mack as a member of the Physical and Occupational Therapy Examining Board.

Dr. Ronald D. Lee as a member of the Podiatry Examining Board.

Dr. Robert D. Jones and Madonna J. McGuire as members of the Psychology Examining Board.

Dianne L. Paca and Lil M. Perry as members of the Real Estate Appraiser Examining Board.

Joan M. Treirvieler as a member of the Respiratory Care Advisory Committee.

Raymond E. Franklin as a member of the Social Work Examining Board.

Colette J. Kunkel and Jill M. Miller as members of the Speech Pathology and Audiology Examining Board.

Naomi O. Merryman as a member of the State Board of Examiners for Nursing Home Administrators.

Rita D. Sealock as a member of the State Racing and Gaming 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 1, 1993, and recommended the appointees be confirmed:

Deborah S. Krauth as a member of the Iowa Finance Authority.

Richard G. Peebler as a member of the State Board of Tax Review.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Rita D. Sealock be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JIM LIND

AMENDMENTS FILED

S—3336	S.F.	358	William W. Dieleman
S—3337	S.F.	358	William W. Dieleman

S-3338	S. F.	232	Eugene Fraise Larry Murphy
S-3339	S. F.	232	Eugene Fraise Jim Kersten Larry Murphy Derryl McLaren
S-3340	S. F.	149	Linn Fuhrman
S-3341	S. F.	325	Berl E. Priebe Derryl McLaren Merlin E. Bartz Brad Banks Larry Murphy Eugene S. Fraise Randal J. Giannetto Emil Husak
S-3342	S. F.	406	Larry Murphy
S-3343	S. F.	393	Joe Welsh
S-3344	S. F.	100	Joe Welsh
S-3345	S. F.	187	Ralph Rosenberg Randal J. Giannetto Andy McKean
S-3346	S. F.	354	John P. Kibbie Joe Welsh
S-3347	S. F.	160	Tom Vilsack
S-3348	S. F.	399	Elaine Szymoniak
S-3349	S. F.	341	Ways and Means
S-3350	S. F.	370	Ways and Means

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Boswell presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 453, a bill for an act relating to the inspection and regulation of lawn seed, and providing an effective date.

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

ALSO: That the House has on March 31, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 561, a bill for an act relating to the practices of nursing and dentistry, including the establishment of penalties.

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

ALSO: That the House has on April 1, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 452, a bill for an act extending the waiver provision for the education standards requiring an articulated sequential elementary-secondary guidance program and a media services program to support the total curriculum.

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

House File 616, a bill for an act relating to the department of agriculture and land stewardship, by providing for the administration of certain regulations, the deposit of certain fees into a fund and providing penalties.

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

House File 626, a bill for an act relating to establishing a lien in favor of the department of human services concerning the medical assistance program.

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

House File 635, a bill for an act relating to the solicitation and giving of contributions to certain candidates for state office for which a special election is held during the regular legislative session.

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 42 present, 8 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 232

Senator Fraise called up for consideration Senate File 232, 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates, amended by the House in House amendment S—3244 filed March 25, 1993.

Senator Fraise offered amendment S—3339 filed by Senators Fraise et al., from the floor to House amendment S—3244.

Senator Jensen asked and received unanimous consent that action on amendment S—3339 to House amendment S—3244 be deferred.

Senator Jensen asked and received unanimous consent to withdraw amendment S—3328 filed by Senators Jensen and Fraise on March 31, 1993, to House amendment S—3244.

The Senate resumed consideration of amendment S—3339 to House amendment S—3244, previously deferred.

Senator Murphy asked and received unanimous consent that action on amendment S—3339 to House amendment S—3244, House amendment S—3244 and Senate File 232 be deferred.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 406

On motion of Senator Murphy, Senate File 406, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date, was taken up for consideration.

Senator McLaren withdrew amendment S—3351 filed by him from the floor to page 2 of the bill.

Senator Riordan offered amendment S—3324 filed by Senators Riordan and Borlaug on March 31, 1993, to page 8 of the bill and moved its adoption.

Amendment S—3324 was adopted by a voice vote.

Senator Murphy offered amendment S—3342 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—3342 was adopted by a voice vote.

Senator Gronstal offered amendment S—3357 filed by Senators Gronstal and Murphy from the floor to page 43 of the bill and moved its adoption.

Amendment S—3357 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 406) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Bisignano

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 406** be immediately messaged to the House.

BUSINESS PENDING

Senate File 232

The Senate resumed consideration of Senate File 232, 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 use tax, road use tax fund, and primary road fund, establishing a pilot project for issuing motor vehicle licenses, and relating to Iowa law enforcement academy certification courses and providing effective dates, House amendment S—3244 and amendment S—3339 to House amendment S—3244, previously deferred.

Senator Fraise moved the adoption of amendment S—3339 to House amendment S—3244, which motion prevailed by voice vote.

Senator Fraise offered amendment S—3338 filed by Senators Fraise and Murphy from the floor to House amendment S—3244 and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 17.

Amendment S—3338 was adopted.

With the adoption of amendment S—3338 to House amendment S—3244, the Chair ruled amendment S—3358 filed by Senator Connolly from the floor to House amendment S—3244, out of order.

Senator Fraise 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 Fraise moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 232) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Zieman

Nays, 1:

Welsh

Absent or not voting, 1:

Bisignano

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

Senator Horn asked and received unanimous consent that **Senate File 232** be immediately messaged to the House.

MOTION TO RECONSIDER WITHDRAWN

Senate File 281

Senator Welsh withdrew the motion to reconsider Senate File 281, a bill for an act relating to the collection and use of tonnage fees for the disposal of solid waste, and providing for retroactive applicability, filed by him on April 1, 1993, and found on page 952 of the Senate Journal.

Senator Horn asked and received unanimous consent that **Senate File 281** be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 407, by committee on Ways and Means, a bill for an act relating to urban renewal, the division of property tax revenues to fund urban renewal projects, and to the division of property tax revenues to fund new jobs training programs, and providing for the Act's applicability.

Read first time and placed on Ways and Means Calendar.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointments, completed its investigations on April 1, 1993, and recommended the appointees be confirmed:

Judith J. Brueggeman, Mary Conrad, Martha J. Cumpton, Daniel R. Martinez, Monsignor W. Robert Schmidt and Maureen A. White as members of the Board of Educational Examiners.

Donald C. Byers and Barbara J. Higdon as members of the First in the Nation in Education Foundation Governing Board.

Richard C. Bjorlo as a member of the Iowa Higher Educational Loan Authority.

Marilyn J. Perkins as a member of the School Budget Review Committee.

Owen J. Newlin and Nancy C. Pellett as members of the State Board of Regents.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following governor's appointments, completed its investigations on April 1, 1993, and recommended the appointees be confirmed:

Thomas C. Lillquist as a member of the Iowa Law Enforcement Academy Council.

M. Catherine Dunn as a member of the State Transportation Commission.

REPORTS OF STANDING COMMITTEES (Place nominees on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointment, completed its investigation on March 31, 1993, and recommended the appointee be confirmed:

Dr. Mark A. Kruse as a member of the Chiropractic Examining Board.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following governor's appointment, completed its investigation on April 1, 1993, and recommended the appointee be confirmed:

Darrel Rensink as Director of Transportation.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 79, a bill for an act relating to criminal trial testimony by minors and certain victims and witnesses.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3352.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, McKean, Connolly, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 2: Bisignano and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 407 (SSB 265), a bill for an act relating to urban renewal, the division of property tax revenues to fund new jobs training programs, and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hedge, Hester, McLaren, Murphy, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 3: Drake, Lloyd-Jones and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 407 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	452	Education
H.F.	453	Agriculture
H.F.	495	Commerce
H.F.	559	Business and Labor Relations
H.F.	561	State Government
H.F.	616	Agriculture
H.F.	626	Judiciary
H.F.	623	Appropriations
H.F.	635	State Government

AMENDMENTS FILED

S-3351	S.F.	406	Derryl McLaren
S-3352	H.F.	79	Judiciary
S-3353	S.F.	381	Berl E. Priebe Derryl McLaren Merlin E. Bartz Jim Riordan
S-3354	S.F.	287	William D. Palmer
S-3355	S.F.	405	Maggie Tinsman Randal J. Giannetto Wayne D. Bennett
S-3356	H.F.	430	Patty Judge
S-3357	S.F.	406	Michael E. Gronstal Larry Murphy
S-3358	S.F.	232	Mike Connolly

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:42 p.m., until 9:00 a.m., Friday, April 2, 1993.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 2, 1993

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

Prayer was offered by the Reverend Robert E. Connors, pastor of the Union Park Christian Church, Des Moines, Iowa.

The Journal of the Thursday, April 1, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 239, a bill for an act relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge.

ALSO: That the House has on March 30, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 23, a bill for an act relating to the purchase of subsequent years' taxes by a delinquent tax purchaser for purposes of real property taxation and providing an applicability date.

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

House File 217, a bill for an act relating to the recording of instruments affecting real estate and providing an applicability date.

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

ALSO: That the House has on March 31, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 20, a joint resolution designating the "Largo" from Antonin Dvorak's "New World Symphony" as the official anthem for the State of Iowa for one year.

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

ALSO: That the House has on April 1, 1993, passed the following bills in which the concurrence of the House was asked:

Senate File 373, a bill for an act relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses.

Senate File 406, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date.

ALSO: That the House has on April 1, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 208, a bill for an act relating to the public employment relations board concerning the board's review authority, certification elections, and making technical changes.

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

House File 576, a bill for an act relating to the procedures of and requirements enforced by the campaign finance disclosure commission; changing filing and other procedural requirements placed on candidates and political committees; changing the procedures for the hearing of complaints before the commission; and providing for administrative penalties and judicial review.

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

INTRODUCTION OF BILL

Senate File 408, by Rosenberg, Murphy, and Gronstal, a bill for an act relating to government efficiency, by establishing objectives, goals, and benchmarks, providing for state budgeting, and providing for the delayed applicability of certain sections.

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 44 present, 6 absent and a quorum present.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:47 a.m., President Boswell presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 230, a bill for an act relating to the offense of operating a motorboat or sailboat while intoxicated and providing penalties and other related matters.

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

ALSO: That the House has on April 1, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 302, a bill for an act providing for registration of acupuncturists, imposing a fee, and making penalties applicable.

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

House File 592, a bill for an act relating to the allocation to school districts of certain federal funds received for at-risk children.

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

ALSO: That the House has on April 2, 1993, passed the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 25, a concurrent resolution relating to the Iowa Hawkeyes Women's Basketball Team.

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

ALSO: That the House has on April 2, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 644, a bill for an act extending upgrade dates and insurance premiums and requiring a noncompliance surcharge for underground storage tanks.

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 47 present, 3 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Slife for the remainder of the day and Senator Hedge until he returns on request of Senator Rife.

UNFINISHED BUSINESS (Deferred April 1, 1993)

Senate File 346

The Senate resumed consideration of Senate File 346, a bill for an act relating to the inventory and coordination of geographic information systems, deferred April 1, 1993.

Senator Gronstal offered amendment S—3326 filed by the committee on State Government on March 31, 1993, to pages 1-3 of the bill and moved its adoption.

Amendment S—3326 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 346) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fuhrman	Gettings	Giannetto	Gronstal
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Riordan	Rittmer	Rosenberg
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 2:

McKean	Rife
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Absent or not voting, 3:

Fraise	Hedge	Slife
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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 ADOPTED

Senator Szymoniak called up the motion to reconsider Senate File 399 filed by her on March 30, 1993, found on page 912 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 399) the vote was:

Ayes, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Fink	Gettings	Giannetto
Gronstal	Horn	Husak	Judge
Kibbie	Lloyd-Jones	Murphy	Palmer
Priebe	Riordan	Rosenberg	Sorensen
Sturgeon	Szymoniak	Tinsman	Varn
Vilsack	Welsh		

Nays, 21:

Banks	Bartz	Bennett	Borlaug
Dieleman	Drake	Fuhrman	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Taylor
Zieman			

Absent or not voting, 3:

Fraise	Hedge	Slife
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The motion prevailed.

Senator Szymoniak moved to reconsider the vote by which Senate File 399 went to its last reading, which motion prevailed by a voice vote.

Senate File 399

On motion of Senator Szymoniak, Senate File 399, a bill for an act relating to the charger commission process and alternative forms of government, including certain taxation authority and a retroactive applicability provision, was taken up for reconsideration.

Senator Szymoniak offered amendment S—3348 filed by her on April 1, 1993, to page 14 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 13.

Amendment S—3348 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. 399) the vote was:

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

Ayes, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Judge
Kibbie	Lloyd-Jones	Murphy	Palmer
Priebe	Riordan	Rosenberg	Sorensen
Sturgeon	Szymoniak	Tinsman	Varn
Vilsack	Welsh		

Nays, 22:

Banks	Bartz	Bennett	Borlaug
Dieleman	Drake	Fuhrman	Hester
Husak	Jensen	Kersten	Kramer
Lind	Maddox	McKean	McLaren
Pate	Rensink	Rife	Rittmer
Taylor	Zieman		

Absent or not voting, 2:

Hedge	Slife
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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 24, 1993)

Senate File 3

The Senate resumed consideration of Senate File 3, a bill for an act relating to the establishment and regulation of elder group homes, deferred March 24, 1993.

Senator Szymoniak withdrew amendment S—3367 filed by her from the floor to amendment S—3205.

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

On the question "Shall the bill pass?" (S.F. 3) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Hedge	Slife	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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 3, 346 and 399 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

House File 430

On motion of Senator Murphy, House File 430, a bill for an act relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, allocating use tax revenue for GAAP deficit reductions, making appropriations for certain tax

credits, and providing for other properly related matters and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Judge offered amendment S—3314 filed by the committee on Appropriations on March 30, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Judge offered amendment S—3366 filed by her from the floor to pages 1, 6 and 7 of amendment S—3314 and moved its adoption.

Amendment S—3366 was adopted by a voice vote.

Senator Kibbie offered amendment S—3369 filed by Senators Kibbie and Riordan from the floor to pages 5 and 13 of amendment S—3314 and called for a division: lines 4-8 as division S—3369A and lines 9-18 as division S—3369B.

Senator Kibbie moved the adoption of division S—3369A.

A record roll call was requested.

On the question "Shall division S—3369A to amendment S—3314 be adopted?" (H.F. 430) the vote was:

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

Ayes, 25:

Bisignano	Boswell	Buhr	Connolly
Dieleman	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Judge
Kibbie	Lloyd-Jones	McKean	Murphy
Palmer	Riordan	Rosenberg	Sorensen
Sturgeon	Szymoniak	Varn	Vilsack
Welsh			

Nays, 21:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hester	Husak
Jensen	Kersten	Kramer	Lind
Maddox	McLaren	Pate	Priebe

Rensink
Zieman

Rittmer

Taylor

Tinsman

Absent or not voting, 4:

Deluhery

Hedge

Rife

Slife

Division S—3369A was adopted.

Senator Lind raised the point of order that division S—3369B to amendment S—3314 was not germane.

The Chair ruled the point well taken and division S—3369B out of order.

Senator Judge offered amendment S—3356 filed by her on April 1, 1993, to amendment S—3314 and moved its adoption.

Amendment S—3356 was adopted by a voice vote.

Senator Welsh offered amendment S—3370 filed by Senators Welsh, Kersten and Varn from the floor to page 14 of amendment S—3314 and moved its adoption.

Amendment S—3370 was adopted by a voice vote.

Senator Judge moved the adoption of amendment S—3314 as amended which motion prevailed by a voice vote.

With the adoption of amendment S—3314 as amended, the Chair ruled amendment S—3185 filed by Senators Welsh and Kersten on March 22, 1993, to page 2 of the bill, out of order.

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

On the question "Shall the bill pass?" (H.F. 430) the vote was:

Ayes, 30:

Bisignano
Deluhery
Gettings
Horn
Kibbie
Palmer

Boswell
Dieleman
Giannetto
Husak
Lloyd-Jones
Priebe

Buhr
Fink
Gronstal
Jensen
McKean
Riordan

Connolly
Fraise
Hester
Judge
Murphy
Rosenberg

Sorensen
Vilsack

Sturgeon
Welsh

Szymoniak

Varn

Nays, 18:

Banks
Drake
Lind
Rensink
Tinsman

Bartz
Fuhrman
Maddox
Rife
Zieman

Bennett
Kersten
McLaren
Rittmer

Borlaug
Kramer
Pate
Taylor

Absent or not voting, 2:

Hedge

Slife

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

CONSIDERATION OF BILL (Regular Calendar)

Senate File 359

On motion of Senator Fraise, Senate File 359, a bill for an act requiring the publication and availability of the administrative code and bulletin in electronic format, with report of committee on Rules and Administration recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3304 filed by the committee on Rules and Administration on March 30, 1993, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3304 was adopted by a voice vote.

With the adoption of amendment S—3304, the Chair ruled amendment S—3294 filed by Senators Varn and Priebe on March 30, 1993, to pages 1 and 2 of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 359) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluheroy	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, 2:

McKean Rife

Absent or not voting, 2:

Hedge Slife

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

UNFINISHED BUSINESS (Deferred March 25, 1993)

Senate File 287

The Senate resumed consideration of Senate File 287, a bill for an act relating to hospital privileges provided certain professionals including certified health service providers in psychology, deferred March 25, 1993.

Senator Palmer offered amendment S—3354 filed by him on April 1, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3354 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. 287) the vote was:

Ayes, 32:

Bartz	Boswell	Connolly	Deluhery
Dieleman	Fink	Fraise	Gettings
Giannetto	Hester	Horn	Husak
Jensen	Judge	Kibbie	Lloyd-Jones
McKean	Murphy	Palmer	Pate
Priebe	Rensink	Riordan	Rosenberg
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh

Nays, 15:

Banks	Bennett	Bisignano	Borlaug
Buhr	Drake	Fuhrman	Gronstal
Kersten	Lind	Maddox	McLaren
Rife	Rittmer	Zieman	

Voting present, 1:

Kramer

Absent or not voting, 2:

Hedge Slife

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 359 and 287 be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Rife.

CONSIDERATION OF BILL
(Regular Calendar)

House File 144

On motion of Senator Rosenberg, House File 144, a bill for an act relating to government ethics, providing penalties, transition

provisions, providing for retroactive applicability, and an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3335 filed by the committee on Ethics on March 31, 1993, to pages 1, 6-9, 12-18, 22, 23, 25, 26, 28-30, 33-40, 42 and 43 of the bill.

Senator Rosenberg asked and received unanimous consent that action on amendment S—3335 be deferred.

Senator Drake offered amendment S—3360 filed by Senators Drake and Gettings from the floor to page 16 of the bill and moved its adoption.

Amendment S—3360 was adopted by a voice vote.

The Senate stood at ease at 1:33 p.m. until the fall of the gavel.

The Senate resumed session at 1:41 p.m., President Boswell presiding.

Senator Rosenberg offered amendment S—3375 filed by him from the floor to page 16 of the bill and moved its adoption.

Amendment S—3375 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3335, previously deferred.

Senator Rosenberg offered amendment S—3374 filed by him from the floor to pages 2-4 of amendment S—3335 and moved its adoption.

Amendment S—3374 was adopted by a voice vote.

Senator Bisignano offered amendment S—3373 filed by Senators Bisignano, et al., from the floor to page 3 of amendment S—3335 and called for a division: lines 4-14 as division S—3373A and lines 15-18 as division S—3373B.

Senator Bisignano moved the adoption of division S—3373A to amendment S—3335, which motion prevailed by voice vote.

Senator Bisignano asked and received unanimous consent to withdraw division S—3373B to amendment S—3335.

Senator Priebe offered amendment S—3377 filed by him from the floor to page 3 of amendment S—3335 and called for a division: lines 4-13 as division S—3377A and lines 14-17 as division S—3377B.

Senator Priebe withdrew division S—3377B to amendment S—3335.

Senator Priebe moved the adoption of division S—3377A to amendment S—3335.

A record roll call was requested.

On the question "Shall division S—3377A to amendment S—3335 be adopted?" (H.F. 144) the vote was:

Ayes, 18:

Bartz	Bennett	Boswell	Dieleman
Fraise	Fuhrman	Hedge	Judge
Kersten	Kibbie	McLaren	Priebe
Rife	Riordan	Szymoniak	Taylor
Tinsman	Welsh		

Nays, 30:

Banks	Bisignano	Borlaug	Buhr
Connolly	Deluhery	Drake	Fink
Gettings	Giannetto	Gronstal	Hester
Horn	Husak	Kramer	Lind
Lloyd-Jones	Maddox	McKean	Murphy
Palmer	Pate	Rensink	Rittmer
Rosenberg	Sorensen	Sturgeon	Varn
Vilsack	Zieman		

Absent or not voting, 2:

Jensen	Slife
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Division S—3377A lost.

Senator Rosenberg moved the adoption of amendment S—3335 as amended, which motion prevailed by a voice vote.

Senator Lind withdrew amendment S—3376 filed by him from the floor to page 41 of the bill.

Senator Horn asked and received unanimous consent that action on **House File 144** be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 311

On motion of Senator Welsh, Senate File 311, a bill for an act relating to acquiring and carrying pistols and revolvers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—3371 filed by Senators Welsh, et al., from the floor to strike everything after the enacting clause of the bill.

Senator Taylor asked and received unanimous consent to withdraw amendment S—3378 filed by Senators Taylor and McLaren from the floor to amendment S—3371.

Senator Welsh moved the adoption of amendment S—3371, which motion prevailed by voice vote.

With the adoption of amendment S—3371, the Chair ruled amendment S—3163 filed by the committee on Judiciary on March 18, 1993, to pages 1 and 2 of the bill, 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. 311) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen

Sturgeon
Varn

Szymoniak
Vilsack

Taylor
Welsh

Tinsman
Zieman

Nays, none.

Absent or not voting, 2:

Jensen

Slife

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

Senator Horn asked and received unanimous consent that Senate File 311 be immediately messaged to the House.

BUSINESS PENDING

House File 144

The Senate resumed consideration of House File 144, a bill for an act relating to government ethics, providing penalties, transition provisions, providing for retroactive applicability, and an effective date, previously deferred.

Senator Vilsack asked and received unanimous consent to withdraw amendment S—3379 filed by Senators Vilsack and Kersten from the floor to pages 21 and 39 of the bill.

Senator Drake offered amendment S—3380 filed by Senators Drake and Bisignano from the floor to pages 17 and 18 of the bill and moved its adoption.

Amendment S—3380 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 144) the vote was:

Ayes, 47:

Banks
Borlaug
Deluhery
Fraise
Gronstal

Bartz
Boswell
Dieleman
Fuhrman
Hedge

Bennett
Buhr
Drake
Gettings
Hester

Bisignano
Connolly
Fink
Giannetto
Horn

Husak	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Rensink	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 1:

Priebe

Absent or not voting, 2:

Jensen

Slife

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

Senator Horn asked and received unanimous consent that **House File 144** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 289, a bill for an act providing for the election of trustees of drainage and levee districts.

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

House File 584, a bill for an act relating to housing facilities for persons with certain disabilities.

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

House File 622, a bill for an act creating an Iowa advisory study committee on critical infrastructure needs.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 1, 1993, 8:32 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Giannetto, Hedge, Hester, Husak, Judge, Palmer, Sorensen and Zieman.

Members Absent: Fraise and McLaren (both excused).

Committee Business: Recommended confirmation of governor's appointee; Senate File 316 was indefinitely postponed.

Adjourned: 8:36 a.m.

EDUCATION

Convened: April 1, 1993, 1:32 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman and Varn.

Members Absent: Murphy and Vilsack (both excused).

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House File 448 as amended.

Adjourned: 2:00 p.m.

NATURAL RESOURCES

Convened: April 1, 1993, 3:50 p.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, McKean, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: none.

Committee Business: Recommended passage of House File 267 as amended; recommended confirmation of governor's appointees.

Adjourned: 4:15 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: April 1, 1993, 3:07 p.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bartz, Bennett, Borlaug, Giannetto, Judge, Kibbie, Maddox and Sorensen.

Members Absent: Bisignano and Lloyd-Jones (both excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 3:20 p.m.

TRANSPORTATION

Convened: April 1, 1993, 2:26 p.m.

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

Members Absent: Pate.

Committee Business: Recommended passage of Senate File 396 as amended; recommended confirmation of governor's appointees.

Adjourned: 3:15 p.m.

WAYS AND MEANS

Convened: April 1, 1993, 11:15 a.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 370 and 341 as amended; approved SSB 265 as a committee bill.

Adjourned: 12:15 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 406, the following corrections were made:

1. Page 43, line 20, the words and numbers "Sections 17 and 100" were changed to the words and numbers "Sections 17 and 54".

2. Page 43, line 21, the word "takes" was changed to the word "take".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEES
(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 appointments, completed its investigations on April 1, 1993, and recommended the appointees be confirmed:

Douglas Smalley as a member of the Natural Resource Commission.

Stan N. Nilles and Gary R. Shawver as members of the Well Contractor's Council.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development, and Tourism assigned to investigate the following governor's appointments, completed its investigations on April 1, 1993, and recommended the appointees be confirmed:

Frederick W. Hagemann as a member of the Iowa Economic Development Board.

Max A. Phillips as a member of the Small Business Advisory Council.

Lois E. Gurdin as a member of the Wallace Technology Transfer Foundation of Iowa.

REPORTS OF STANDING COMMITTEE

(Place nominees on Individual Confirmation Calendar)

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development, and Tourism assigned to investigate the following governor's appointments, completed its investigations on April 1, 1993, and recommended the appointees be confirmed:

Julie J. Bulkeley and Harris D. Honsey as members of the Iowa Economic Development Board.

John B. Parks as a member of the Iowa Product Development Corporation.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of April, 1993:

Senate Files 97, 373 and 406.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Forty-five fifth grade students from Sylvia Emerson Elementary School, Villisca, accompanied by Nina Sturm and Linda Dolch. Senator McLaren.

Seventeen sixth grade students from St. Thomas Aquinas School, Webster City, accompanied by Jan Reinking. Senator Taylor.

The following visitors were present in the Senate gallery:

Fifteen fifth grade students from Exira Elementary School, Exira, accompanied by Kay Stork. Senator Hester.

COMMITTEE REPORTS

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 267, a bill for an act relating to the definition of resident for taking fish, game, and other protected species of animal.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3365.

Final Vote: Ayes, 10: Fink, Dieleman, Hester, Banks, Hedge, Judge, Kibbie, Rensink, Riordan and Sturgeon. Nays, 2: McKean and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 396, a bill for an act relating to the condemnation of private property designated as a century farm.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3368.

Final Vote: Ayes, 7: Lloyd-Jones, Fraise, Dieleman, Fink, Gettings, Jensen and Kersten. Nays, 1: Connolly. Pass, 1: Drake. Absent, 1: Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 563

AGRICULTURE: Riordan, Chair; Bartz and Priebe

House File 623

APPROPRIATIONS: Husak, Chair; Banks and Boswell

BILLS ASSIGNED TO COMMITTEE

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

S. F.	408	Appropriations
H. F.	23	Ways and Means
H. F.	208	Business and Labor Relations
H. F.	217	Commerce
H. F.	302	State Government
H. F.	576	State Government
H. F.	584	Human Resources
H. F.	592	Education
H. F.	622	State Government
H. F.	644	Environment & Energy Utilities
H. J. R.	20	State Government
H. C. R.	25	Education

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 430 passed the Senate on April 2, 1993.

LARRY MURPHY

AMENDMENTS FILED

S—3359	S.F.	358	Maggie Tinsman Eugene S. Fraise
S—3360	H.F.	144	Richard F. Drake Don Gettings
S—3361	S.F.	313	Jim Riordan
S—3362	H.F.	342	Bill Fink
S—3363	H.F.	214	Berl E. Priebe
S—3364	S.F.	160	Ray Taylor
S—3365	H.F.	267	Natural Resources
S—3366	H.F.	430	Patty Judge
S—3367	S.F.	3	Elaine Szymoniak
S—3368	S.F.	396	Transportation
S—3369	H.F.	430	John P. Kibbie Jim Riordan
S—3370	H.F.	430	Joe Welsh Jim Kersten Richard Varn
S—3371	S.F.	311	Joe Welsh Emil J. Husak Al Sturgeon Ray Taylor John Jensen Jim Kersten
S—3372	H.F.	430	Michael Gronstal
S—3373	H.F.	144	Tony Bisignano William D. Palmer John W. Jensen Jack Rife Jean Lloyd-Jones Patrick J. Deluhery
S—3374	H.F.	144	Ralph Rosenberg
S—3375	H.F.	144	Ralph Rosenberg

S—3376	H.F.	144	Jim Lind
S—3377	H.F.	144	Berl E. Priebe
S—3378	S.F.	311	Ray Taylor Derryl McLaren
S—3379	H.F.	144	Tom Vilsack Jim Kersten
S—3380	H.F.	144	Richard F. Drake Tony Bisignano
S—3381	H.F.	430	Richard Varn

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:01 p.m., until 10:00 a.m., Monday, April 5, 1983.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 5, 1993

The Senate met in regular session at 10:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Chuck Miller, pastor of the St. Paul Lutheran Church, Postville, Iowa.

The Journal of the Friday, April 2, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kersten for the day on request of Senator Rife; Senator Sturgeon until he arrives on request of Senator Horn and Senator Jensen until he arrives on request of Senator Rensink.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 455, a bill for an act relating to placement of political yard signs on agricultural land, property leased to a corporation by a private individual, or property leased by a corporation to a private individual.

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

House File 581, a bill for an act relating to the establishment of a moratorium on the approval of certificates of need for intermediate care facilities for the mentally retarded.

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

House File 633, a bill for an act relating to the approval, disapproval, suspension, or revocation of liquor control licenses, wine permits, or beer permits, the imposition of civil penalties, and the appeal of the actions of local authorities or the administrator of the alcoholic beverages division regarding liquor control licenses, wine permits, and beer permits, and providing for other properly related matters.

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

House File 652, a bill for an act relating to the office of secretary of state, the conduct of elections and voter registration in the state, and relating to corrective and technical changes to Iowa's election laws, providing an effective date, and providing penalties.

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 45 present, 5 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 370

On motion of Senator Vilsack, Senate File 370, a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Fuhrman offered amendment S—3350 filed by the committee on Ways and Means on April 1, 1993, to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 7, nays 32.

Amendment S—3350 lost:

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

On the question "Shall the bill pass?" (S.F. 370) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Judge	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Slife	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Zieman

Nays, 3:

Fuhrman	Rosenberg	Welsh
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Absent or not voting, 3:

Jensen	Kersten	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.

Senator Horn asked and received unanimous consent that **Senate File 370** be **immediately messaged** to the House.

Senate File 358

On motion of Senator Gronstal, Senate File 358, a bill for an act relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing

live racing days, and by providing for other properly related provisions, was taken up for consideration.

Senator Connolly offered amendment S—3225 filed by him on March 24, 1993, to page 1 of the bill.

Senator Lind offered amendment S—3387 filed by him from the floor to amendment S—3225 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3387 to amendment S—3225 be adopted?" (S.F. 358) the vote was:

Ayes, 20:

Bennett	Borlaug	Drake	Fuhrman
Hester	Husak	Kramer	Lind
Maddox	McLaren	Murphy	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Varn	Vilsack

Nays, 27:

Banks	Bartz	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Fink	Fraise	Gettings	Giannetto
Gronstal	Hedge	Horn	Judge
Kibbie	Lloyd-Jones	McKean	Palmer
Priebe	Riordan	Rosenberg	Sorensen
Szymoniak	Welsh	Zieman	

Absent or not voting, 3:

Jensen	Kersten	Sturgeon
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Amendment S—3387 lost.

Senator Connolly moved the adoption of amendment S—3225 and requested a non record roll call.

The ayes were 14, nays 30.

Amendment S—3225 lost.

Senator Dieleman offered amendment S—3331 filed by him on March 31, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3331 lost by a voice vote.

Senator Fraise withdrew amendment S—3256 filed by him on March 25, 1993, to pages 1-4 and to the title page of the bill.

The Senate stood at ease at 11:50 a.m. until the fall of the gavel.

The Senate resumed session at 11:54 a.m., President Boswell presiding.

Senator McKean offered amendment S—3320 filed by Senators McKean and Dieleman on March 31, 1993, to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3320 be adopted?" (S.F. 358) the vote was:

Ayes, 36:

Banks	Bartz	Bennett	Borlaug
Boswell	Dieleman	Fink	Fuhrman
Giannetto	Gronstal	Hedge	Hester
Horn	Judge	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Zieman

Nays, 9:

Bisignano	Buhr	Connolly	Deluhery
Fraise	Gettings	Kibbie	Palmer
Welsh			

Absent or not voting, 5:

Drake	Husak	Jensen	Kersten
Sturgeon			

Amendment S—3320 was adopted.

Senator Dieleman offered amendment S—3333 filed by him on March 31, 1993, to page 4 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3333 be adopted?" (S.F. 358) the vote was:

Ayes, 18:

Banks	Bartz	Bennett	Dieleman
Fuhrman	Hedge	Hester	Husak
Lloyd-Jones	Maddox	McKean	McLaren
Rensink	Rosenberg	Sorensen	Taylor
Varn	Zieman		

Nays, 29:

Bisignano	Borlaug	Boswell	Buhr
Connolly	Deluhery	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Horn	Judge	Kibbie	Kramer
Lind	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Rittmer
Slife	Szymoniak	Tinsman	Vilsack
Welsh			

Absent or not voting, 3:

Jensen	Kersten	Sturgeon
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Amendment S—3333 lost.

Senator Dieleman offered amendment S—3334 filed by him on March 31, 1993, to page 4 and the title page of the bill and moved its adoption.

Amendment S—3334 lost by a voice vote.

Senator Dieleman offered amendment S—3336 filed by him on April 1, 1993, to page 4 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3336 be adopted?" (S.F. 358) the vote was:

Ayes, 14:

Banks	Bartz	Bennett	Dieleman
Fuhrman	Hedge	Lloyd-Jones	McKean
Rensink	Rosenberg	Sorensen	Taylor
Varn	Zieman		

Nays, 32:

Bisignano	Borlaug	Boswell	Buhr
Cannolly	Deluhery	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Hester	Horn	Husak	Judge
Kibbie	Kramer	Lind	Maddox
McLaren	Murphy	Palmer	Pate
Rife	Riordan	Rittmer	Slife
Szymoniak	Tinsman	Vilsack	Welsh

Absent or not voting, 4:

Jensen	Kersten	Priebe	Sturgeon
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Amendment S—3336 lost.

Senator Dieleman offered amendment S—3337 filed by him on April 1, 1993, to page 4 and the title page of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3337 be adopted?" (S.F. 358) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boswell
Dieleman	Drake	Fuhrman	Giannetto
Hedge	Hester	Husak	Lloyd-Jones
McKean	McLaren	Priebe	Rensink
Rosenberg	Sorensen	Taylor	Varn
Vilsack	Zieman		

Nays, 25:

Bisignano	Borlaug	Buhr	Cannolly
Deluhery	Fink	Fraise	Gettings
Gronstal	Horn	Judge	Kibbie
Kramer	Lind	Maddox	Murphy
Palmer	Pate	Rife	Riordan
Rittmer	Slife	Szymoniak	Tinsman
Welsh			

Absent or not voting, 3:

Jensen	Kersten	Sturgeon
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Amendment S—3337 lost.

(Action on Senate File 358 was deferred.)

RECESS

On motion of Senator Horn, the Senate recessed at 12:32 p.m., until 1:00 p.m.

APPENDIX**BILL ENROLLED, SIGNED AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of April, 1993:

Senate File 239.

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 2, 1993, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 373 — Relating to the operation of a motor vehicle while under the influence of a drug, and providing for the revocation of motor vehicle licenses for drug offenses.

SENATE FILE 406 — Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants and providing an effective date.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3320 to Senate File 358 was adopted by the Senate on April 5, 1993.

LARRY MURPHY

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Martha J. Cumpston be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

WALLY E. HORN

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Joanne L. Stockdale be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

AMENDMENTS FILED

S-3382	S. F.	388	Linn Fuhrman Jean Lloyd-Jones Richard F. Drake Andy McKean
S-3383	S. F.	358	Maggie Tinsman
S-3384	S. F.	358	Maggie Tinsman
S-3385	S. F.	325	Wilmer Rensink
S-3386	S. F.	358	Michael Gronstal
S-3387	S. F.	358	Jim Lind
S-3388	S. F.	358	Maggie Tinsman
S-3389	S. F.	358	Michael Gronstal
S-3390	H. F.	210	Linn Fuhrman Derryl McLaren
S-3391	S. F.	358	O. Gene Maddox Tony Bisignano Mary Kramer Elaine Szymoniak
S-3392	S. F.	358	William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 1:08 p.m., President Boswell 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.

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:

Dorothy R. Dunphy as a member of the Accountancy Examining Board.

Philip A. Hauan as a member of the Alcoholic Beverages Commission.

Katherine L. Schwensen and Kenneth J. Steffen as members of the Architectural Examining Board.

Susanne J. Palmer as a member of the Barber Examining Board.

Dominick D. Pellegrino and Ruth M. Roberts as members of the Board of Behavioral Science Examiners.

Mildred Elliott and Suellen Overton as members of the Board of Corrections.

Mary Conrad, Daniel R. Martinez, Monsignor W. Robert Schmidt and Maureen A. White as members of the Board of Educational Examiners.

Sandra K. Bane and Cherie Oetker as members of the Board of Nursing Examiners.

Joanne C. Lorence as a member of the Board of Parole.

Dr. Donald L. Skinner as a member of the Board of Physician Assistant Examiners.

Marian A. Williams as a member of the Commission for the Blind.

Alyce M. Elmitt and Clemmie Hightower as members of the Commission of Elder Affairs.

Thomas F. Nugent as a member of the Commission on Community Action Agencies.

Jill Robinson and Joan A. Webster-Vore as members of the Commission on the Deaf.

Kenneth M. Lang, Barbara A. Lukavsky and Catherine I. Ward as members of the Cosmetology Examining Board.

Richard D. Arnold and Catherine Williams as members of the Council on Human Services.

Charles Palmer as Director of Human Services.

J. Michael Carlstrom as Director of the Department of General Services.

Loras A. Jaeger as a member of the Drug Abuse Prevention and Education Advisory Council.

Gwendolyn M. Boeke and Dr. Kenneth A. Brewer as members of the Engineering and Land Surveying Examining Board.

Sandra Lee Benedett as a member of the Investment Board of the IPERS.

Richard C. Bjorlo as a member of the Iowa Higher Education Loan Authority.

Thomas C. Lillquist as a member of the Iowa Law Enforcement Academy Council.

Dale P. Repass as a member of the Iowa State Civil Rights Commission.

Jean E. Negley as a member of the Job Service Advisory Council.

Dr. Eddie D. DeHaan and Dr. Roger F. Senty as members of the Medical Examining Board.

Dr. Marilee Fredericks and Frank H. Hermsen as members of the Mental Health and Mental Retardation Commission.

Shellie L. Madsen as a member of the Mortuary Science Examining Board.

Dr. Larry W. Hicks as a member of the Optometry Examining Board.

Phyllis A. Olson as a member of the Pharmacy Examining Board.

Billy S. Cox as a member of the Prevention of Disabilities Policy Council.

Madonna J. McGuire as a member of the Psychology Examining Board.

Lil M. Perry as a member of the Real Estate Appraiser Examining Board.

Marilyn J. Perkins as a member of the School Budget Review Committee.

Raymond E. Franklin as a member of the Social Work Examining Board.

Owen J. Newlin and Nancy C. Pellett as members of the State Board of Regents.

Virginia E. Ruark as a member of the State Judicial Nominating Commission.

Linda D. Appelgate as a member of the State Soil Conservation Committee.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Judge	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Slife	Sorensen	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Jensen	Kersten	Rosenberg	Sturgeon
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

BUSINESS PENDING

Senate File 358

The Senate resumed consideration of Senate File 358, a bill for an act relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing live racing days, and by providing for other properly related provisions, previously deferred.

Senator Gronstal offered amendment S—3386 filed by him from the floor to page 4 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 19.

Amendment S—3386 was adopted.

Senator Dieleman asked and received unanimous consent that action on amendment S—3392 filed by him from the floor to page 4 of the bill be deferred.

Senator Dieleman offered amendment S—3393 filed by him from the floor to page 4 of the bill.

Senator Welsh raised the point of order that amendment S—3393 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3393 out of order.

The Chair ruled amendment S—3392 by Senator Dieleman to page 4 of the bill, previously deferred, out of order.

Senator Gronstal offered amendment S—3389 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—3389 be adopted?" (S.F. 358) the vote was:

Ayes, 26:

Bisignano	Borlaug	Buhr	Deluhery
Drake	Fink	Fraise	Gronstal
Hedge	Judge	Kibbie	Kramer
Lind	Maddox	Murphy	Palmer
Pate	Priebe	Rife	Riordan
Rittmer	Slife	Sorensen	Szymoniak
Tinsman	Varn		

Nays, 21:

Banks	Bartz	Bennett	Boswell
Connolly	Dieleman	Fuhrman	Gettings
Giannetto	Hester	Horn	Husak
Lloyd-Jones	McKean	McLaren	Rensink
Rosenberg	Taylor	Vilsack	Welsh
Zieman			

Absent or not voting, 3:

Jensen	Kersten	Sturgeon
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Amendment S—3389 was adopted.

Senator Tinsman offered amendment S—3388 filed by her from the floor to pages 1-4 and the title page of the bill.

Senator McKean offered amendment S—3394 filed by him from the floor to amendment S—3388 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3394 to amendment S—3388 be adopted?” (S.F. 358) the vote was:

Ayes, 18:

Banks	Bartz	Bennett	Connolly
Dieleman	Giannetto	Hedge	Hester
Husak	Lloyd-Jones	McKean	Pate
Priebe	Rensink	Rosenberg	Sorensen
Taylor	Zieman		

Nays, 28:

Bisignano	Boswell	Buhr	Deluhery
Drake	Fink	Fraise	Fuhrman
Gettings	Gronstal	Horn	Judge
Kibbie	Kramer	Lind	Maddox
McLaren	Murphy	Palmer	Rife
Riordan	Rittmer	Slife	Szymoniak
Tinsman	Varn	Vilsack	Welsh

Absent or not voting, 4:

Borlaug	Jensen	Kersten	Sturgeon
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Amendment S—3394 lost.

Senator Connolly withdrew amendment S—3396 filed by him from the floor to amendment S—3388.

Senator Welsh raised the point of order that amendment S—3388 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3388 in order.

Senator Tinsman moved the adoption of amendment S—3388 and requested a non record roll call.

The ayes were 9, nays 36.

Amendment S—3388 lost.

Senator McKean offered amendment S—3312 filed by him on March 30, 1993, to pages 2 and 4 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3312 be adopted?" (S.F. 358) the vote was:

Ayes, 20:

Banks	Bartz	Bennett	Boswell
Dieleman	Giannetto	Hedge	Hester
Husak	Jensen	Judge	Lloyd-Jones
McKean	McLaren	Priebe	Rensink
Rosenberg	Sorensen	Taylor	Zieman

Nays, 28:

Bisignano	Borlaug	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gettings	Gronstal	Horn
Kibbie	Kramer	Lind	Maddox
Murphy	Palmer	Pate	Rife
Riordan	Rittmer	Slife	Szymoniak
Tinsman	Varn	Vilsack	Welsh

Absent or not voting, 2:

Kersten	Sturgeon
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Amendment S—3312 lost.

Senator Tinsman offered amendment S—3359 filed by Senators Tinsman and Fraise on April 2, 1993, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 30.

Amendment S—3359 lost.

Senator Maddox asked and received unanimous consent to withdraw amendment S—3208 filed by Senators Maddox, et al., on March 23, 1993, to page 4 of the bill.

Senator Maddox offered amendment S—3391 filed by Senators Maddox, et al., from the floor to page 4 of the bill.

Senator Priebe offered amendment S—3395 filed by him from the floor to amendment S—3391 and moved its adoption.

Amendment S—3395 was adopted by a voice vote.

Senator Maddox moved the adoption of amendment S—3391 as amended and requested a record roll call.

On the question "Shall amendment S—3391 as amended be adopted?" (S.F. 358) the vote was:

Ayes, 27:

Bartz	Bennett	Bisignano	Borlaug
Buhr	Deluhery	Drake	Fuhrman
Giannetto	Gronstal	Hester	Jensen
Kramer	Lind	Maddox	McLaren
Murphy	Palmer	Pate	Priebe
Rife	Riordan	Rittmer	Slife
Szymoniak	Taylor	Welsh	

Nays, 21:

Banks	Boswell	Connolly	Dieleman
Fink	Fraise	Gettings	Hedge
Horn	Husak	Judge	Kibbie
Lloyd-Jones	McKean	Rensink	Rosenberg
Sorensen	Tinsman	Varn	Vilsack
Zieman			

Absent or not voting, 2:

Kersten	Sturgeon
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Amendment S—3391 as amended was adopted.

Senator Welsh offered amendment S—3204 filed by him on March 23, 1993, to page 4 of the bill.

Senator Connolly offered amendment S—3277 filed by him on March 29, 1993, to amendment S—3204 and moved its adoption.

Amendment S—3277 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that action on amendment S—3204 as amended be deferred.

Senator Gronstal offered amendment S—3174 filed by him on March 22, 1993, to page 4 of the bill and moved its adoption.

Amendment S—3174 was adopted by a voice vote.

Senator Tinsman offered amendment S—3384 filed by her from the floor to page 4 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3384 be adopted?" (S.F. 358) the vote was:

Ayes, 11:

Bartz	Drake	Fraise	Hedge
Kramer	McLaren	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	

Nays, 36:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fuhrman	Gettings
Giannetto	Gronstal	Hester	Horn
Husak	Jensen	Judge	Kibbie
Lind	Lloyd-Jones	Maddox	McKean
Palmer	Pate	Priebe	Rensink
Riordan	Rosenberg	Slife	Sorensen
Taylor	Varn	Welsh	Zieman

Absent or not voting, 3:

Kersten	Murphy	Sturgeon
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Amendment S—3384 lost.

Senator Welsh withdrew amendment S—3204 as amended to page 4 of the bill, previously deferred.

Senator Connolly withdrew amendment S—3398 filed by him from the floor to page 4 of the bill.

Senator Murphy called up the motion to reconsider the vote by which amendment S—3320 was adopted by the Senate on April 5, 1993, filed by him on April 5, 1993, found on page 1000 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. 358) the vote was:

Ayes, 12:

Bisignano	Boswell	Connolly	Deluhery
Fraise	Gettings	Horn	Kibbie
Murphy	Palmer	Sorensen	Welsh

Nays, 36:

Banks	Bartz	Bennett	Borlaug
Buhr	Dieleman	Drake	Fink
Fuhrman	Giannetto	Gronstal	Hedge
Hester	Husak	Jensen	Judge
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Zieman

Absent or not voting, 2:

Kersten	Sturgeon
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The motion lost.

Senator Connolly withdrew amendment S—3399 filed by him from the floor to page 4 of the bill.

Senator Connolly asked and received unanimous consent that action on **Senate File 358** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 516, a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

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

House File 579, a bill for an act relating to the disposition of documents pertaining to the issuance of certain bonds or obligations.

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

House File 639, a bill for an act relating to state condemnation and acquisition of environmentally contaminated property.

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

The Senate stood at ease at 3:28 p.m. until the fall of the gavel.

The Senate resumed session at 3:35 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 358

The Senate resumed consideration of Senate File 358, a bill for an act relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing live racing days, and by providing for other properly related provisions, previously deferred.

Senator Connolly offered amendment S—3400 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—3400 lost by a voice vote.

The Senate stood at ease at 3:38 p.m. until the fall of the gavel.

The Senate resumed session at 4:20 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 358

The Senate resumed consideration of Senate File 358, previously deferred.

Senator Murphy offered amendment S—3402 filed by him from the floor to page 1 of the bill.

Senator McKean raised the point of order that amendment S—3402 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3402 out of order.

Senator Priebe offered amendment S—3401 filed by him from the floor to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3401 be adopted?" (S.F. 358) the vote was:

Ayes, 23:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Fraise	Gettings
Giannetto	Hester	Horn	Husak
Jensen	Kersten	Lind	Murphy
Palmer	Priebe	Rife	Riordan
Taylor	Varn	Welsh	

Nays, 26:

Banks	Borlaug	Deluhery	Dieleman
Drake	Fink	Fuhrman	Gronstal
Hedge	Judge	Kibbie	Kramer
Lloyd-Jones	Maddox	McKean	McLaren
Pate	Rensink	Rittmer	Rosenberg
Slife	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Absent or not voting, 1:

Sturgeon

Amendment S—3401 lost.

Senator Connolly offered amendment S—3404 filed by him from the floor to page 4 of the bill.

Senator Connolly offered amendment S—3405 filed by him from the floor to amendment S—3404 and moved its adoption.

Amendment S—3405 was adopted by a voice vote.

Senator Gronstal raised the point of order that amendment S—3404 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3404 as amended out of order.

Amendment S—3383 filed by Senator Tinsman from the floor to amendment S—3256 was out of order.

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

On the question "Shall the bill pass?" (S.F. 358) the vote was:

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

Ayes, 24:

Bisignano	Borlaug	Buhr	Deluhery
Fink	Fraise	Gettings	Horn
Kersten	Kibbie	Kramer	Lind
Maddox	Murphy	Palmer	Pate
Rife	Riordan	Rittmer	Slife
Szymoniak	Tinsman	Vilsack	Welsh

Nays, 24:

Banks	Bartz	Bennett	Boswell
Connolly	Dieleman	Drake	Fuhrman
Giannetto	Gronstal	Hedge	Hester
Husak	Jensen	Judge	Lloyd-Jones
McKean	McLaren	Rensink	Rosenberg
Sorensen	Taylor	Varn	Zieman

Voting present, 1:

Priebe

Absent or not voting, 1:

Sturgeon

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:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 636, a bill for an act relating to information regarding real estate, by providing for the filing of reports, and transfer of certain real estate and providing effective dates.

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

House File 645, a bill for an act relating to exemptions from liability for environmental contamination and providing for a state lien on the property and providing an effective date.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 27, by Lloyd-Jones, a concurrent resolution honoring the University of Iowa Women's Basketball Team and Coach C. Vivian Stringer.

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

APPENDIX**STUDY BILL RECEIVED****SSB 316 Commerce**

A Senate resolution requesting an interim study committee concerning the use of debit cards and the appropriate fee structure for the use of such cards.

SUBCOMMITTEE ASSIGNMENTS**Senate File 408**

APPROPRIATIONS: Rosenberg, Chair; Gronstal and Slife

House File 133

NATURAL RESOURCES: Kibbie, Chair; Fink and Rensink

House File 208

BUSINESS AND LABOR RELATIONS: Buhr, Chair; Gettings and Slife

House File 453

AGRICULTURE: Riordan, Chair; Hester and Palmer

House File 559

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Connolly and Maddox

House File 580

NATURAL RESOURCES: Riordan, Chair; Fink and Rensink

House File 584

HUMAN RESOURCES: Lloyd-Jones, Chair; Judge and Kramer

SSB 316

COMMERCE: Deluhery, Chair; Jensen and Palmer

SPECIAL VISITORS

Senator Szymoniak presented the following guests from Iowa's

sister state, Baoding, Hebei, China who were visiting Iowa representing business interests in China:

Mr. Xi Shao Fan, Mr. Wang Hong Zhi, Mr. We Ji Fu, Mr. Zhang Zhen Long, Ms. Zhou Li Juan and Ms. Zhang Shuzhi.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Scott Bishop, Rockford; Robin Donahue, Grafton; Daniel Dykstra, Osage; Tony J. Geerts, Charles City; Christina Hubka, Riceville; Jeff Koudelha, Protivin and Emily J. O'Banion, Nora Springs — For outstanding student in government award. Senator Borlaug (4-6-93).

BILLS ASSIGNED TO COMMITTEE

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

H.F.	289	Local Government
H.F.	455	State Government
H.F.	516	Judiciary
H.F.	579	Local Government
H.F.	581	Human Resources
H.F.	652	State Government

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 358 failed to pass the Senate on April 5, 1993.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

S—3393	S.F.	358	William W. Dieleman
S—3394	S.F.	358	Andy McKean
S—3395	S.F.	358	Berl E. Priebe
S—3396	S.F.	358	Mike Connolly
S—3397	S.F.	259	Richard Varn
S—3398	S.F.	358	Mike Connolly

S-3399	S. F.	358	Mike Connolly
S-3400	S. F.	358	Mike Connolly
S-3401	S. F.	358	Berl E. Priebe
S-3402	S. F.	358	Larry Murphy
S-3403	S. F.	325	Wilmer Rensink
S-3404	S. F.	358	Mike Connolly
S-3405	S. F.	358	Mike Connolly
S-3406	H. F.	430	Richard Varn
S-3407	S. F.	388	Linn Fuhrman

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:52 p.m., until 9:00 a.m.; Tuesday, April 6, 1993.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 6, 1993

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Tim Hammett, pastor of the Trinity Presbyterian Reformed Church, Des Moines, Iowa.

The Journal of the Monday, April 5, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kersten for the day on request of Senator Lind and Senator Maddox until he arrives on request of Senator Zieman.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 542, a bill for an act relating to programs and services under the purview of the Iowa department of public health, including programs and services relating to licensed substance abuse treatment programs, operations of radiation equipment, state and local substitute medical decision-making boards, homemaker-home health aide transportation, tanning devices enforcement, indoor air, and lead poisoning, and providing criminal penalties.

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 35 present, 15 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano until he arrives on request of Senator Riordan.

CONSIDERATION OF BILLS (Regular Calendar)

Senator File 308

On motion of Senator Szymoniak, Senate File 308, a bill for an act increasing the penalties for criminal trespass under certain circumstances, and providing for the issuance of restraining orders at the time of sentencing in criminal cases, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3162 filed by the committee on Judiciary on March 18, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3162 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that action on **Senate File 308** be deferred.

Senate File 365

On motion of Senator Rosenberg, Senate File 365, a bill for an act relating to the enforcement of the civil rights law and the recovery of fees and hearing costs by the civil rights commission, was taken up for consideration.

Senator Lind offered amendment S—3214 by him on March 23, 1993, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3214 was adopted by a voice vote.

Senator McKean asked and received unanimous consent that action on **Senate File 365** be deferred.

UNFINISHED BUSINESS
(Deferred March 23, 1993)

Senate File 149

The Senate resumed consideration of Senate File 149, a bill for an act relating to certain religious exemptions to the required provision of medical treatment, and requiring screening for metabolic diseases in newborn infants, and amendment S—3188 by Senator Rosenberg to pages 1-3 and the title page of the bill, deferred March 23, 1993.

Senator Fuhrman asked and received unanimous consent that action on amendment S—3188 continue to be deferred.

Senator Fuhrman offered amendment S—3340 filed by him on April 1, 1993, to pages 1-3 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 28.

Amendment S—3340 lost.

Senator Rosenberg moved the adoption of amendment S—3188, previously deferred, which motion lost by a voice vote.

Senator Fuhrman asked and received unanimous consent that action on **Senate File 149** be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 171

On motion of Senator Giannetto, Senate File 171, a bill for an act relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court, was taken up for consideration.

Senator Sturgeon withdrew amendment S—3079 filed by him on March 4, 1993, to pages 2 and 3 of the bill.

Senator Giannetto offered amendment S—3301 filed by him on March 30, 1993, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3301 was adopted by a voice vote.

Senator Giannetto asked and received unanimous consent that **House File 301** be substituted for **Senate File 171**, as amended.

House File 301

On motion of Senator Giannetto, House File 301, a bill for an act relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court, was taken up for consideration.

Senator Giannetto offered amendment S—3323 filed by Senator Sturgeon on March 31, 1993, to page 2 of the bill and moved its adoption.

Amendment S—3323 was adopted by a voice vote.

Senator Giannetto moved that the bill be read the last time now and placed upon its passage, 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, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Cannolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Kersten

Rife

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 Szymoniak, Senate File 393, a bill for an act establishing a volunteer physician program within the Iowa department of public health, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 393** be deferred.

Senate File 269

On motion of Senator Deluhery, Senate File 269, a bill for an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate File 269** be deferred.

Senate File 385

On motion of Senator Kibbie, Senate File 385, a bill for an act relating to the amount of the foundation property tax levy by certain reorganized school districts under the state school foundation program and providing an effective date, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **Senate File 385** be deferred.

Senate File 277

On motion of Senator Deluhery, Senate File 277, a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date, with report of committee on Commerce recommending amendment and passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **Senate File 277** be deferred.

Senate File 378

On motion of Senator Kibbie, Senate File 378, a bill for an act authorizing the board of nursing and the board of dental examiners to appoint investigators with peace officer powers, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **Senate File 378** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 301** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 308

The Senate resumed consideration of Senate File 308, a bill for an act increasing the penalties for criminal trespass under certain circumstances, and providing for the issuance of restraining orders at the time of sentencing in criminal cases, previously deferred.

Senator Bartz offered amendment S—3409 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—3409 be adopted?" (S.F. 308) the vote was:

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

Ayes, 18:

Banks	Bartz	Bennett	Borlaug
Dieleman	Gettings	Giannetto	Hedge
Hester	Jensen	Lind	McKean
McLaren	Pate	Priebe	Rensink
Taylor	Vilsack		

Nays, 31:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Fuhrman	Gronstal	Horn	Husak
Judge	Kibbie	Kramer	Lloyd-Jones
Maddox	Murphy	Palmer	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Tinsman
Varn	Welsh	Zieman	

Absent or not voting, 1:

Kersten

Amendment S—3409 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns on request of Senator Hester.

BUSINESS PENDING

Senate File 308

The Senate resumed consideration of Senate File 308.

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

On the question "Shall the bill pass?" (S.F. 308) the vote was:

Ayes, 29:

Bennett	Bisignano	Borlaug	Boswell
Buhr	Connolly	Deluhery	Drake
Fink	Fuhrman	Gronstal	Horn
Judge	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McLaren	Rife
Riordan	Rittmer	Rosenberg	Slife
Sturgeon	Szymoniak	Tinsman	Varn
Welsh			

Nays, 19:

Banks	Bartz	Dieleman	Fraise
Gettings	Giannetto	Hedge	Hester
Husak	McKean	Murphy	Palmer
Pate	Priebe	Rensink	Sorensen
Taylor	Vilsack	Zieman	

Absent or not voting, 2:

Jensen	Kersten
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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 Giannetto asked and received unanimous consent that **Senate File 171** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 61

On motion of Senator Sturgeon, **Senate File 61**, a bill for an act relating to the requirements for licensure and nonprofit status of a nonprofit health care facility, with report of committee recommending passage, was taken up for consideration.

President pro tempore Palmer took the chair at 11:20 a.m.

Senator Sturgeon asked and received unanimous consent that action on **Senate File 61** be deferred.

Senate File 342

On motion of Senator Fraise, **Senate File 341**, a bill for an act relating to a records management fee to be collected by the county recorder, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that further action on **Senate File 341** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 97, a bill for an act relating to monitoring the burden imposed on the voluntary workers' compensation insurance market by the residual or assigned risk market for workers' compensation coverage.

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

House File 400, a bill for an act authorizing city utilities to include cable communication or television systems.

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

House File 637, a bill for an act relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing penalties, and providing for the repeal of sections.

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

RECESS

On motion of Senator Horn, the Senate recessed at 11:31 a.m., until 2:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 317 Ways & Means**

Relating to a sales tax exemption for certain machinery and equipment.

SSB 318 Ways & Means

Relating to a deduction of amounts received as grants by sanitary disposal projects in determining net income.

SSB 319 Ways & Means

Relating to a sales tax exemption for certain equipment purchased or rented by a retailer.

SSB 320 Ways & Means

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

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Kevin J. Beauvais be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

PETITION

The following petition was presented and placed on file by:

Senator Kibbie from 17 residents of northwest Iowa favoring mandatory helmet law legislation.

PRESENTATION OF VISITORS

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

Seven government students from the fifteenth senatorial district, accompanied by their government instructors. Senator Borlaug.

Thirty fourth grade students from Murray Elementary School, Murray, accompanied by Karen Stroud. Senator Judge.

Forty-four fifth grade students from Western Hills Elementary School, West Des Moines, accompanied by Joan Strentz and Paul Linn. Senator Kramer.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 308 passed the Senate on April 6, 1993.

ALLEN BORLAUG

MR. PRESIDENT: I move to reconsider the vote by which Senate File 308 passed the Senate on April 6, 1993.

ELAINE SZYMONIAK

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	27	Education
H. F.	230	Judiciary
H. F.	400	Communications & Information Policy
H. F.	633	State Government
H. F.	636	Commerce
H. F.	637	Agriculture
H. F.	639	Environment & Energy Utilities
H. F.	645	Environment & Energy Utilities

SUBCOMMITTEE ASSIGNMENTS

Senate File 84

NATURAL RESOURCES: Fink, Chair; Rensink and Riordan

Senate File 104

NATURAL RESOURCES: Fink, Chair; Rensink and Riordan

Senate File 162

NATURAL RESOURCES: Fink, Chair; Rensink and Riordan

Senate File 207

NATURAL RESOURCES: Fink, Chair; Rensink and Riordan

Senate File 212

NATURAL RESOURCES: Fink, Chair; Rensink and Riordan

Senate File 404

WAYS AND MEANS: Murphy, Chair; Drake and Palmer

House Joint Resolution 20

STATE GOVERNMENT: Fink, Chair; Gronstal and Pate

House File 23

WAYS AND MEANS: Deluhery, Chair; Fuhrman and Husak

House File 217

COMMERCE: Bisignano, Chair; Lind and Welsh

House File 302

STATE GOVERNMENT: Bisignano, Chair; Rittmer and Welsh

House File 443

NATURAL RESOURCES: Judge, Chair; Rensink and Riordan

House File 455

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 495

COMMERCE: Gronstal, Chair; Bisignano, Jensen, Palmer, Varn and Slife

House File 516

JUDICIARY: Vilsack, Chair; Fuhrman and Giannetto

House File 561

STATE GOVERNMENT: Kibbie, Chair; Dieleman and Rittmer

House File 576

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 581

HUMAN RESOURCES: Kramer, Chair; Rittmer and Varn

House File 603

LOCAL GOVERNMENT: Sorensen, Chair; Buhr and Maddox

House File 622

STATE GOVERNMENT: Gronstal, Chair; Fink and Kramer

House File 626

JUDICIARY: Rosenberg, Chair; Connolly and Slife

House File 635

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

House File 644

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Kersten and Rosenberg

House File 652

STATE GOVERNMENT: Gronstal, Chair; Drake and Kibbie

SSB 317

WAYS AND MEANS: Lloyd-Jones, Chair; Fuhrman and Husak

SSB 318

WAYS AND MEANS: Husak, Chair; Bennett and Rosenberg

SSB 319

WAYS AND MEANS: Szymoniak, Chair; Drake and Riordan

SSB 320

WAYS AND MEANS: Dieleman, Chair; Husak and McLaren

AMENDMENTS FILED

S—3408	S.F.	388	Jim Kersten
S—3409	S.F.	308	Merlin E. Bartz
S—3410	S.F.	217	John Kibbie
S—3411	S.F.	317	Jim Lind
S—3412	H.F.	592	Elaine Szymoniak

AFTERNOON SESSION

The Senate reconvened at 2:38 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 25, 1993)**Senate File 325**

The Senate resumed consideration of Senate File 325, a bill for an act relating to the completion of educational programs by certain persons regulated by the department of agriculture and land stewardship, and providing for fees, deferred March 25, 1993.

Senator Priebe offered amendment S—3341 filed by Senators Priebe, et al., on April 1, 1993, to page 2 of the bill and moved its adoption.

Amendment S—3341 was adopted by a voice vote.

Senator Rensink withdrew amendment S—3385 filed by him on April 5, 1993, to page 2 and the title page of the bill.

Senator Rensink offered amendment S—3403 filed by him on April 5, 1993, to page 2 and the title page of the bill.

Senator Riordan raised the point of order that amendment S—3403 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3403 out of order.

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

On the question "Shall the bill pass?" (S.F. 325) the vote was:

Ayes, 39:

Banks	Bartz	Bennett	Borlaug
Boswell	Connolly	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Hedge	Hester	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Slife	Sorensen	Taylor	Varn
Vilsack	Welsh	Zieman	

Nays, 9:

Bisignano	Buhr	Deluhery	Gronstal
Lind	Lloyd-Jones	Rosenberg	Sturgeon
Szymoniak			

Voting present, 1:

Tinsman

Absent or not voting, 1:

Kersten

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 Riordan excused himself for the remainder of the day.

UNFINISHED BUSINESS (Deferred March 31, 1993)

Senate File 317

The Senate resumed consideration of Senate File 317, a bill for an act concerning amber flashing lights on farm trailers, and amendment S—3241 by the committee on Transportation to page 1 and the title page of the bill, deferred March 31, 1993.

Senator Lloyd-Jones asked and received unanimous consent to withdraw amendment S—3241.

Senator Lloyd-Jones offered amendment S—3325 filed by her on March 31, 1993, to page 1 and the title page of the bill.

Senator Lind withdrew amendment S—3411 filed by him from the floor to amendment S—3325.

Senator Fuhrman called for a division of amendment S—3325: lines 2-16 and 33-41 as division S—3325A and lines 18-32 and 42-44 as division S—3325B.

Senator Lloyd-Jones moved the adoption of division S—3325A, which motion prevailed by voice vote.

Senator Lloyd-Jones moved the adoption of division S—3325B, which motion prevailed by voice vote.

Senator Horn asked and received unanimous consent that action on **Senate File 317** be deferred.

The Senate stood at ease at 3:45 p.m. until the fall of the gavel for the purpose of party caucuses.

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

BUSINESS PENDING

Senate File 317

The Senate resumed consideration of Senate File 317, a bill for an act concerning amber flashing lights on farm trailers, previously deferred.

Senator Lind offered amendment S—3414 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3414 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Pate for the remainder of the day on request of Senator Slife.

BUSINESS PENDING

Senate File 317

The Senate resumed consideration of Senate File 317.

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

On the question "Shall the bill pass?" (S.F. 317) the vote was:

Ayes, 43:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Hedge
Hester	Horn	Husak	Jensen
Judge	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Rensink
Rife	Rittmer	Rosenberg	Slife
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 3:

Giannetto	Gronstal	Sorensen
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Absent or not voting, 4:

Kersten	Pate	Riordan	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.

MOTION TO RECONSIDER LOST

Senate File 308

Senator Szymoniak called up the motion to reconsider Senate File 308, a bill for an act increasing the penalties for criminal trespass under certain circumstances, and providing for the issuance of restraining orders at the time of sentencing in criminal cases, filed by her on April 6, 1993, found on page 1029 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?"
(S.F. 308) the vote was:

Ayes, 21:

Banks	Bartz	Bennett	Bisignano
Borlaug	Dieleman	Gettings	Hedge
Hester	Jensen	Lind	McKean
McLaren	Murphy	Priebe	Rensink
Rife	Rittmer	Taylor	Welsh
Zieman			

Nays, 26:

Boswell	Buhr	Connolly	Deluhery
Drake	Fink	Fraise	Fuhrman
Giannetto	Gronstal	Horn	Husak
Judge	Kibbie	Kramer	Lloyd-Jones
Maddox	Palmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Tinsman
Varn	Vilsack		

Absent or not voting, 3:

Kersten	Pate	Riordan
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The motion lost.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 315, a bill for an act relating to the selection of trustees for sanitary districts, and providing for retroactive applicability and an effective date.

ALSO: That the House has on April 6, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 648, a bill for an act relating to the annexation of land to cities.

Read first time and passed on file.

INTRODUCTION OF BILL

Senate File 409, by Horn and Rife, a bill for an act naming an I-80 bridge "Schwengel Bridge".

Read first time and passed on file.

APPENDIX

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 139, a bill for an act increasing the registration fees for motor homes.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Riordan, Rosenberg and Szymoniak. Nays, 2: Bennett and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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 April 6, 1993, and recommended the appointees be confirmed:

James H. Crane and Earl Yoder as members of the Iowa Finance Authority.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 25

EDUCATION: Szymoniak, Chair; Kramer and Tinsman

House Joint Resolution 19

EDUCATION: Kibbie, Chair; Slife and Varn

House File 214

LOCAL GOVERNMENT: Priebe, Chair; Szymoniak and Zieman

House File 289

LOCAL GOVERNMENT: Priebe, Chair; Szymoniak and Zieman

House File 452

EDUCATION: Kibbie, Chair; Connolly and Rensink

House File 579

LOCAL GOVERNMENT: Sorensen, Chair; Priebe and Rittmer

House File 592

EDUCATION: Connolly, Chair; Rensink and Szymoniak

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 6, 1993, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 97 — Relating to the Iowa adoption exchange system.

SENATE FILE 239 — Relating to unemployment compensation by establishing a minimum highest benefit cost ratio, by changing the contribution rate tables, and by extending the duration of the unemployment administrative contribution surcharge.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

Matthew Alan Clugston, Storm Lake — For achieving the distinguished rank of Eagle Scout. Senator Fuhrman (4-4-93).

PRESENTATION OF VISITORS

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

Fifty eighth grade students from MFL-MAR-MAC Middle School, McGregor. Senator Zieman.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of John W. Quinlan be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JIM LIND

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3162 to Senate File 308 was adopted by the Senate on April 6, 1993.

ALLEN BORLAUG

BILLS ASSIGNED TO COMMITTEE

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

S.F.	409	Transportation
H.F.	97	Commerce
H.F.	648	Local Government

AMENDMENTS FILED

S-3413	S.F.	217	John Kibbie Richard Drake Wilmer Rensink
S-3414	S.F.	317	Jim Lind
S-3415	S.F.	365	Andy McKean
S-3416	S.F.	308	Allen Borlaug
S-3417	S.F.	308	Allen Borlaug
S-3418	S.F.	384	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:19 p.m., until 9:00 a.m., Wednesday, April 7, 1993.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 7, 1993

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

Prayer was offered by the Reverend Jerry Swinton, pastor of the Trinity United Methodist Church, Albia, Iowa.

The Journal of the Tuesday, April 6, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 288, a bill for an act relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure (S-3420).

ALSO: That the House has on April 7, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 418, a bill for an act relating to the testing of a person for the human immunodeficiency virus following conviction for certain offenses, making relief provisions applicable for violation of confidentiality, and providing a penalty.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the day on request of Senator Slife.

President pro tempore Palmer took the chair at 9:22 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rosenberg until he arrives on request of Senator Horn.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 317 and 325 be immediately messaged to the House.**

RECESS

On motion of Senator Horn, the Senate recessed at 9:40 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	418	Judiciary
H.F.	641	Agriculture

REPORTS OF COMMITTEE MEETINGS

WAYS AND MEANS

Convened: April 6, 1993, 1:35 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: none.

Committee Business: Recommended passage of Senate File 139; assigned bills to subcommittees; recommended confirmation of governor's appointees.

Adjourned: 1:54 p.m.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Anson Middle School, Marshalltown — For "First in the Nation in Education" award. Senator Giannetto (4-7-93).

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointment, completed its investigation on March 31, 1993, and recommended the appointee be confirmed:

Del Van Horn as a member of the State Racing and Gaming Commission.

SUBCOMMITTEE ASSIGNMENTS

Senate File 43
(Reassigned)

COMMERCE: Gettings, Chair; Deluhery and Jensen

Senate File 409

TRANSPORTATION: Fraise, Chair; Drake and Lloyd-Jones

House File 97

COMMERCE: Gronstal, Chair; Bisignano, Jensen, Palmer, Varn and Slife

House File 616

AGRICULTURE: Husak, Chair; McLaren and Priebe

House File 633

STATE GOVERNMENT: Welsh, Chair; Dieleman and Kramer

House File 636

COMMERCE: Gronstal, Chair; Priebe and Slife

House File 637

AGRICULTURE: Priebe, Chair; Husak and McLaren

House File 648

LOCAL GOVERNMENT: Sorensen, Chair; Buhr and Jensen

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 518, a bill for an act relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving health care, providing for the application of a civil penalty, providing for effective and applicability dates, and providing for retroactive applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3425.

Final Vote: Ayes, 20: Murphy, Boswell, McLaren, Banks, Bisignano, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Rensink, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 5: Borlaug, Horn, Palmer, Pate and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 214, a bill for an act establishing a loess hills development and conservation authority, specify its membership, powers, and duties, and providing for other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3426.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Priebe, Rittmer, Vilsack and Ziemann. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 234, a bill for an act relating to state mandates, and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Vilsack and Ziemann. Nays, none. Absent or not voting, 2: Priebe and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 579, a bill for an act relating to the disposition of documents pertaining to the issuance of certain bonds or obligations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Vilsack and Ziemann. Nays, none. Absent or not voting, 2: Priebe and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 603, a bill for an act relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Viisack and Ziemann. Nays, none. Absent or not voting, 2: Priebe and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 648, a bill for an act relating to the annexation of land to cities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3427.

Final Vote: Ayes, 8: Sorensen, Buhr, Maddox, Fraise, Jensen, Rittmer, Vilsack and Ziemann. Nays, none. Absent or not voting, 2: Priebe and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 89, a bill for an act providing penalties for the harvesting of wild ginseng out of season.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Fink, Dieleman, Hester, Hedge, Judge, Kibbie, Priebe, Rensink, Riordan and Sturgeon. Nays, none. Absent or not voting, 2: Banks and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 133, a bill for an act authorizing the governor to obtain financial support for the construction of a rural water system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Fink, Dieleman, Hester, Hedge, Judge, Kibbie, Priebe, Rensink, Riordan and Sturgeon. Nays, none. Absent or not voting, 2: Banks and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 580, a bill for an act concerning wild game feeds by nonprofit organizations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fink, Dieleman, Hester, Banks, Hedge, Judge, Rensink and Riordan. Nays, 2: Priebe and Sturgeon. Absent or not voting, 2: Kibbie and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 409, a bill for an act naming an I-80 bridge "Schwengel Bridge".

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 210, a bill for an act to provide for a six-month revocation of the driver's license of a person under the age of twenty-one who alters the license to purchase alcohol.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 545, a bill for an act relating to motor carrier certificates and permits and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3419	S.F.	356	Merlin E. Bartz
S—3420	S.F.	288	House amendment
S—3421	S.F.	383	Jim Lind
S—3422	S.F.	341	Linn Fuhrman
S—3423	S.F.	388	Andy McKean
S—3424	S.F.	382	Andy McKean
S—3425	H.F.	518	Appropriations
S—3426	H.F.	214	Local Government
S—3427	H.F.	648	Local Government

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 330, 333 and 368** be referred from the Regular Calendar to the committee on **Environment and Energy Utilities**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 641, a bill for an act relating to the department of agriculture and land stewardship, by providing for the assessment and collection of civil penalties against commercial applicators of pesticides.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 28, by Taylor and Gronstal, a concurrent resolution relating to the establishment of a legislative interim committee to review the licensing fee structure for professional licensure in this state.

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

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Judith J. Brueggeman be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

WALLY E. HORN

**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:

Gwendolyn S. Ecklund as a member of the Architectural Examining Board.

Patricia L. Gourley as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

William W. Crews as a member of the Board of Physician Assistant Examiners.

Molly W. Williams as a member of the Campaign Finance Disclosure Commission.

Edwin Gantz as a member of the Commission of Elder Affairs.

Sandra G. Evans as a member of the Commission on Community Action Agencies.

Thomas G. Rotherham as a member of the Council on Human Services.

Kathy E. Buffington as a member of the Dietetic Examining Board.

Marilyn J. May as a member of the Dental Examining Board.

Donald C. Byers as a member of the First in the Nation in Education Foundation Governing Board.

Norma D. Lyon as a member of the Iowa Board of Veterinary Medicine.

Marie G. Ellingson as a member of the Iowa Grain Indemnity Fund Board.

Gregory C. Jones and Joan F. Vitale as members of the Landscape Architectural Examining Board.

Douglas Smalley and Lavonne M. Troyna as members of the Natural Resource Commission.

Mary P. Mitchell as a member of the Pharmacy Examining Board.

Frank Zlatnik as a member of Prevention of Disabilities Policy Council.

Dr. Robert D. Jones as a member of the Psychology Examining Board.

Joan M. Treirvieler as a member of the Respiratory Care Advisory Committee.

Max A. Phillips as a member of the Small Business Advisory Council.

Colette J. Kunkel as a member of the Speech Pathology and Audiology Examining Board.

Naomi O. Merryman as a member of the State Board of Examiners for Nursing Home Administrators.

Richard G. Peebler as a member of the State Board of Tax Review.

Joni L. Keith and Marion R. Neely as members of the State Health Facilities Council.

William L. Wegman as State Public Defender.

Lois E. Gurdin as a member of the Wallace Technology Transfer Foundation of Iowa.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Bennett

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS (Deferred April 6, 1993)

Senate File 365

The Senate resumed consideration of Senate File 365, a bill for an act relating to the enforcement of the civil rights law and the recovery of fees and hearing costs by the civil rights commission, deferred April 6, 1993.

Senator McKean offered amendment S—3415 filed by him on April 6, 1993, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3415 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 365) the vote was:

Ayes, 47:

Bennett	Bisignano	Borlaug	Boswell
Buhr	Connolly	Deluhery	Drake
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 3:

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

Senator Horn asked and received unanimous consent that **Senate File 365** be immediately messaged to the House.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 18

On motion of Senator Giannetto, Senate Concurrent Resolution 18, a concurrent resolution relating to product labeling and supporting flag labeling all goods and services, with report of committee recommending passage, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that **House Concurrent Resolution 20** be substituted for **Senate Concurrent Resolution 18**.

House Concurrent Resolution 20

On motion of Senator Giannetto, House Concurrent Resolution 20, a concurrent resolution relating to product labeling and supporting flag labeling all goods and services, was taken up for consideration.

Senator Giannetto moved the adoption of House Concurrent Resolution 20, which motion prevailed by a voice vote.

Senator Giannetto asked and received unanimous consent that **Senate Concurrent Resolution 18** be **withdrawn** from further consideration of the Senate.

The Senate stood at ease at 5:15 p.m. until the fall of the gavel.

The Senate resumed session at 5:32 p.m., President Boswell presiding.

MOTION TO RECONSIDER ADOPTED

Senator Gronstal called up the motion to reconsider Senate File 358 filed by him on April 5, 1993, found on page 1017 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 358) the vote was:

Ayes, 27:

Bisignano	Borlaug	Buhr	Deluhery
Fink	Fraise	Gettings	Giannetto
Gronstal	Hester	Horn	Kersten
Kramer	Lind	Maddox	McLaren
Murphy	Palmer	Pate	Priebe
Rife	Rittmer	Slife	Szymoniak
Tinsman	Varn	Welsh	

Nays, 22:

Banks	Bartz	Bennett	Boswell
Connolly	Dieleman	Drake	Fuhrman
Hedge	Husak	Jensen	Judge
Lloyd-Jones	McKean	Rensink	Riordan
Rosenberg	Sorensen	Sturgeon	Taylor
Vilsack	Zieman		

Absent or not voting, 1:

Kibbie

The motion prevailed.

Senator Gronstal moved to reconsider the vote by which Senate File 358 went to its last reading, which motion prevailed by a voice vote.

Senate File 358

On motion of Senator Gronstal, Senate File 358, a bill for an act relating to the regulation of gambling games on excursion gambling boats and pari-mutuel wagering at racetracks, by authorizing excursion gambling boat-style gambling at pari-mutuel racetracks, by removing limits on wagering, by authorizing changes in excursion boat capacity and gambling area, by authorizing additional uses for gambling profits, by reducing live racing days, and by providing for other properly related provisions, was taken up for reconsideration.

Senator Welsh withdrew amendment S—3434 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

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

On the question "Shall the bill pass?" (S.F. 358) the vote was:

Ayes, 26:

Bisignano	Borlaug	Buhr	Deluhery
Fink	Fraise	Gronstal	Horn
Kersten	Kibbie	Kramer	Lind
Maddox	Murphy	Palmer	Pate
Priebe	Rife	Riordan	Rittmer
Slife	Szymoniak	Tinsman	Varn
Vilsack	Welsh		

Nays, 24:

Banks	Bartz	Bennett	Boswell
Connolly	Dieleman	Drake	Fuhrman
Gettings	Giannetto	Hedge	Hester
Husak	Jensen	Judge	Lloyd-Jones
McKean	McLaren	Rensink	Rosenberg
Sorensen	Sturgeon	Taylor	Zieman

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

APPENDIX
COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 43, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3437.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 217, a bill for an act relating to the recording of instruments affecting real estate and providing an applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 307, a bill for an act providing for limitations on judgments.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3432.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 389, a bill for an act relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3431.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 415, a bill for an act relating to the authority to approve the establishment of satellite banking terminals.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 495, a bill for an act relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3433.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 636, a bill for an act providing for a duty to disclose information prior to the transfer of certain real estate and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE JOINT RESOLUTION 17, a joint resolution to nullify an administrative rule of the board of nursing defining the term nurse and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Lloyd-Jones, Bartz, Bennett, Buhr, Riordan, Rittmer, Sturgeon and Varn. Nays, 2: Tinsman and Judge. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 348, a bill for an act relating to the filing of certain birth certificates.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer and Varn. Nays, none. Absent or not voting, 3: Szymoniak, Kramer and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 538, a bill for an act repealing provisions relating to and abolishing the county boards of social welfare and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Szymoniak and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 541, a bill for an act relating to vital records by directing the Iowa department of public health to implement a vital records modernization project and providing an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Szymoniak and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 581, a bill for an act relating to the establishment of a moratorium on the approval of certificates of need for intermediate care facilities for the mentally retarded.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer and Varn. Nays, none. Absent or not voting, 3: Szymoniak, Kramer and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 584, a bill for an act relating to the establishment of a special classification residential care facility category for persons with physical disabilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3436.

Final Vote: Ayes, 10: Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Szymoniak and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE CONCURRENT RESOLUTION 29 (SSB 313), a concurrent resolution relating to the common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation, and the Chicago and Northwestern Transportation Company.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Connolly, Dieleman, Fink, Gettings, Jense, Kersten and Pate. Nays, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate Concurrent Resolution 29 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 193, a bill for an act relating to increasing the scheduled fine for traffic violations in a road construction zone.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3429.

Final Vote: Ayes, 9: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Kersten and Pate. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 354, a bill for an act relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of transportation, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3430.

Final Vote: Ayes, 10: Lloyd-Jones, Fraise, Drake, Connolly, Dieleman, Fink, Gettings, Jensen, Kersten and Pate. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 409, a bill for an act relating to multipurpose vehicle registration fees for disabled persons.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3428.

Final Vote: Ayes, 8: Lloyd-Jones, Fraise, Drake, Dieleman, Fink, Gettings, Jensen and Pate. Nays, 1: Connolly. Absent or not voting, 1: Kersten.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 29, by committee on Transportation, a concurrent resolution relating to the common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation, and the Chicago and Northwestern Transportation Company.

Read-first time under Rules 28 and placed on calendar.

AMENDMENTS FILED

S—3428	H.F.	409	Transportation
S—3429	H.F.	193	Tranportation
S—3430	H.F.	354	Transportation
S—3431	H.F.	389	Commerce
S—3432	H.F.	307	Commerce
S—3433	H.F.	495	Commerce
S—3434	S.F.	358	Welsh
S—3435	S.F.	398	Ralph Rosenberg
S—3436	H.F.	584	Human Resources
S—3437	S.F.	43	Commerce

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:53 p.m., until 9:00 a.m., Thursday, April 8, 1993.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 8, 1993

The Senate met in regular session at 9:08 a. m., President Boswell presiding.

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

The Journal of the Wednesday, April 7, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 319, a bill for an act relating to records and minutes of public bodies which are subject to public inspection.

ALSO: That the House has on April 7, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 236, a bill for an act relating to providing well-child care under group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations.

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

House File 582, a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

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

House File 642, a bill for an act relating to revisions of mandates and goals to political subdivisions of the state.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by committee on Commerce, a Senate resolution requesting an interim study committee concerning the use of debit cards and the appropriate fee structure for the use of such cards.

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 36 present, 14 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 285 and 366** be referred from the Regular Calendar to the committee on **Judiciary** and that **Senate File 341** be referred from the Unfinished Business Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 43

On motion of Senator Gettings, Senate File 43, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services and providing an effective date, with report of committee recommending amendments and passage, was taken up for consideration.

Senator Gettings asked and received unanimous consent that action on **Senate File 43** be **deferred**.

Senate File 157

On motion of Senator Fink, Senate File 157, a bill for an act relating to the use of mobile radio transmitters while taking game or fur-bearing animals, and subjecting violators to a scheduled fine, was taken up for consideration.

Senator Fink asked and received unanimous consent that action on **Senate File 157** be deferred.

Senate File 382

On motion of Senator Giannetto, Senate File 382, a bill for an act relating to the manufacture, possession, or distribution of controlled substances on or near certain real property and establishing penalties, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that action on **Senate File 382** be deferred.

Senator Horn asked and received unanimous consent to take up for consideration Senate File 409.

Senate File 409

On motion of Senator Fraise, Senate File 409, a bill for an act naming an I-80 bridge "Schwengel Bridge", 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. 409) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Slife

Sorensen
Tinsman
Zieman

Sturgeon
Varn

Szymoniak
Vilsack

Taylor
Welsh

Nays, none.

Absent or not voting, 1:

Rife

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

CONSIDERATION OF BILL (Appropriations Calendar)

House File 518

On motion of Senator Varn, House File 518, a bill for an act relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving health care, providing for the application of a civil penalty, providing for effective and applicability dates, and providing for retroactive applicability, 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 518** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 409** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 9:58 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 7, 1993, 12:22 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Slife, Tinsman, Varn and Vilsack.

Members Absent: Borlaug, Palmer and Rosenberg (all excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 518 as amended.

Adjourned: 1:23 p.m.

COMMERCE

Convened: April 7, 1993, 2:30 p.m.

Members Present: Deluhery, Chair; Palmer, Vice Chair; Jensen, Ranking Member; Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh.

Members Absent: Kersten (excused), Lind (excused) and Pate.

Committee Business: Recommended confirmation of governor's appointees; recommended passage of Senate File 43, and House Files 495, 389 and 307 as amended; recommended passage of House Files 217, 415 and 636; approved SSB 316 as a committee resolution.

Adjourned: 3:15 p.m.

HUMAN RESOURCES

Convened: April 7, 1993, 3:33 p.m.

Members Present: Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: Szymoniak, Chair and Kramer (both excused).

Committee Business: Recommended passage of House Files 348, 581, 541, 538 and House Joint Resolution 17; recommended passage of House Files 319 and 584 as amended; recommended confirmation of governor's appointees.

Adjourned: 3:42 p.m.

LOCAL GOVERNMENT

Convened: April 7, 1993, 1:35 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Vilsack and Zieman.

Members Absent: Szymoniak (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 214 and 648 as amended; placed House File 234 on calendar without recommendation; recommended passage of House Files 579 and 603.

Adjourned: 2:08 p.m.

NATURAL RESOURCES

Convened: April 7, 1993, 10:07 a.m.

Members Present: Fink, Chair; Dieleman, Vice Chair; Hester, Ranking Member; Banks, Hedge, Judge, Kibbie, Priebe, Rensink, Riordan and Sturgeon.

Members Absent: McKean.

Committee Business: Recommended passage of House Files 580, 133 and 89.

Adjourned: 10:43 a.m.

TRANSPORTATION

Convened: April 7, 1993, 11:02 a.m.

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

Members Absent: none.

Committee Business: Recommended passage of House Files 193, 354 and 409 as amended; recommended passage of House Files 545, 210 and 409; amended and approved SSB 313 as a committee bill; assigned bill to a subcommittee.

Adjourned: 12:15 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of April, 1993:

Senate File 315.

JOHN F. DWYER
Secretary of the Senate

SPECIAL GUESTS

Senator Riordan presented the following delegation of nine agricultural policy experts from the Social Democratic Party of the Bavarian State Legislature visiting the United States through the United States Information Agency:

Mr. Gustave Starzmann, Mr. Rudi Goth, Mr. Wolfgang Schlaeger, Mr. Albrecht Schlaeger, Ms. Johanna Werner-Muggendorfer, Mr. Max Brandl, Ms. Christa Goth, Mr. Walter Knaver and Mr. Herman Merkel.

The delegation was accompanied by Ms. Hildegard Morgan, a U.S. Department of State representative and interpreter, Mr. Robert Divine. Senator Riordan presented each guest with an Iowa pin.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	28	State Government
H. F.	236	Human Resources
H. F.	642	Local Government

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 28**

STATE GOVERNMENT: Bisignano, Chair; Buhr and McKean

House File 236

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Riordan

House File 400

COMMUNICATIONS AND INFORMATION POLICY: Welsh, Chair; Jensen and Varn.

House File 639

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Kersten and Rosenberg

House File 645

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Kersten and Rosenberg

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce, assigned to investigate the following governor's appointments, completed its investigations on April 7, 1993, and recommended the appointees be confirmed:

Margaret M. Chadwell and Ernest W. Gilson as members of the Credit Union Review Board.

Richard H. Buenneke as Superintendent of Banking.

James E. Forney as Superintendent of Credit Unions.

Robert W. DeCook and Robert Friedrich as members of the Title Guaranty Division Board.

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointments, completed its investigations on April 8, 1993, and recommended the appointees be confirmed:

Vickie L. Caldwell as a member of the Board of Educational Examiners.

James L. Robinson as a member of the First in the Nation in Education Foundation Governing Board.

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 7, 1993, and recommended the appointees be confirmed:

Dr. Thomas J. Henrich as a member of the Board of Behavioral Science Examiners.

Glenda Griffin and Jerry R. Foxhoven as members of the State Citizen Foster Care Review Board.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Pursuant to Senate Rule 59, the committee on Small Business, Economic Development, and Tourism assigned to investigate the following governor's appointments, completed its investigations on April 8, 1993, and recommended the appointees be confirmed:

Carol A. Garrett and Doris A. Hansen as members of the Iowa Product Development Corporation.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 453, a bill for an act relating to the inspection and regulation of lawn seed.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 641, a bill for an act relating to the department of agriculture and land stewardship, by providing for the assessment and collection of civil penalties against commercial applicators of pesticides.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, Riordan, Bartz, Fraise, Giannetto, Hedge, Hester, Judge, McLaren, Palmer and Zieman. Nays, none. Absent or not voting, 4: Banks, Boswell, Husak and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE RESOLUTION 7, (SSB 316) a resolution requesting an interim study committee concerning the use of debit cards and the appropriate fee structure for the use of such cards.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Deluhery, Palmer, Jensen, Bisignano, Fuhrman, Gettings, Gronstal, Priebe, Slife, Sturgeon, Varn and Welsh. Nays, none. Absent or not voting, 3: Kersten, Lind and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 25, a concurrent resolution relating to the Iowa Hawkeyes Women's Basketball Team.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Connolly, Kibbie, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor and Tinsman. Nays, none. Absent or not voting, 4: Kramer, Lind, Varn and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE JOINT RESOLUTION 19, a joint resolution to nullify an administrative rule of the department of education relating to a requirement for an instructional time audit and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Lind and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 104, a bill for an act relating to the employment of administrators by school districts and area education agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 384, a bill for an act relating to tuition reimbursements of postsecondary institutions by school districts under the postsecondary enrollment options Act.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 452, a bill for an act extending the waiver provision for the education standards requiring an articulated sequential elementary-secondary guidance program and a media services program to support the total curriculum.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 491, a bill for an act relating to postsecondary enrollment options for pupils at the school for the deaf and the Iowa braille and sight saving school.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 496, a bill for an act relating to area education agency and school district procedures regarding school reorganization.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3449.

Final Vote: Ayes, 14: Connolly, Kibbie, Kramer, Deluhery, Dieleman, Fink, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 319, a bill for an act relating to the development and delivery of a summary of the procedures and rights involved in a civil commitment proceeding to a person who applies for the involuntary commitment of another.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3441.

Final Vote: Ayes, 9: Lloyd-Jones, Bartz, Bennett, Buhr, Judge, Riordan, Rittmer, Sturgeon and Tinsman. Nays, none. Absent or not voting, 3: Szymoniak, Kramer and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: HOUSE FILE 170, a bill for an act relating to department of economic development operations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3448.

Final Vote: Ayes, 12: Riordan, Vilsack, Zieman, Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE JOINT RESOLUTION 20, a joint resolution designating the "Largo" from Antonin Dvorak's "New World Symphony" as the official anthem for the State of Iowa for one year.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate and Sorensen. Nays, 2: Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 302, a bill for an act providing for registration of acupuncturists, imposing a fee, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 455, a bill for an act relating to placement of political yard signs on agricultural land, property leased to a corporation by a private individual, or property leased by a corporation to a private individual.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 484, a bill for an act relating to the authority of the department of inspections and appeals by providing for the collection of debts owed to the department of human services, by providing for the licensure of certain facilities as psychiatric medical institutions for children, by authorizing access to criminal histories to certain tribal gaming officials, and by providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3438	H.F.	518	William W. Dieleman Merlin E. Bartz
S-3439	H.F.	136	Berl E. Priebe
S-3440	S.F.	354	John P. Kibbie
S-3441	H.F.	319	Human Resources
S-3442	H.F.	518	Richard Varn Mary E. Kramer
S-3443	H.F.	518	Richard Varn
S-3444	H.F.	518	William D. Palmer
S-3445	H.F.	518	Mary E. Kramer Richard J. Varn
S-3446	H.F.	518	Joe Welsh
S-3447	H.F.	518	Elaine Szymoniak
S-3448	H.F.	170	Small, Business, Econ. Dev, Tourism
S-3449	H.F.	496	Education
S-3450	H.F.	518	Richard Varn
S-3451	H.F.	518	Richard Varn

AFTERNOON SESSION

The Senate reconvened at 4:50 p.m., President Boswell 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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 334** be referred from the Regular Calendar to the committee on **Environment and Energy Utilities**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 259

On motion of Senator Varn, Senate File 259, a bill for an act relating to the establishment of an information policy council, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that action on **Senate File 259** be deferred.

Senate File 388

On motion of Senator Lloyd-Jones, Senate File 388, a bill for an act relating to the offense of operating while intoxicated, providing for minimum hours of community service for certain offenders, minimum periods of license revocation, and other related matters, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **Senate File 388** be deferred.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 1993, 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 232, 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 use tax, road use tax fund, and primary road fund, and relating to abstract fees for operating records and to registration fees for certain multipurpose vehicles and handicapped parking signs and providing effective dates.

ALSO: That the House has on April 8, 1993, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 429, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs and providing for the elimination of the health data commission and the department of human rights.

ALSO: That the House has on April 8, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 43, a bill for an act providing for an increase in the membership of county commissions of veteran affairs.

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

House File 248, a bill for an act relating to the payment of civil damages for the illegal taking of game, fish, or protected species.

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

House File 632, a bill for an act placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 30, by Judge and Kibbie, a concurrent resolution commemorating the role of public health nurses in Iowa during the celebration of 100 years of public health nursing.

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

The Senate stood at ease at 4:56 p.m. until the fall of the gavel.

The Senate resumed session at 5:15 p.m., President Boswell presiding.

BUSINESS PENDING

House File 518

The Senate resumed consideration of House File 518, a bill for an act relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving health care, providing for the application of a civil penalty, providing for effective and applicability dates, and providing for retroactive applicability, previously deferred.

Senator Varn offered amendment S—3425 filed by the committee on Appropriations on April 7, 1993, to pages 2-10, 12, 13, 15-17, 27, 33, 41, 42, 44, 45, 47, 48, 50, 52 and the title page of the bill.

Senator Dieleman offered amendment S—3453 filed by Senators Dieleman, et al., from the floor to pages 1 and 3 of amendment S—3425.

Senator Welsh called for a division of amendment S—3453 to amendment S—3425: lines 4-6 and 8 as division S—3453A and line 7 as division S—3453B.

Senator Welsh asked and received unanimous consent that action on divisions S—3453A and S—3453B to amendment S—3425 be deferred.

Senator Welsh offered amendment S—3446 filed by him from the floor to pages 1, 3 and 5 of amendment S—3425 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3446 to amendment S—3425 be adopted?" (H.F. 518) the vote was:

Ayes, 17:

Banks	Bisignano	Connolly	Dieleman
Fraise	Gettings	Husak	Jensen
Kersten	Kibbie	Palmer	Priebe
Rensink	Riordan	Sorensen	Welsh
Zieman			

Nays, 33:

Bartz	Bennett	Borlaug	Boswell
Buhr	Deluhery	Drake	Fink
Fuhrman	Giannetto	Gronstal	Hedge
Hester	Horn	Judge	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Pate	Rife
Rittmer	Rosenberg	Slife	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack			

Amendment S—3446 lost.

Senator Varn withdrew amendment S—3450 filed by him from the floor to page 1 of amendment S—3425.

Senator Kramer offered amendment S—3445 filed by Senators Kramer and Varn from the floor to page 2 of amendment S—3425 and moved its adoption.

Amendment S—3445 was adopted by a voice vote.

Senator Dieleman moved the adoption of division S—3453A to amendment S—3425, previously deferred.

A record roll call was requested.

On the question "Shall division S—3453A to amendment S—3425 be adopted?" (H.F. 518) the vote was:

Ayes, 17:

Banks	Bartz	Bisignano	Borlaug
Dieleman	Fraise	Gettings	Husak
Jensen	Kersten	Palmer	Priebe
Rensink	Sorensen	Taylor	Welsh
Zieman			

Nays, 33:

Bennett	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fuhrman
Giannetto	Gronstal	Hedge	Hester
Horn	Judge	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Pate	Rife
Riordan	Rittmer	Rosenberg	Slife
Sturgeon	Szymoniak	Tinsman	Varn
Vilsack			

Division S—3453A lost.

Senator Dieleman moved the adoption of division S—3453B to amendment S—3425, previously deferred.

A record roll call was requested.

On the question "Shall division S—3453B to amendment S—3425 be adopted?" (H.F. 518) the vote was:

Ayes, 18:

Banks	Bartz	Bisignano	Borlaug
Dieleman	Fraise	Gettings	Husak
Jensen	Kersten	Palmer	Priebe
Rensink	Riordan	Sorensen	Taylor
Welsh	Zieman		

Nays, 32:

Bennett	Boswell	Buhr	Connolly
Deluhery	Drake	Fink	Fuhrman
Giannetto	Gronstal	Hedge	Hester
Horn	Judge	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Pate	Rife

Rittmer
Szymoniak

Rosenberg
Tinsman

Slife
Varn

Sturgeon
Vilsack

Division S—3453B lost.

Senator Sturgeon offered amendment S—3463 filed by Senators Sturgeon, et al., from the floor to pages 3 and 5 of amendment S—3425.

Senator Kramer asked and received unanimous consent that action on amendment S—3463 be deferred.

Senator Varn offered amendment S—3454 filed by him from the floor to pages 2, 3 and 5 of amendment S—3425 and moved its adoption.

Amendment S—3454 was adopted by a voice vote.

Senator Rensink offered amendment S—3461 filed by Senators Rensink and Hedge from the floor to page 4 of amendment S—3425 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3461 to amendment S—3425 be adopted?" (H.F. 518) the vote was:

Ayes, 9:

Banks
Husak
Taylor

Bennett
Lind

Fuhrman
Rensink

Hedge
Rosenberg

Nays, 41:

Bartz
Buhr
Drake
Giannetto
Jensen
Kramer
McLaren
Priebe
Slife
Tinsman
Zieman

Bisignano
Connolly
Fink
Gronstal
Lloyd-Jones
Murphy
Rife
Sorensen
Varn

Borlaug
Deluhery
Fraise
Hester
Kersten
Maddox
Palmer
Riordan
Sturgeon
Vilsack

Boswell
Dieleman
Gettings
Horn
Kibbie
McKean
Pate
Rittmer
Szymoniak
Welsh

Amendment S—3461 lost.

Senator Dieleman offered amendment S—3438 filed by Senators Dieleman and Bartz from the floor to page 4 of amendment S—3425 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3438 to amendment S—3425 be adopted?" (H.F. 518) the vote was:

Ayes, 16:

Bartz	Dieleman	Drake	Fink
Gettings	Giannetto	Gronstal	Hester
Horn	Kibbie	Lloyd-Jones	Murphy
Rosenberg	Sturgeon	Taylor	Varn

Nays, 34:

Banks	Bennett	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Fraise	Fuhrman	Hedge	Husak
Jensen	Judge	Kersten	Kramer
Lind	Maddox	McKean	McLaren
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Slife
Sorensen	Szymoniak	Tinsman	Vilsack
Welsh	Zieman		

Amendment S-3438 lost.

Senator Varn offered amendment S—3467 filed by him from the floor to page 1 of amendment S—3425 and moved its adoption.

Amendment S—3467 was adopted by a voice vote.

Senator Sturgeon moved the adoption of amendment S—3463 by Senators Sturgeon, et al., to pages 3, 4 and 5 of amendment S—3425, previously deferred and requested a record roll call.

On the question "Shall amendment S—3463 to amendment S—3425 be adopted?" (H.F. 518) the vote was:

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

Ayes, 25:

Banks	Bartz	Bennett	Bisignano
Borlaug	Buhr	Connolly	Dieleman
Fink	Fraise	Gettings	Giannetto
Husak	Jensen	Kersten	Kibbie
Palmer	Pate	Priebe	Rensink
Riordan	Rosenberg	Sorensen	Sturgeon
Welsh			

Nays, 25:

Boswell	Deluhery	Drake	Fuhrman
Gronstal	Hedge	Hester	Horn
Judge	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Rife	Rittmer	Slife	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Zieman			

Amendment S—3463 lost.

Senator Lloyd-Jones called for a division of amendment S—3425 as amended:

Division S—3425A: Page 1, lines 3-50; pages 2-4 and page 5, lines 1-12 and 14-18.

Division S—3425B: Page 5, lines 13, 19 and 20.

Senator Varn moved the adoption of division S—3425A as amended, which motion prevailed by voice vote.

Senator Varn moved the adoption of division S—3425B.

A non record roll call was requested.

The ayes were 15, nays 32.

Division S—3425B lost.

Senator Dieleman filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which division S—3425A to House File 518 was adopted by the Senate on April 8, 1993.

A non record roll call was requested.

The ayes were 12, nays 28.

The motion lost.

The Chair ruled amendment S—3472 filed by Senator Dieleman from the floor to page 4 of division S—3425A, out of order.

Senator Varn offered amendment S—3442 filed by Senators Varn and Kramer from the floor to pages 11, 48, 51 and the title page of the bill.

Senator Palmer withdrew amendment S—3444 filed by him from the floor to amendment S—3442.

Senator Varn moved the adoption of amendment S—3442.

A record roll call was requested.

On the question "Shall amendment S—3442 be adopted?" (H.F. 518) the vote was:

Ayes, 37:

Banks	Boswell	Buhr	Dieleman
Drake	Fink	Fraise	Gettings
Giannetto	Gronstal	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	McKean	McLaren	Murphy
Pate	Priebe	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Tinsman	Varn
Vilsack			

Nays, 13:

Bartz	Bennett	Bisignano	Borlaug
Connolly	Deluhery	Fuhrman	Maddox
Palmer	Rensink	Taylor	Welsh
Zieman			

Amendment S—3442 was adopted.

The Chair ruled amendment S—3464 filed by Senators Sturgeon, et al., from the floor to pages 19, 20, 46, 47, 49, 51 and the title page of the bill, out of order because the same subject matter had previously been considered by the Senate.

Senator Varn offered amendment S—3451 filed by him from the floor to page 30 of the bill and moved its adoption.

Amendment S—3451 was adopted by a voice vote.

Senator Varn offered amendment S—3443 filed by him from the floor to pages 30 and 36 of the bill.

Senator Riordan offered amendment S—3452 filed by him from the floor to amendment S—3443 and moved its adoption.

Amendment S—3452 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—3443 as amended, which motion lost by a voice vote.

Senator Bartz offered amendment S—3462 filed by him from the floor to pages 44 and 52 of the bill.

President pro tempore Palmer took the chair at 8:41 p.m.

Senator Bartz moved the adoption of amendment S—3462 and requested a record roll call.

On the question "Shall amendment S—3462 be adopted?" (H.F. 518) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Bisignano
Borlaug	Buhr	Dieleman	Gettings
Giannetto	Husak	Jensen	Judge
Kersten	Maddox	McKean	Riordan
Sorensen	Sturgeon	Taylor	Vilsack
Welsh	Zieman		

Nays, 28:

Boswell	Connolly	Deluhery	Drake
Fink	Fraise	Fuhrman	Gronstal
Hedge	Hester	Horn	Kibbie
Kramer	Lind	Lloyd-Jones	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Rittmer	Rosenberg
Slife	Szymoniak	Tinsman	Varn

Amendment S—3462 lost.

Senator Bartz withdrew amendment S—3459 filed by him from the floor to page 45 of the bill.

Senator Szymoniak offered amendment S—3447 filed by her from the floor to page 49 of the bill and moved its adoption.

Amendment S—3447 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. 518) the vote was:

Ayes, 44:

Bartz	Bennett	Borlaug	Boswell
Connolly	Deluhery	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Zieman

Nays, 6:

Banks	Bisignano	Buhr	Dieleman
Husak	Welsh		

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

Senator Horn asked and received unanimous consent that **House File 518** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 149** be referred from the Regular Calendar to the committee on **Judiciary**.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the

following bills no longer eligible for consideration by the Senate be referred to committee:

S.F.	2	Judiciary
S.F.	116	Human Resources
S.F.	178	Transportation
S.F.	187	Judiciary
S.F.	195	State Government
S.F.	203	State Government
S.F.	265	Environment & Energy Utilities
S.F.	313	Human Resources
S.F.	348	Judiciary
S.F.	353	Agriculture
S.F.	356	State Government
S.F.	375	Commerce
S.F.	377	Education

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 26

HUMAN RESOURCES: Bartz, Chair; Tinsman and Varn

House File 642

LOCAL GOVERNMENT: Vilsack, Chair; Fraise and Jensen

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	30	Human Resources
H. F.	43	Local Government
H. F.	248	Natural Resources
H. F.	632	Environment & Energy Utilities

REPORTS OF STANDING COMMITTEE

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following governor's appointments, completed its investigations on April 8, 1993, and recommended the appointees be confirmed:

Verlon L. Britt, William A. Ehm, Richard C. Hartsuck, Rozanne E. King and Margaret M. Prahl as members of the Environmental Protection Commission.

A.H. Junior Cooper and William J. Horan as members of the Renewable Fuel Advisory Committee.

Nancy S. Boyd as a member of the Utilities Board.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 637, a bill for an act relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing penalties, and providing for the repeal of sections.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3470.

Final Vote: Ayes, 14: Priebe, Riordan, Bartz, Banks, Boswell, Fraise, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Ziemann. Nays, none. Pass, 1: Giannetto.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: HOUSE FILE 400, a bill for an act authorizing city utilities to include cable communication or television systems.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3457.

Final Vote: Ayes, 7: Varn, Welsh, Furhman, Deluhery, Fraise, Jensen and Kersten. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 331, a bill for an act authorizing compliance with federal air quality regulations and creating penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3471.

Final Vote: Ayes, 10: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 360, a bill for an act relating to containers used for liquified petroleum gas and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Rosenberg, Deluhery, Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen. Nays, none. Absent or not voting, 2: Kersten and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 454, a bill for an act relating to the annual electric supply and cost review for certain public utilities.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 632, a bill for an act placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 639, a bill for an act relating to state condemnation and acquisition of environmentally contaminated property.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3468.

Final Vote: Ayes, 9: Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh. Nays, 1: Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 644, a bill for an act extending upgrade dates and insurance premiums and requiring a noncompliance surcharge for underground storage tanks.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3469.

Final Vote: Ayes, 9: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 645, a bill for an act relating to exemptions from liability for environmental contamination and providing for a state lien on the property.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Rosenberg, Deluhery, Kersten, Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 26, a concurrent resolution supporting the expansion of the Fitzsimons Army Medical Center.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Riordan and Rittmer. Nays, none. Pass, 2: Kramer and Varn. Absent or not voting, 2: Judge and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 236, a bill for an act relating to providing well-child care under group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Judge.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 23, a concurrent resolution to honor the Drake University Mock Trial Team for winning the 1993 National Intercollegiate Mock Trial Championship.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 230, a bill for an act relating to the offense of operating a watercraft or vessel while intoxicated and providing penalties and other related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor and Welsh. Nays, 2: Fuhrman and Vilsack. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 418, a bill for an act relating to the testing of a person for the human immunodeficiency virus following conviction for certain offenses, making relief provisions applicable for violation of confidentiality, and providing a penalty.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 12: McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Pate, Slife, Szymoniak, Taylor, Vilsack and Welsh. Nays, 3: Sturgeon, Rosenberg and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 419, a bill for an act relating to the recovery by the department of public safety of costs associated with the cleanup of a clandestine laboratory site.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 527, a bill for an act relating to the duties of the clerk of the district court and the appointment of an associate probate judge.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 169, a bill for an act relating to rural water districts, by providing for authority to execute agreements for the administration of services, and the incorporation of real property.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Buhr, Maddox, Fraise, Jensen, Priebe, Rittmer, Vilsack and Zieman. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 328, a bill for an act requiring a single state insurance registration system for motor carriers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3455.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 361, a bill for an act relating to areas under the purview of the Iowa department of public health including those relating to the use of mammography machines, burial transit permits, and the membership of the council on chemically exposed infants by adding representation by the department of corrections.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3456.

Final Vote: Ayes, 16: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 561, a bill for an act relating to the practices of nursing and dentistry, including the establishment of penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3465.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 562, a bill for an act relating to requirements for licensure of massage therapists.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe and Sorensen. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 565, a bill for an act relating to membership of community action agency boards and providing effective and retroactive applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 576, a bill for an act relating to the procedures of and requirements enforced by the campaign finance disclosure commission; changing filing and other procedural requirements placed on candidates and political committees; changing the procedures for the hearing of complaints before the commission; and providing for administrative penalties and judicial review.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 622, a bill for an act relating to a proposed department of public works study.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 633, a bill for an act relating to the approval, disapproval, suspension, or revocation of liquor control licenses, wine permits, or beer permits, the imposition of civil penalties, and the appeal of the actions of local authorities or the administrator of the alcoholic beverages division regarding liquor control licenses, wine permits, and beer permits, and providing for other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3458.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO;

Final Bill Action: HOUSE FILE 635, a bill for an act relating to the solicitation and giving of contributions to certain candidates for state office for which a special election is held during the regular legislative session.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 652, a bill for an act relating to the office of secretary of state, the conduct of elections and voter registration in the state, and relating to corrective and technical changes to Iowa's election laws, providing an effective date, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3452	H.F.	518	Jim Riordan
S—3453	H.F.	518	William W. Dieleman
			Ray Taylor
			Berl Priebe
			Allen Borlaug
			Lyle E. Zieman
			John Jensen
			Joe Welsh
			Emil Husak
			Jim Kersten
			Don Gettings
S—3454	H.F.	518	Richard Varn
S—3455	H.F.	328	State Government
S—3456	H.F.	361	State Government
S—3457	H.F.	400	Communications & Info. Policy
S—3458	H.F.	633	State Government
S—3459	H.F.	518	Merlin E. Bartz
S—3460	H.F.	633	John Kibbie
			Joe Welsh

S—3461	H.F.	518	Wilmer Rensink H. Kay Hedge
S—3462	H.F.	518	Merlin E. Bartz
S—3463	H.F.	518	Al Sturgeon Brad Banks Ralph Rosenberg Michael Gronstal John Kibbie Randal Giannetto Paul Pate
S—3464	H.F.	518	Al Sturgeon Brad Banks Ralph Rosenberg Michael Gronstal John Kibbie Randal Giannetto Paul Pate
S—3465	H.F.	561	State Government
S—3466	S.F.	398	Ralph Rosenberg Elaine Szymoniak
S—3467	H.F.	518	Richard Varn
S—3468	H.F.	639	Environment & Energy Utilities
S—3469	H.F.	644	Environment & Energy Utilities
S—3470	H.F.	637	Agriculture
S—3471	H.F.	331	Environment & Energy Utilities
S—3472	H.F.	518	William W. Dieleman
S—3473	H.F.	542	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:10 p.m., until 2:30 p.m., Monday, April 12, 1993.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 12, 1993

The Senate met in regular session at 2:39 p.m., President Boswell presiding.

Prayer was offered by the Reverend Albert Snyder, pastor of the Congregational Church, Forest City, Iowa.

The Journal of the Thursday, April 8, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the day on request of Senator Kramer; Senator Hester for the day on request of Senator Jensen; Senators Drake, Slife and Bennett until they arrive on request of Senator Rife and Senator Sturgeon until he arrives on request of Senator Horn.

DISTINGUISHED GUEST

Senator Lloyd-Jones introduced Lord Richard Acton from the British House of Lords, who addressed the Senate with brief remarks. Lord Acton is married to a native Iowan from Cedar Rapids who was a page in the Iowa House of Representatives when she was a teenager.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Regular Calendar be referred to committee:

S. R.	7	Rules and Administration
S. J. R.	4	Transportation
S. F.	138	Agriculture
S. F.	217	Local Government

S.F.	383	Human Resources
H.F.	136	Ways and Means
H.F.	193	Ways and Means
H.F.	302	Ways and Means
H.F.	389	Ways and Means
H.F.	409	Ways and Means
H.F.	495	Ways and Means
H.F.	648	Ways and Means

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

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:

Dr. Thomas J. Henrich as a member of the Board of Behavioral Science Examiners.

George B. Kerr as a member of the Commission on the Deaf.

Margaret M. Chadwell and Ernest W. Gilson as members of the Credit Union Review Board.

Vicki L. Caldwell as a member of the Board of Educational Examiners.

Verlon L. Britt, William A. Ehm, Richard C. Hartsuck and Rozanne E. King as members of the Environmental Protection Commission.

James L. Robinson as a member of the First in the Nation in Education Foundation Governing Board.

James H. Crane and Earl Yoder as members of the Iowa Finance Authority.

Carol A. Garrett and Doris A. Hansen as members of the Iowa Product Development Corporation.

Orlando Ray Dial as a member of the Iowa State Civil Rights Commission.

Ann M. Menke as a member of the Job Service Advisory Council.

Dennis A. Ausenus as a member of the Landscape Architectural Examining Board.

Joan A. Brown and Beverly A. Sanderson as members of the Mental Health and Mental Retardation Commission.

Judy Bradshaw as a member of the Narcotics Enforcement Advisory Council.

Matthew C. Osterhaus as a member of the Pharmacy Examining Board.

Dr. Ronald D. Lee as a member of the Podiatry Examining Board.

Dianne L. Paca as a member of the Real Estate Appraiser Examining Board.

A.H. Junior Cooper and William J. Horan as members of the Renewable Fuel Advisory Committee.

Eugene H. Philip as a member of the Small Business Advisory Council.

Glenda Griffin, Jerry R. Foxhoven and Kathryn M. Youberg as members of the State Foster Care Review Board.

M. Catherine Dunn as a member of the State Transportation Commission.

Richard H. Buenneke as Superintendent of Banking.

James E. Forney as Superintendent of Credit Unions.

Robert W. DeCook and Robert Friedrich as members of the Title Guaranty Division Board.

Nancy S. Boyd as a member of the Utilities Board.

Judith E. Harrison, Stan N. Nilles and Gary R. Shawver as members of the Well Contractors' Council.

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:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Szymoniak
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 5:

Hester	McLaren	Slife	Sturgeon
Taylor			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he arrives on request of Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

House File 88

On motion of Senator Fink, House File 88, a bill for an act relating to the use of stickers on government vehicles notifying

the traveling public that the vehicles are being operated on gasoline blended with ethanol, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 88) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Szymoniak	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, 1:

Sorensen

Absent or not voting, 5:

Hester	McLaren	Slife	Sturgeon
Taylor			

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

House File 207

On motion of Senator Deluhery, House File 207, a bill for an act relating to the authority of the superintendent of banking to remove a director or officer of a state bank, providing for the continued suspension of certain banking laws, and providing for the retroactive applicability of the Act, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 207) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

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

House File 366

On motion of Senator Kibbie, House File 366, a bill for an act relating to merged area annual elections, 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. 366) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto

Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

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

House File 382

On motion of Senator Palmer, House File 382, a bill for an act relating to delinquency charges on, and the conversion of, certain consumer transactions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—3242 filed by the committee on Commerce on March 24, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3242 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?" (H.F. 382) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan

Rittmer	Rosenberg	Sorensen	Szymoniak
Tinsman	Varn	Vilsack	Zieman

Nays, 2:

Bisignano	Welsh
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Absent or not voting, 4:

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

Senate Concurrent Resolution 22

On motion of Senator Riordan, Senate Concurrent Resolution 22, a concurrent resolution supporting an investigation into government-guaranteed agriculture loans, supporting a moratorium on the Farmers Home Administration's debt collection ability, and requesting that Congressional hearings be held with in the state of Iowa, was taken up for consideration.

Senator Riordan moved the adoption of Senate Concurrent Resolution 22, which motion prevailed by a voice vote.

House File 342

On motion of Senator Fink, House File 342, a bill for an act relating to the sale, use, possession, and transportation of minnows for commercial or personal use, with report of committee recommending passage, was taken up for consideration.

Senator Fink offered amendment S—3362 filed by him on April 2, 1993, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3362 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 342) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

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

House File 365

On motion of Senator Riordan, House File 365, a bill for an act relating to farm mediation and legal assistance to farmers, by extending the effectiveness of provisions, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 365) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen

Szymoniak
Welsh

Tinsman
Zieman

Varn

Vilsack

Nays, none.

Absent or not voting, 4:

Hester

Slife

Sturgeon

Taylor

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

House File 369

On motion of Senator Sorensen, House File 369, a bill for an act providing for certification for eye enucleation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sorensen offered amendment S—3327 filed by the committee on Local Government on March 31, 1993, to page 1 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3327 and **House File 369** be deferred.

House File 448

On motion of Senator Szymoniak, House File 448, a bill for an act extending the time limit for filling school board vacancies, with report of committee recommending passage, was taken up for consideration.

Senator Kramer offered amendment S—3169 filed by her on March 19, 1993, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3169 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 448) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Hester	Slife	Sturgeon	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.

House File 133

On motion of Senator Kibbie, House File 133, a bill for an act authorizing the governor to obtain financial support for the construction of a rural water system, 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, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen

Szymoniak
Welsh

Tinsman
Zieman

Varn

Vilsack

Nays, none.

Absent or not voting, 4:

Hester

Slife

Sturgeon

Taylor

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

House File 217

On motion of Senator Palmer, House File 217, a bill for an act relating to the recording of instruments affecting real estate and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 217) the vote was:

Ayes, 45:

Banks
Borlaug
Deluhery
Fuhrman
Hedge
Judge
Lind
McLaren
Priebe
Rittmer
Tinsman
Zieman

Bartz
Boswell
Drake
Gettings
Horn
Kersten
Lloyd-Jones
Murphy
Rensink
Rosenberg
Varn

Bennett
Buhr
Fink
Giannetto
Husak
Kibbie
Maddox
Palmer
Rife
Sorensen
Vilsack

Bisignano
Connolly
Fraise
Gronstal
Jensen
Kramer
McKean
Pate
Riordan
Szymoniak
Welsh

Nays, none.

Absent or not voting, 5:

Dieleman
Taylor

Hester

Slife

Sturgeon

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

House File 307

On motion of Senator Palmer, House File 307, a bill for an act providing for limitations on judgments, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—3432 filed by the committee on Commerce on April 7, 1993, to page 1 of the bill.

Senator Palmer asked and received unanimous consent that action on amendment S—3432 and **House File 307** be deferred.

House File 415

On motion of Senator Deluhery, House File 415, a bill for an act relating to the authority to approve the establishment of satellite banking terminals, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 415) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Hester

Slife

Sturgeon

Taylor

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

House File 579

On motion of Senator Sorensen, House File 579, a bill for an act relating to the disposition of documents pertaining to the issuance of certain bonds or obligations, with report of committee recommending passage, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on **House File 579** be deferred.

House File 603

On motion of Senator Sorensen, House File 603, a bill for an act relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation, with report of committee recommending passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **House File 603** be deferred.

House File 636

On motion of Senator Gronstal, House File 636, a bill for an act providing for a duty to disclose information prior to the transfer of certain real estate and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal withdrew amendment S—3476 filed by him from the floor to page 2 of the bill.

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

On the question "Shall the bill pass?" (H.F. 636) the vote was:

Ayes, 46:

Banks

Bartz

Bennett

Bisignano

Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

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

MOTION TO RECONSIDER ADOPTED

Senator Szymoniak called up the motion to reconsider Senate File 398 filed by her on April 1, 1993, found on page 952 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 398) the vote was:

Ayes, 43:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Sorensen	Szymoniak	Tinsman
Varn	Vilsack	Zieman	

Nays, 3:

Jensen	Murphy	Welsh
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Absent or not voting, 4:

Hester

Slife

Sturgeon

Taylor

Senator Rosenberg moved to reconsider the vote by which Senate File 398 went to its last reading, which motion prevailed by a voice vote.

Senate File 398

On motion of Senator Szymoniak, Senate File 398, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement, was taken up for consideration.

Senator Rosenberg withdrew amendment S—3435 filed by him on April 7, 1993, to pages 5, 8-10 and 12 of the bill.

Senator Rosenberg offered amendment S—3466 filed by Senators Rosenberg and Szymoniak on April 8, 1993, to pages 5, 8-10 and 12 of the bill and moved its adoption.

Amendment S—3466 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. 398) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmier	Rosenberg	Sorensen
Szymoniak	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Hester

Slife

Sturgeon

Taylor

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 398 filed by Senator Rosenberg on April 1, 1993, and found on page 952 of the Senate Journal, was out of order.

UNFINISHED BUSINESS (Deferred April 6, 1993)

Senate File 269

The Senate resumed consideration of Senate File 269, a bill for an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date, deferred April 6, 1993.

Senator Deluhery asked and received unanimous consent that House File 578 be substituted for Senate File 269.

House File 578

On motion of Senator Deluhery, House File 578, a bill for an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 578) the vote was:

Ayes, 45:

Banks

Bartz

Bennett

Bisignano

Borlaug

Boswell

Buhr

Connolly

Deluhery

Dieleman

Drake

Fink

Fraise

Fuhrman

Gettings

Giannetto

Gronstal

Hedge

Horn

Husak

Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Sorensen	Szymoniak
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 5:

Hester	Murphy	Slife	Sturgeon
Taylor			

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

Senator Deluhery asked and received unanimous consent that **Senate File 269** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 5

Senator Gronstal called up for consideration Senate Concurrent Resolution 5, a concurrent resolution to designate Council Bluffs, Iowa, the Purple Martin Capital of Iowa, amended by the House in House amendment S—3289 filed March 30, 1993.

Senator Gronstal raised the point of order that House amendment S—3289 was not germane to the bill.

The Chair stated he would take the point under advisement and would render his ruling on Tuesday morning, April 13, 1993.

(Action on Senate Concurrent Resolution 5 was deferred.)

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of April, 1993:

Senate Files 319 and 232.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 232, the following corrections were made:

1. Page 15, line 7, the words and numbers "Sections 10 and 15" were changed to the words and numbers "Sections 10 and 16".

2. Page 15, line 9, the word and number "Section 12" were changed to the words and number "Section 14".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following governor's appointment, completed its investigation on April 8, 1993, and recommended the appointee be confirmed:

Dennis Nagel as Chairperson of the Utilities Board.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on April 8, 1993, and recommended the appointees be confirmed:

Raymond D. Barker as a member of the Barber Examining Board.

David O. Creighton as a member of the Cosmetology Examining Board.

Marilyn K. Corwin as a member of the Dental Examining Board.

Harold Wight as a member of the Engineering and Land Surveying Examining Board.

Edra E. Broich as a member of the Medical Examining Board.

Dr. Donovan L. Crouch as a member of the Optometry Examining Board.

Kathryn D. Eilers and Deborah J. Mehlhop as members of the Physical and Occupational Therapy Examining Board.

Cheryl A. Semerad as a member of the Podiatry Examining Board.

Kathryn C. Gerken as a member of the Psychology Examining Board.

Lyle Craig Harris as a member of the Real Estate Appraiser Examining Board.

Theresa A. Loffredo as a member of the Real Estate Commission.

Dr. Greg A. Hicklin as a member of the Respiratory Care Advisory Committee.

Bruce D. Buchanan as a member of the Social Work Examining Board.

Karen L. Bossard as a member of the State Board of Examiners for Nursing Home Administrators.

COMMUNICATION FROM THE GOVERNOR

April 9, 1993

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Secretary Dwyer:

Due to the resignation of Ramona M. Paulin from the Renewable Fuel Advisory Committee, I am withdrawing her name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 8, 1993, 11:40 a.m.

Members Present: Priebe, Chair; Riordan, Vice Chair; Bartz, Ranking Member; Banks, Boswell, Fraise, Giannetto, Hedge, Hester, Husak, Judge, McLaren, Palmer, Sorensen and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 641, 453 and 637 (as amended).

Adjourned: 11:50 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: April 8, 1993, 11:00 a.m.

Members Present: Varn, Chair; Welsh, Vice Chair; Fuhrman, Ranking Member; Deluhery, Fraise, Jensen and Kersten.

Members Absent: none.

Committee Business: Recommended passage of House File 400 as amended.

Adjourned: 11:35 a.m.

EDUCATION

Convened: April 8, 1993, 1:34 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Murphy, Rensink, Slife, Szymoniak, Taylor, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; recommended passage of House Joint Resolution 19, House Concurrent Resolution 25, House Files 104, 384, 452 and 491; recommended passage of House File 496 as amended.

Adjourned: 1:55 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 8, 1993, 2:40 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge, Sorensen and Welsh.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; recommended passage of House Files 360, 454 and 645; recommended passage of House Files 644, 639 and 331 as amended.

Adjourned: 3:18 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 8, 1993, 5:10 p.m.

Members Present: Rosenberg, Chair; Deluhery, Vice Chair; Kersten, Ranking Member; Banks, Borlaug, Fink, Gronstal, Hedge and Sorensen.

Members Absent: Welsh.

Committee Business: Recommended passage of House File 632.

Adjourned: 5:12 p.m.

ETHICS

Convened: April 8, 1993, 1:33 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Informal meeting.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: April 8, 1993, 3:21 p.m.

Members Present: Szymoniak, Chair; Lloyd-Jones, Vice Chair; Tinsman, Ranking Member; Bartz, Bennett, Buhr, Kramer, Riordan, Rittmer, Sturgeon and Varn.

Members Absent: Judge (excused).

Committee Business: Recommended passage of House File 236 and Senate Concurrent Resolution 26.

Adjourned: 3:27 p.m.

JUDICIARY

Convened: April 8, 1993, 3:47 p.m.

Members Present: Sturgeon, Chair; Rosenberg, Vice Chair; McKean, Ranking Member; Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh.

Members Absent: Slife.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 83, 151, 263, 451 and 516 as amended; recommended passage of House Files 527, 418, 419 and Senate Concurrent Resolution 23; placed House File 418 on calendar without recommendation.

Adjourned: 4:45 p.m.

LOCAL GOVERNMENT

Convened: April 8, 1993, 5:00 p.m.

Members Present: Sorensen, Chair; Buhr, Vice Chair; Maddox, Ranking Member; Fraise, Jensen, Priebe, Rittmer, Vilsack and Zieman.

Members Absent: Szymoniak (excused).

Committee Business: Recommended passage of House File 169.

Adjourned: 5:03 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: April 8, 1993, 11:00 a.m.

Members Present: Riordan, Chair; Vilsack, Vice Chair; Zieman, Ranking Member; Bennett, Bisignano, Borlaug, Giannetto, Judge, Kibbie, Lloyd-Jones, Maddox and Sorensen.

Members Absent: Bartz (excused).

Committee Business: Recommended passage of House File 170 as amended; recommended confirmation of governor's appointees.

Adjourned: 11:30 a.m.

STATE GOVERNMENT

Convened: April 8, 1993, 11:58 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Drake, Fink, Giannetto, Kramer, Lind, McKean, McLaren, Pate, Priebe, Sorensen and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House Joint Resolution 20, House Files 302, 455, 484, 562, 565, 576, 622, 635 and 652; recommended passage of House Files 361, 328, 561 and 633 as amended; reconsidered and deferred action on Senate File 276; recommended confirmation of governor's appointees.

Adjourned: 12:35 p.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Dennis Nagel be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 382 passed the Senate on April 12, 1993.

WILLIAM D. PALMER

SUBCOMMITTEE ASSIGNMENT

House File 632

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Kersten and Rosenberg

AMENDMENTS FILED

S—3474	H.F.	495	Michael E. Gronstal
S—3475	S.F.	407	Jim Riordan
S—3476	H.F.	636	Michael E. Gronstal

· ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:11 p.m., until 9:00 a.m., Tuesday, April 13, 1993.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 13, 1993

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa

The Journal of the Monday, April 12, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the day on request of Senator Jensen.

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:

Richard S. Burchett as a member of the Council on Human Services.

Senator Horn moved that the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen

Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano Hester

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF RESOLUTION (Regular Calendar)

House Joint Resolution 19

On motion of Senator Kibbie, House Joint Resolution 19, a joint resolution to nullify an administrative rule of the department of education relating to a requirement for an instructional time audit and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the resolution pass?" (H.J.R. 19) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluherly
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen

Sturgeon
Varn

Szymoniak
Vilsack

Taylor
Welsh

Tinsman
Zieman

Nays, none.

Absent or not voting, 2:

Bisignano

Hester

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 Bisignano until he returns on request of Senator Riordan.

ADOPTION OF RESOLUTIONS (Regular Calendar)

House Concurrent Resolution 25

On motion of Senator Szymoniak, House Concurrent Resolution 25, a concurrent resolution relating to the Iowa Hawkeyes Women's Basketball Team, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak moved the adoption of House Concurrent Resolution 25, which motion prevailed by a voice vote.

Senate Concurrent Resolution 23

On motion of Senator Rosenberg, Senate Concurrent Resolution 23, a concurrent resolution to honor the Drake University Mock Trial Team for winning the 1993 National Intercollegiate Mock Trial Championship, with report of committee recommending passage, was taken up for consideration.

Senator Rosenberg moved the adoption of Senate Concurrent Resolution 23, which motion prevailed by a voice vote.

RECESS

On motion of Senator Horn, the Senate recessed at 9:53 a.m., until 1:15 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committees to prepare memorial resolutions:

JAMES E. BRILES: Boswell, Chair; Riordan and McLaren

JOHN L. BUREN: Priebe, Chair; Taylor and Bartz

WALTER E. EDELEN: Priebe, Chair; Taylor and Bartz

HUGH G. GUERNSEY: Judge, Chair; Gettings and Hedge

E. KEVIN KELLY: Sturgeon, Chair; Banks and Bennett

ALVIN V. MILLER: Kibbie, Chair; Priebe and Bartz

WILLIAM L. MOOTY: Jensen, Chair; Giannetto and Slife

HERBERT L. OLLENBURG: Taylor, Chair; Priebe and Bartz

JAMES A. POTGETER: Taylor, Chair; Jensen and Giannetto

WILLIAM D. PALMER, Chair
BERL E. PRIEBE
RAY TAYLOR
BRAD BANKS

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 83, a bill for an act relating to the discharge of offensive weapons at an occupied structure, motor vehicle, or one or more persons and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3479.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, McKean, Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 2: Connolly and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 151, a bill for an act relating to plans for release of inmates committed to the custody of the department of corrections.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3481.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, McKean, Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 2: Connolly and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 263, a bill for an act relating to requirements for fingerprint reporting and access by individuals and their attorneys to criminal history data.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3478.

Final Vote: Ayes, 13: Sturgeon, Rosenberg, McKean, Bisignano, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 2: Connolly and Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 451, a bill for an act relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3480.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 516, a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3477.

Final Vote: Ayes, 14: Sturgeon, Rosenberg, McKean, Bisignano, Connolly, Drake, Fuhrman, Giannetto, Lloyd-Jones, Pate, Szymoniak, Taylor, Vilsack and Welsh. Nays, none. Absent or not voting, 1: Slife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

Communication was received announcing that on April 12, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 315 — An act relating to the selection of trustees for sanitary districts, and providing for retroactive applicability and an effective date.

PRESENTATION OF VISITORS

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

Ten members of The Iowa Federation of Women's Clubs, accompanied by Phyllis Hughes. Senator Murphy.

AMENDMENTS FILED

S-3477	H.F.	516	Judiciary
S-3478	H.F.	263	Judiciary
S-3479	H.F.	83	Judiciary
S-3480	H.F.	451	Judiciary
S-3481	H.F.	151	Judiciary
S-3482	H.F.	169	Eugene Fraise
S-3483	H.F.	652	Albert Sorensen Eugene Fraise
S-3484	H.F.	584	Jean Lloyd-Jones

AFTERNOON SESSION

The Senate reconvened at 1:53 p.m., President Boswell presiding.

Senator Horn moved that the Senate proceed to the House Chamber in accordance with House Concurrent Resolution 9 in columns of two led by the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION PIONEER LAWMAKERS

Fifty-Second Biennial Session
House Chamber 1:58 p.m.

In accordance with House Concurrent Resolution 9, the joint convention was called to order, President Boswell presiding.

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

Senator Horn 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 Fink and Rensink and Representatives Kistler and Fogarty.

The committee escorted the Pioneer Lawmakers to seats in the House Chamber.

President Boswell presented the Honorable William Palmer, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Boswell presented the Honorable Mary Lundby, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Boswell presented the Honorable Adolph Elvers, former member of the Senate who responded to the welcome.

Mr. Elvers announced the 1973-1974 class of fifty-two legislators who were eligible to become members of the Pioneer Lawmakers.

Mr. Elvers presented Geneva Overholser, Vice President and Editor of the Des Moines Register, who addressed the joint convention.

Representative Siegrist moved that the joint convention be dissolved at 2:31 p.m.

The motion prevailed by a voice vote.

The Senate returned to the Senate Chamber and resumed regular session at 2:54 p.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 47 present, 3 absent and a quorum present.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator McLaren called up the appointment of John W. Quinlan as a member of the Chiropractic Examining Board, placed on the Individual Confirmation Calendar on April 6, 1993, and found on page 1041 of the Senate Journal.

Senator Rife asked and received unanimous consent that action on the confirmation of John W. Quinlan be deferred.

The Senate stood at ease at 3:28 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:23 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Drake for the remainder of the day on request of Senator Rife.

BUSINESS PENDING
(Governor's Appointee)

The Senate resumed consideration of the appointment of John W. Quinlan as a member of the Chiropractic Examining Board, previously deferred.

Senator McLaren moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Drake	Hester
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Kibbie called up the appointment of Harris D. Honsey as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on April 2, 1993, and found on page 988 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Drake Hester

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Lloyd-Jones called up the appointment of Kevin J. Beauvais as a member of the Commission on Community Action Agencies, placed on the Individual Confirmation Calendar on April 6, 1993, and found on page 1028 of the Senate Journal.

Senator Lloyd-Jones moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen

Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Drake Hester

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Riordan called up the appointment of Julie J. Bulkeley as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on April 2, 1993, and found on page 988 of the Senate Journal.

Senator Riordan moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 38:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Deluhery	Dieleman
Fink	Fuhrman	Gronstal	Hedge
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Palmer	Pate	Priebe	Rensink
Rife	Rittmer	Rosenberg	Slife
Sorensen	Szymoniak	Taylor	Tinsman
Varn	Zieman		

Nays, 10:

Bisignano	Connolly	Fraise	Gettings
Giannetto	Murphy	Riordan	Sturgeon
Vilsack	Welsh		

Absent or not voting, 2:

Drake Hester

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Kibbie called up the appointment of Joanne L. Stockdale as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on April 5, 1993, and found on page 1001 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pâte
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 1:

Rife

Absent or not voting, 2:

Drake Hester

The appointee having received a two-thirds vote was declared to have been confirmed.

Senator Lloyd-Jones called up the appointment of Charese E. Yanney as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on February 16, 1993, and found on page 343 of the Senate Journal.

Senator Lloyd-Jones moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Drake Hester

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Kibbie called up the appointment of David L. Clemens as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on March 17, 1993, and found on page 655 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator McKean called up the appointment of Muriel E. Allan as a member of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on March 17, 1993, and found on page 655 of the Senate Journal.

Senator McKean moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Banks	Bartz	Bisignano	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Bennett	Drake	Hester	Vilsack
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Sorensen called up the appointment of John B. Parks as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on April 2, 1993, and found on page 989 of the Senate Journal.

Senator Sorensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 37:

Banks	Bartz	Bennett	Borlaug
Boswell	Deluhery	Fink	Fuhrman
Giannetto	Gronstal	Hedge	Horn
Husak	Jensen	Judge	Kersten
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Palmer	Pate
Priebe	Rensink	Rife	Rittmer
Rosenberg	Slife	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Welsh
Zieman			

Nays, 10:

Bisignano	Buhr	Connolly	Dieleman
Fraise	Gettings	Kibbie	Murphy
Riordan	Sorensen		

Absent or not voting, 3:

Drake	Hester	Vilsack
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vilsack until he returns on request of Senator Varn.

CONFIRMATION OF AGRICULTURE APPOINTMENT (Individual Confirmation Calendar)

Senator Riordan called up the appointment of Gary D. Lamb as a member of the Wallace Technology Transfer Foundation of Iowa, placed on the Individual Confirmation Calendar on April 1, 1993, and found on page 941 of the Senate Journal.

Senator Riordan moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 38:

Bartz	Bennett	Bisignano	Boswell
Buhr	Connolly	Deluhery	Dieleman
Fink	Fraise	Fuhrman	Gettings
Giannetto	Gronstal	Hedge	Horn
Husak	Judge	Kersten	Kibbie
Lloyd-Jones	Maddox	McKean	Murphy
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Varn	Welsh		

Nays, 9:

Banks	Borlaug	Jensen	Kramer
Lind	McLaren	Rife	Tinsman
Zieman			

Absent or not voting, 3:

Drake	Hester	Vilsack
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual confirmation Calendar)

Senator Lind called up the appointment of David J. Blair as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on February 15, 1993, and found on page 321 of the Senate Journal.

Senator Lind moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly

Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Drake Hester Vilsack

The appointee having received a two-thirds vote was declared to have been confirmed.

Senator Judge called up the appointment and reappointment of Nancy J. Tomes as a member of the Wallace Technology Transfer Foundation of Iowa, placed on the Individual Confirmation Calendar on March 25, 1993, and found on page 865 of the Senate Journal.

Senator Judge moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Drake Hester Vilsack

The appointee having received a two-thirds vote was declared to have been confirmed.

Senator Dieleman called up the appointment of Darrel Rensink as Director of Transportation, placed on the Individual Confirmation Calendar on April 1, 1993, and found on page 966 of the Senate Journal.

Senator Dieleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Drake Hester Vilsack

The appointee having received a two-thirds vote was declared to have been confirmed.

Senator Gronstal called up the appointment of Rita D. Sealock as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 1, 1993, and found on page 957 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Drake	Hester	Vilsack
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The appointee having received a two-thirds vote was declared to have been confirmed.

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Fink, a resolution recognizing the economic importance of the National Balloon Classic in Indianola.

Read first time and passed on file.

ANNOUNCEMENT BY THE PRESIDENT

Pertaining to the point of order raised by Senator Gronstal on April 12, 1993, that House amendment S—3289 was not germane to Senate Concurrent Resolution 5, President Boswell stated he was still taking the point under advisement and would render his ruling on April 14, 1993.

The Senate stood at ease at 5:00 p.m. until the fall of the gavel.

The Senate resumed session at 5:13 p.m., President Boswell presiding.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 369** be referred from the Unfinished Business Calendar to the committee on **State Government**.

APPENDIX**PLACEMENT ON INDIVIDUAL
CONFIRMATION CALENDAR**

Pursuant to Senate Rule 59, the following governor's appointee referred to the committee on Education on March 22, 1993, was automatically placed on the Individual Confirmation Calendar **without recommendation**:

Marvin A. Pomerantz as a member of the State Board of Regents.

STUDY BILL RECEIVED**SSB 321 Appropriations**

Relating to bicycles by requiring registration and fees, prohibiting certain operations, creating the bicycle trail fund, providing fines for violations and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 27**

EDUCATION: Deluhery, Chair; Kramer and Varn

House File 136

WAYS AND MEANS: McLaren, Chair; Hedge and Palmer

House File 193

WAYS AND MEANS: Drake, Chair; Dieleman and Lloyd-Jones

House File 248

NATURAL RESOURCES: Fink, Chair; Dieleman and Hester

House File 302

WAYS AND MEANS: Riordan, Chair; Husak and McLaren

House File 389

WAYS AND MEANS: Deluhery, Chair; Fuhrman and Palmer

House File 409

WAYS AND MEANS: Lloyd-Jones, Chair; Dieleman and Drake

House File 495

WAYS AND MEANS: Palmer, Chair; Deluhery and Fuhrman

House File 648

WAYS AND MEANS: Riordan, Chair; Bennett and Rosenberg

SSB 321

APPROPRIATIONS: Fraise, Chair; Banks and Kibbie

COMMITTEE REPORT**APPROPRIATIONS**

Final Bill Action: HOUSE FILE 623, a bill for an act relating to appropriations and revenue involving agriculture and natural resources, and making related statutory changes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3485.

Final Vote: Ayes, 22: Murphy, Boswell, McLaren, Banks, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack. Nays, none. Absent or not voting, 3: Bisignano, Horn and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Sixty-two eighth grade students from Pella Christian Grade School, Pella, Iowa, accompanied by Dan Netz. Senator Hedge.

RESOLUTION ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following resolution to committee:

S. R. 8 Small Business, Econ. Dev., & Tourism

REPORTS OF STANDING COMMITTEES

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following governor's appointments, completed its investigations on April 13, 1993, and recommended the appointees be confirmed:

Richard G. Moore as Administrator of the Division of Criminal and Juvenile Justice Planning.

Robert Jackson as a member of the Board of Parole.

Gopal T.K. Krishna as a member of the Indigent Defense Advisory Commission.

Jeffrey W. Courter and Carolyn J. Rants as members of the Iowa State Civil Rights Commission.

Douglas W. Book as a member of the Narcotics Enforcement Advisory Council.

AMENDMENT FILED

S-3485 H.F. 623 Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Wednesday, April 14, 1993.

JOINT MEMORIAL SERVICE

SEVENTY-FIFTH GENERAL ASSEMBLY
HOUSE CHAMBER
TUESDAY, APRIL 13, 1993
7:30 p.m.

PROGRAM

REPRESENTATIVE HORACE DAGGETT, PRESIDING

"Pachelbel Canon"Johann Pachelbel
Heather Lucas on flute, accompanied by Senator Mary Kramer on piano

Invocation Representative Richard Vande Hoef

“In This Very Room” Ron & Carol Harris
Memorial Session Choir, accompanied by Senator Mary Kramer on piano

MEMORIALS — HOUSE

Reading: Representative Bob Renken

MEMORIALS — SENATE

Reading: Senator Ray Taylor

MEMORIALS — HOUSE

Reading: Representative Minnette Doderer

Reading: Representative Rick Dickinson

“On Eagle’s Wings” Michael Joncas
Memorial Session Choir, accompanied by Senator Mary Kramer on piano
and Heather Lucas on flute

MEMORIALS — HOUSE

Reading: Representative Paul Bell

MEMORIALS — HOUSE AND SENATE

Reading: Senator Maggie Tinsman

Reading: Senator Patrick Deluhery

MEMORIALS — SENATE

Reading: Senator Patrick Deluhery

MEMORIALS — HOUSE

Reading: Representative James Meyer

Reading: Senator Ray Taylor

“Be Thou My Vision” Alice Parker
Memorial Session Choir, accompanied by Senator Mary Kramer on piano

IN MEMORIAM**SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE**

Honorable James E. Briles (Adams County) House—58th, 59th, 60th, and 60thX.
(Adams County) Senate—61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67thX, 68th,
69th, 69thX and 70th.

Honorable Alvin V. Miller (Cerro Gordo County) House—65th and 66th. (Cerro
Gordo County) Senate—67th, 67thX, 68th, 69th, 69thX, 70th, 71st, 72nd, 72ndX,
73rd, 74th and 74thX.

Honorable E. Kevin Kelly (Woodbury County) House—64th. (Woodbury County)
Senate—65th, 66th, 67th and 67thX.

Honorable William L. Mooty (Grundy County) House—54th, 55th, 56th and 57th.
(Grundy County) Senate—59th, 60th and 60thX.

SERVED IN THE SENATE

Honorable John Leonard Buren (Winnegabo County) 61st and 62nd.

Honorable Walter E. Edelen (Hancock County) 58th.

Honorable Hugh G. Guernsey (Appanoose County) 47th and 48th.

Honorable Herbert L. Ollenburg (Hancock County) 63rd and 64th.

Honorable James A. Potgeter (Hardin County) 62nd, 63rd and 64th.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Ray V. Bailey (Wright County) 61st, 62nd and 63rd.

Honorable Wayne H. Ballhagen (Butler County) 55th, 56th and 57th.

Honorable Harry W. Beardsley (Polk County) 62nd.

Honorable Dean O. Corey (Louisa County) 63rd.

Honorable Floyd P. Edgington, Sr. (Franklin County) 55th, 56th, 57th, 58th, 59th,
60th, 60thX, 61st, 62nd and 63rd.

Honorable Harold O. Fischer (Grundy County) 58th, 59th, 60th, 60thX, 61st, 62nd,
63rd, 64th and 65th.

Honorable Henry Fox (Mitchell County) 47th.

Honorable William J. Hargrave, Jr. (Johnson County) 65th, 66th, 67th and 67thX.

Honorable Fred L. Koogler, Sr. (Mahaska County) 66th, 67th and 67thX.

Honorable Maynard T. Menefee (Fayette County) 63rd and 64th.

Honorable Dwight W. Meyer (Sac County) 53rd, 54th and 55th.

Honorable Kenneth C. Noble (O'Brien County) 50th and 50thX.

Honorable Thomas S. Roe (Allamakee County) 61st and 62nd.

Honorable Clay Spear (Des Moines County) 66th, 67th, 67thX, 68th, 69th, 69thX, 70th, 71st, 72nd, 72ndX, 73rd, 74th, 74thX and 75th.

Honorable Ivor Stanley (Linn County) 64th.

Honorable Maurice A. Van Nostrand (Pottawattamie County) 60th, 60thX and 63rd.

Honorable Richard W. Welden (Hardin County) 62nd, 63rd, 64th, 65th, 66th, 67th, 67thX, 68th, 69th, 69thX, 70th and 71st.

Candlelighters

Senator Kay Hedge
 Senator Patty Judge
 Senator Jack Kibbie
 Representative Rick Larkin
 Representative Sandy Greiner
 Representative Mary Lundby
 Representative Dennis May

Hosts

Senator and Mrs. Eugene Fraise
 Senator and Mrs. Emil Husak
 Senator and Mrs. John Jensen
 Representative and Mrs. Clifford Branstad
 Representative and Mrs. John Connors
 Representative and Mrs. Deo Koenigs
 Representative and Mrs. Harold Van Maanen

SENATE MEMORIAL COMMITTEE

Honorable William D. Palmer, Chair
 Honorable Brad Banks
 Honorable Berl E. Priebe
 Honorable Ray Taylor

HOUSE MEMORIAL COMMITTEE

Honorable Horace Daggett, Chair
 Honorable Mark Haverland
 Honorable Deo A. Koenigs
 Honorable Richard Vande Hoef

Memorial Session Choir Directed by Representative Mark Haverland

Keyboard compliments of Plymouth Congregational United Church of Christ

Flowers arranged by The Bloomin' Greenry, Indianola, Iowa

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 14, 1993

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

Prayer was offered by the Reverend Andy Hofer, pastor of the Highland Park Presbyterian Church, Des Moines, Iowa

The Journal of the Tuesday, April 13, 1993, was approved.

HOUSE MESSAGES RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1993, passed the following bill in which the concurrence of the House was asked:

Senate File 59, a bill for an act relating to prohibiting fire fighters and certain emergency medical services personnel from being required to obtain a professional permit to carry weapons as a condition of employment.

ALSO: That the House has on April 13, 1993, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates (S-3486).

Senate File 347, a bill for an act relating to public retirement systems, and including effective and retroactive applicability dates (S—3487).

Senate File 374, a bill for an act relating to the state department of transportation concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials (S—3488).

QUORUM CALL

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

The vote revealed 47 present, 3 absent and a quorum present.

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:

Raymond D. Barker as a member of the Barber Examining Board.

Ruth A. Daggett as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Lester D. Menke as a member of the Commission on Judicial Qualifications.

David O. Creighton as a member of the Cosmetology Examining Board.

Marilyn K. Corwin as a member of the Dental Examining Board.

Harold Wight as a member of the Engineering and Land Surveying Examining Board.

Barbara J. Higdon as a member of the First in the Nation in Education Foundation Governing Board.

Frederick W. Hagemann as a member of the Iowa Economic Development Board.

Edra E. Broich as a member of the Medical Examining Board.

Dr. Donovan L. Crouch as a member of the Optometry Examining Board.

Daniel L. Mack and Deborah J. Mehlhop as members of the Physical and Occupational Therapy Examining Board.

Cheryl A. Semerad as a member of the Podiatry Examining Board.

Verna L. Welte as a member of the Prevention of Disabilities Policy Council.

Lyle Craig Harris as a member of the Real Estate Appraiser Examining Board.

Theresa A. Loffredo as a member of the Real Estate Commission.

Jill M. Miller as a member of the Speech Pathology and Audiology Examining Board.

Karen L. Bossard as a member of the State Board of Examiners for Nursing Home Administrators.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Murphy

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

The Senate stood at ease at 9:43 a.m. until the fall of the gavel.

The Senate resumed session at 10:21 a.m., President Boswell presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Buhr called up the appointment of Gretchen Tegeler as Director of the Department of Management (confirmation deferred on April 15, 1992, in Senate Resolution 106).

Senator Buhr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Slife	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 5:

Bisignano	Dieleman	Rosenberg	Sorensen
Sturgeon			

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 Fink called up the appointment of Martha J. Cumpston as a member of the Board of Educational Examiners, placed on the Individual Confirmation Calendar on April 5, 1993, and found on page 1001 of the Senate Journal.

Senator Fink moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Maddox
McKean	McLaren	Palmer	Pate
Rensink	Rife	Rittmer	Slife
Sturgeon	Taylor	Tinsman	Zieman

Nays, 26:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lind
Lloyd-Jones	Murphy	Priebe	Riordan
Rosenberg	Sorensen	Szymoniak	Varn
Vilsack	Welsh		

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Martha J. Cumpston.

CONSIDERATION OF BILLS (Regular Calendar)

House File 79

On motion of Senator Sturgeon, House File 79, a bill for an

act relating to criminal trial testimony by minors and certain victims and witnesses, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3352 filed by the committee on Judiciary on April 1, 1993, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3352 was adopted by a voice vote.

With the adoption of amendment S—3352, the Chair ruled amendment S—3073 filed by Senator Rosenberg on March 2, 1993, 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. 79) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 89

On motion of Senator Sturgeon, House File 89, a bill for an act providing penalties for the harvesting of wild ginseng out of

season, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 89) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Giannetto	Hedge	Hester
Horn	Husak	Jensen	Judge
Kersten	Kibbie	Kramer	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Zieman		

Nays, 4:

Bisignano	Gettings	Gronstal	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.

House File 275

On motion of Senator Fink, House File 275, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fink offered amendment S—3154 filed by the committee on Education on March 17, 1993, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 21, nays 27.

Amendment S—3154 lost.

Senator Fink asked and received unanimous consent that action on **House File 275** be deferred.

RECESS

On motion of Senator Horn, the Senate recessed at 12:10 p.m., until 2:30 p.m.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five fifth grade students from Charter Oak-Ute Elementary School, Ute, accompanied by Mary Keating. Senator Bennett.

Fifty government students from Dubuque Senior High School, Dubuque, accompanied by Rich Tyler and Dick Starr. Senator Connolly.

Sixty government students from Carlisle High School, Carlisle, accompanied by David Jones and Rex Fowler. Senator Fink.

Members of the First United Methodist Women and St. Timothy's United Methodist Women of Cedar Falls. Senator Slife.

Sixty high school students from Griswold Community Schools, Griswold, accompanied by Kathy Bierbaum. Senator McLaren.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 13, 1993, 10:52 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Borlaug, Buhr, Connolly, Fraise, Gronstal, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: Bisignano, Horn and Palmer (all excused).

Committee Business: Assigned SSB 321 to a subcommittee; recommended passage of House File 623 as amended.

Adjourned: 11:30 a.m.

JUDICIARY

Convened: April 13, 1993, 5:20 p.m.

Members Present: Sturgeon, Chair; McKean, Ranking Member; Bisignano, Fuhrman, Giannetto, Lloyd-Jones, Pate, Slife, Szymoniak, Taylor and Welsh.

Members Absent: Rosenberg, Vice Chair; Connolly, Drake (excused) and Vilsack (excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 5:35 p.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Martha J. Cumpton failed to be approved by the Senate on April 14, 1993.

JIM LIND

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Margaret Prahel be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 30

HUMAN RESOURCES: Judge, Chair; Lloyd-Jones and Rittmer

Senate File 383

HUMAN RESOURCES: Szymoniak, Chair; Judge and Kramer

House File 43

LOCAL GOVERNMENT: Sorensen, Chair; Buhr and Zieman

House File 369

STATE GOVERNMENT: Sorensen, Chair; Buhr and Rittmer

House File 542

HUMAN RESOURCES: Szymoniak, Chair; Judge and Kramer

AMENDMENTS FILED

S-3486	S.F.	266	House amendment
S-3487	S.F.	347	House amendment
S-3488	S.F.	374	House amendment
S-3489	H.F.	623	Berl E. Priebe Jim Kersten

AFTERNOON SESSION

The Senate reconvened at 2:41 p.m., Senator Vilsack presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

President Boswell took the chair at 2:52 p.m.

The vote revealed 47 present, 3 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

House File 327

On motion of Senator Sturgeon, House File 327, a bill for an act relating to limited liability companies, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 327) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 584

On motion of Senator Lloyd-Jones, House File 584, a bill for an act relating to the establishment of a special classification residential care facility category for persons with physical disabilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3436 filed by the committee on Human Resources on April 7, 1993, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 12.

Amendment S—3436 was adopted.

Senator Lloyd-Jones offered amendment S—3484 filed by her on April 13, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3484 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 584) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Connolly called up the reappointment of Marvin A. Pomerantz as a member of the State Board of Regents, automatically placed on the Individual Confirmation Calendar on April 13, 1993, and found on page 1145 of the Senate Journal.

Senator Connolly moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 31:

Bennett	Bisignano	Borlaug	Buhr
Connolly	Deluhery	Drake	Fuhrman
Gronstal	Hedge	Hester	Horn
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Rensink	Rife
Rittmer	Slife	Sturgeon	Tinsman
Varn	Welsh	Zieman	

Nays, 19:

Banks	Bartz	Boswell	Dieleman
Fink	Fraise	Gettings	Giannetto
Husak	Judge	Kibbie	Lloyd-Jones
Priebe	Riordan	Rosenberg	Sorensen
Szymoniak	Taylor	Vilsack	

The appointee not having received a two-thirds vote, the Chair declared the Senate refused to confirm the reappointment of Marvin A. Pomerantz.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 623.

House File 623

On motion of Senator Husak, House File 623, a bill for an act relating to appropriations and revenue involving agriculture and natural resources, and making related statutory changes, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—3485 filed by the committee on Appropriations on April 13, 1993, to strike everything after the enacting clause and to the title page of the bill.

Senator Priebe offered amendment S—3493 filed by him from the floor to pages 4, 13 and 20 of amendment S—3485 and moved its adoption.

Amendment S—3493 was adopted by a voice vote.

Senator Priebe offered amendment S—3489 filed by Senators Priebe and Kersten from the floor to pages 12, 16 and 20 of amendment S—3485 and moved its adoption.

Amendment S—3489 was adopted by a voice vote.

Senator Husak offered amendment S—3491 filed by Senators Husak and Banks from the floor to pages 12, 14 and 16-20 of amendment S—3485 and moved its adoption.

Amendment S—3491 was adopted by a voice vote.

Senator Banks offered amendment S—3496 filed by him from the floor to page 15 of amendment S—3485.

Senator Murphy raised the point of order that amendment S—3496 to amendment S—3485 was not germane.

The Chair ruled the point not well taken and amendment S—3496 in order.

Senator Banks moved the adoption of amendment S—3496 to amendment S—3485, which motion prevailed by a voice vote.

Senator Banks withdrew amendment S—3497 filed by him from the floor to page 15 of amendment S—3485.

Senator Husak moved the adoption of amendment S—3485 as amended, which motion prevailed 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. 623) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

RULING ON POINT OF ORDER
(Raised April 12, 1993)
(Senate Concurrent Resolution 5)

Pertaining to the point of order raised by Senator Gronstal on April 12, 1993, that House amendment S—3289 was not germane to Senate Concurrent Resolution 5, the Chair ruled: "The purpose of the bill is to honor a specific city in a specific way. The House

amendment does not address these items, therefore the point is well taken, the amendment is not germane. The secretary of the senate is directed to send Senate Concurrent Resolution 5 back to the House."

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 516** be referred from the Regular Calendar to the committee on **Ways and Means**.

MOTION TO RECONSIDER WITHDRAWN

Senator Lind withdrew the motion to reconsider the vote by which Martha J. Cumpton failed to be approved by the Senate on April 14, 1993, filed by him on April 14, 1993, and found on page 1160 of the Senate Journal.

INTRODUCTION OF BILL

Senate File 410, by committee on **Ways and Means**, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

Read first time and placed on Ways and Means Calendar.

APPENDIX

STUDY BILLS RECEIVED

SSB 322 Ways & Means

Relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds.

SSB 323 Ways & Means

Relating to a records management fee to be collected by the county recorder.

SUBCOMMITTEE ASSIGNMENTS

SSB 322

WAYS AND MEANS: Murphy, Chair; Hester and Szymoniak

SSB 323

WAYS AND MEANS: Deluhery, Chair; Drake and Rosenberg

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixteen high school students from West High School, Iowa City, accompanied by Gary Neuzil. Senators Lloyd-Jones and Varn.

Thirty-five sixth grade students from Okoboji Middle School, Milford, accompanied by Eyleen Anderson, Judy Hagedorn, Teresa Place and Lois Northrey. Senator Kibbie.

Twenty-one seventh, eighth and ninth grade students from Smart Junior High school, Davenport, accompanied by Sara Tinsman. Senators Tinsman and Deluhery.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 30, a concurrent resolution commemorating the role of public health nurses in Iowa during the celebration of 100 years of public health nursing.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Szymoniak, Lloyd-Jones, Tinsman, Bartz, Bennett, Buhr, Judge, Kramer, Riordan, Rittmer, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 136, a bill for an act relating to the care of dogs and cats transferred by animal care facilities, authorizing fees and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 302, a bill for an act providing for registration of acupuncturists, imposing a fee, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 389, a bill for an act relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, Murphy, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 410 (formerly Senate File 161), a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: Drake and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SPECIAL GUEST

Senator Kramer introduced Jerry Hadley, a professional tenor who has worked with world renowned artists and is the son-in-law of Senator Drake. Also present were his wife, pianist Cheryl Drake Hadley and two children.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Alan Shepard Elementary School, Long Grove; North High School, Davenport; North Scott High School, Eldridge; Pleasant Valley Community School, Pleasant Valley; Riverdale Elementary School, Pleasant Valley — For "First in the Nation in Education" Award, Senator Tinsman (4-16-93).

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 623 passed the Senate on April 14, 1993.

LARRY MURPHY

AMENDMENTS FILED

S-3490	H.F.	354	Lloyd-Jones
S-3491	H.F.	623	Emil J. Husak Brad Banks
S-3492	H.F.	193	Mike Connolly
S-3493	H.F.	623	Berl E. Priebe
S-3494	H.F.	210	Linn Fuhrman Derryl McLaren
S-3495	H.F.	635	Michael E. Gronstal
S-3496	H.F.	623	Brad Banks
S-3497	H.F.	623	Brad Banks

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Thursday, April 15, 1993.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 15, 1993

The Senate met in regular session at 9:10 a.m., President Boswell presiding.

Prayer was offered by the Reverend Sarah Larsen, pastor of the Good Shepard Lutheran Church, Bloomfield, Iowa

The Journal of the Wednesday, April 14, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings until he arrives on request of Senator Fraise.

INTRODUCTION OF BILL

Senate File 411, by committee on Ways and Means, a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds.

Read first time and **placed on Ways and Means Calendar**.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 10:43 a.m., President Boswell presiding.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Kathryn C. Gerken be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Richard G. Moore be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

JACK RIFE

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following appointees on the En Bloc Confirmation Calendar:

Robert Jackson, Sr. as a member of the Board of Parole.

Connie Sue Ricklefs as a member of the Drug Abuse Prevention and Education Advisory Council.

Gopal T.K. Krishna as a member of the Indigent Defense Advisory Commission.

Deborah S. Krauth as a member of the Iowa Finance Authority.

Jeffrey W. Courter and Carolyn J. Rants as members of the Iowa State Civil Rights Commission.

Douglas W. Book and Jackie Kenniker as members of the Narcotics Enforcement Advisory Council.

Kathryn D. Eilers as a member of the Physical and Occupational Therapy Examiners.

Dr. Greg A. Hicklin as a member of the Respiratory Care Advisory Committee.

Bruce D. Buchanan as a member of the Social Work Examining 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, 48:

Banks
Borlaug

Bartz
Boswell

Bennett
Buhr

Bisignano
Connolly

Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Riordan Varn

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

House File 169

On motion of Senator Fraise, House File 169, a bill for an act relating to rural water districts, by providing for authority to execute agreements for the administration of services, and the incorporation of real property, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S—3482 filed by him on April 13, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3482 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. 169) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Buhr	Connolly	Deluhery
Dieleman	Drake	Fraise	Fuhrman

Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 2:

Boswell Fink

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan until he returns on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

House File 210

On motion of Senator Lloyd-Jones, House File 210, a bill for an act to provide for a six-month revocation of the driver's license of a person under the age of twenty-one who alters the license to purchase alcohol, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 210** be deferred.

House File 104

On motion of Senator Connolly, House File 104, a bill for an act relating to the employment of administrators by school districts

and area education agencies, with report of committee recommending passage, was taken up for consideration.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 104) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays; none.

Absent or not voting, 2:

Murphy Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 236

On motion of Senator Szymoniak, House File 236, a bill for an act relating to providing well-child care under group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations, 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. 236) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

House File 382

Senator Palmer withdrew the motion to reconsider House File 382, a bill for an act relating to delinquency charges on, and the conversion of, certain consumer transactions, filed by him on April 12, 1993, and found on page 1122 of the Senate Journal.

HOUSE AMENDMENT CONSIDERED

Senate File 267

Senator Gronstal called up for consideration Senate File 267, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates, amended by the House in House amendment S—3300 filed March 30, 1993.

Senator Gronstal offered amendment S—3500 filed by him from the floor to House amendment S—3300.

Senator Pate called for a division of amendment S—3500 to House amendment S—3300: lines 4 and 21-49 as division S—3500A and lines 5-20 as division S—3500B.

Senator Gronstal moved the adoption of division S—3500A to House amendment S—3300, which motion prevailed by voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Rensink until he returns on request of Senator Hester.

BUSINESS PENDING

Senate File 267

The Senate resumed consideration of Senate File 267.

Senator Gronstal moved the adoption of division S—3500B to House amendment S—3300.

A record roll call was requested.

On the question "Shall division S—3500B to House amendment S—3300 be adopted?" (S.F. 267) the vote was:

Ayes, 24:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Fink	Fraise	Gettings
Giannetto	Gronstal	Horn	Judge
Kibbie	Lloyd-Jones	Murphy	Palmer
Priebe	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Vilsack	Welsh

Nays, 24:

Banks	Bartz	Bennett	Borlaug
Dieleman	Drake	Fuhrman	Hedge
Hester	Husak	Jensen	Kersten
Kramer	Lind	Maddox	McKean
McLaren	Pate	Rife	Rittmer
Slife	Taylor	Tinsman	Zieman

Absent or not voting, 2:

Rensink Riordan

Division S—3500B lost.

Senator Gronstal moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Gronstal moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 267) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rensink Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that

Senate File 267 and House Files 169, 104 and 236 be immediately messaged to the House.

**CONSIDERATION OF BILLS
(Regular Calendar)**

House File 491

On motion of Senator Varn, House File 491, a bill for an act relating to postsecondary enrollment options for pupils at the school for the deaf and the Iowa braille and sight saving school, 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. 491) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rensink	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 496

On motion of Senator Deluhery, House File 496, a bill for an act relating to area education agency and school district procedures regarding school reorganization, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3449 filed by the committee on Education on April 8, 1993, to page 8 of the bill and moved its adoption.

Amendment S—3449 was adopted by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 496) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rensink Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 151

On motion of Senator Rosenberg, House File 151, a bill for an act relating to plans for release of inmates committed to the custody

of the department of corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg offered amendment S—3481 filed by the committee on Judiciary on April 13, 1993, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3481 was adopted by a voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 151) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rensink Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 451

On motion of Senator Rosenberg, House File 451, a bill for an act relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rosenberg asked and received unanimous consent that action on House File 451 be deferred.

House File 527

On motion of Senator McKean, House File 527, a bill for an act relating to the duties of the clerk of the district court and the appointment of an associate probate judge, with report of committee recommending passage, was taken up for consideration.

Senator McKean moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 527) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Rensink	Riordan	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that House Files 151, 491, 496 and 527 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 12:01 p.m., until 2:45 p.m.

APPENDIX

BILL SIGNED BY THE GOVERNOR

Communication was received announcing that on April 15, 1993, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 319 — An act relating to records and minutes of public bodies which are subject to public inspection.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 14, 1993, 1:37 p.m. -

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, Rosenberg and Szymoniak.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 389, 302 and 136; approved SSB 322 and Senate File 161 as committee bills.

Adjourned: 2:31 p.m.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 411 (SSB 322), a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dieleman, Bennett, Deluhery, Fuhrman, Hester, Lloyd-Jones, Murphy, Palmer, Riordan, Rosenberg and Szymoniak. Nays, 2: Husak and Hedge. Absent or not voting, 2: Drake and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

President Boswell welcomed Mr. and Mrs. Tannan, visiting Rotarians from India, who were present in the Senate chamber.

Senator Murphy welcomed ten members of the first place for small schools Academic Decathlon Team from Oelwein High School, accompanied by Linda Peik and Mary Belden.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-six third, fourth and fifth grade students from Prairie City Elementary and Monroe Elementary Schools, accompanied by Sid Graham. Senator Dieleman.

SUBCOMMITTEE ASSIGNMENT

House File 516

WAYS AND MEANS: Rosenberg, Chair; Fuhrman and Lloyd-Jones

AMENDMENTS FILED

S—3498	H.F.	83	Ray Taylor
S—3499	H.F.	83	Ray Taylor
S—3500	S.F.	267	Michael E. Gronstal
S—3501	H.F.	210	Jean Lloyd-Jones
S—3502	H.F.	354	Jean Lloyd-Jones
S—3503	H.F.	354	Merlin E. Bartz
S—3504	H.F.	275	Bill Fink
			Jim Kersten
			Eugene Fraise
			Randal J. Giannetto
			Lyle E. Zieman
			Tony Bisignano
			Ray Taylor

S—3505	H.F.	210
S—3506	H.F.	361
S—3507	H.F.	354

Jim Lind
Mike Connolly
Linn Fuhrman
Derryl McLaren
Ralph Rosenberg
Eugene Fraise
John W. Jensen
Joe Welsh
Richard F. Drake
Berl E. Priebe

AFTERNOON SESSION

The Senate reconvened at 2:53 p.m., President Boswell 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.

CONSIDERATION OF BILL
(Regular Calendar)

House File 453

On motion of Senator Riordan, House File 453, a bill for an act relating to the inspection and regulation of lawn seed, 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. 453) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Maddox

Taylor

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 210

The Senate resumed consideration of House File 210, a bill for an act to provide for a six-month revocation of the driver's license of a person under the age of twenty-one who alters the license to purchase alcohol, previously deferred.

Senator Lloyd-Jones offered amendment S—3501 filed by her from the floor to page 1 and the title page of the bill.

Senator Fuhrman offered amendment S—3505 filed by Senators Fuhrman and McLaren from the floor to amendment S—3501 and moved its adoption.

Amendment S—3505 was adopted by a voice vote.

Senator Lloyd-Jones moved the adoption of amendment S—3501 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3501 as amended, the Chair ruled the following amendments out of order.

S—3390 filed by Senators Fuhrman and McLaren on April 5, 1993, to page 1 of the bill and S—3494 filed by Senators Fuhrman and McLaren on April 14, 1993, to amendment S—3390.

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. 210) the vote was:

Ayes, 49:

Banks
Borlaug
Deluhery

Bartz
Boswell
Dieleman

Bennett
Buhr
Drake

Bisignano
Connolly
Fink

Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

House File 633

On motion of Senator Welsh, House File 633, a bill for an act relating to the approval, disapproval, suspension, or revocation of liquor control licenses, wine permits, or beer permits, the imposition of civil penalties, and the appeal of the actions of local authorities or the administrator of the alcoholic beverages division regarding liquor control licenses, wine permits, and beer permits, and providing for other properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—3458 filed by the committee on State Government on April 8, 1993, to pages 1, 4 and 5 of the bill and moved its adoption.

Amendment S—3458 was adopted by a voice vote.

Senator Kibbie offered amendment S—3460 filed by Senators Kibbie and Welsh on April 8, 1993, to pages 1 and 4 of the bill and moved its adoption.

Amendment S—3460 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?" (H.F. 633) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN

Senators Welsh and Giannetto withdrew their motions to reconsider Senate File 354, a bill for an act relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits, by imposing civil penalties, by appropriating moneys collected through civil penalties, by removing certain restrictions on the sale of alcoholic beverages, and by providing for other properly related matters, filed by them on March 30, 1993, and found on page 912 of the Senate Journal.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that

Senate File 354 be referred to the committee on **State Government**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 453 and 633** be immediately messaged to the House.

MOTION TO RECONSIDER

Senator Lloyd-Jones filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 210 passed the Senate on April 15, 1993.

On the question "Shall the motion to reconsider be adopted?" (H.F. 210) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The motion prevailed.

Senator Lloyd-Jones moved to reconsider the vote by which House File 210 went to its last reading, which motion prevailed by a voice vote.

House File 210

On motion of Senator Lloyd-Jones, House File 210, a bill for an act to provide for a six-month revocation of the driver's license

of a person under the age of twenty-one who alters the license to purchase alcohol, was taken up for reconsideration.

Senator Lloyd-Jones offered amendment S—3508 filed by her from the floor to amendment S—3501 and moved its adoption.

Amendment S—3508 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 210) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Horn asked and received unanimous consent that **House File 210** be **immediately messaged** to the House.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convended: April 15, 1993, 2:39 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Kramer, Lind and Palmer.

Members Absent: Gettings, Gronstal and Husak (all excused).

Committee Business: Excused governor's appointee, Margaret Prah from introduction before the Senate.

Adjourned: 2:43 p.m.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Welsh called up the appointment of Margaret Prah as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on April 14, 1993, and found on page 1160 of the Senate Journal.

Senator Welsh moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Horn	Judge	Kersten	Kibbie
Lloyd-Jones	McKean	Palmer	Priebe
Riordan	Rosenberg	Sorensen	Sturgeon
Szymoniak	Varn	Vilsack	

Nays, 21:

Banks	Bartz	Bennett	Borlaug
Fuhrman	Hedge	Hester	Husak
Jensen	Kramer	Lind	Maddox
McLaren	Pate	Rensink	Rife
Slife	Taylor	Tinsman	Welsh
Zieman			

Absent or not voting, 2:

Murphy	Rittmer
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Margaret Prah.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Rosenberg called up the appointment of Dennis Nagel as Chairperson of the Utilities Board, placed on the Individual Confirmation Calendar on April 12, 1993, and found on page 1122 of the Senate Journal.

Senator Rosenberg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Murphy	Pate	Priebe
Rensink	Rife	Rittmer	Rosenberg
Slife	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Zieman	

Nays, 7:

Bisignano	Kibbie	Palmer	Riordan
Sorensen	Sturgeon	Welsh	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The Senate stood at ease at 3:43 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:22 p.m., President Boswell presiding.

MOTION TO REFER BILL RESCINDED

Senator Horn asked and received unanimous consent to rescind his previous motion to refer **Senate File 354** to the committee on State Government.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Sturgeon called up the appointment of Richard G. Moore as Administrator of the Division of Criminal and Juvenile Justice Planning Commission, placed on the Individual Confirmation Calendar on April 15, 1993, and found on page 1173 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, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none:

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Kramer called up the appointment of Kathryn C. Gerken as a member of the Psychology Examining Board, placed on the Individual Confirmation Calendar on April 15, 1993, and found on page 1172 of the Senate Journal.

Senator Kramer moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Pate called up the appointment of Dr. Mark A. Kruse as a member of the Chiropractic Examining Board, placed on the Individual Confirmation Calendar on April 1, 1993, and found on page 965 of the Senate Journal.

Senator Pate moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 37:

Banks	Bartz	Borlaug	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Kersten	Kibbie	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Rittmer	Rosenberg	Slife	Sturgeon
Taylor	Tinsman	Varn	Vilsack
Zieman			

Nays, 13:

Bennett
Connolly
Maddox
Welsh

Bisignano
Hester
Riordan

Boswell
Judge
Sorensen

Buhr
Kramer
Szymoniak

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Welsh called up the appointment of Del Van Horn as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on April 7, 1993, and found on page 1044 of the Senate Journal.

Senator Welsh asked and received unanimous consent that action on the confirmation of Del Van Horn be deferred.

MOTION TO RECONSIDER (Governors Appointee)

Senator Welsh filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Margaret Prahel failed to be approved by the Senate on April 15, 1993.

Senator Murphy raised the point of order that the debate on the motion to reconsider should be limited only to the appointment currently being reconsidered.

The Chair ruled the point well taken.

The Senate stood at ease at 5:03 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:21 p.m., President Boswell presiding.

Senator Welsh asked and received unanimous consent to defer action on the motion to reconsider the appointment of Margaret Prahel to the Environmental Protection Agency.

BUSINESS PENDING
CONFIRMATION OF GOVERNOR'S APPOINTMENT
 (Individual Confirmation Calendar)

The Senate resumed consideration of the appointment of Del Van Horn as a member of the State Racing and Gaming Commission, previously deferred.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Deluhery	Drake
Fink	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Jensen	Judge	Kersten	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Priebe
Rensink	Rife	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Zieman			

Nays, 9:

Bisignano	Connolly	Dieleman	Fraise
Husak	Kibbie	Murphy	Riordan
Welsh			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

BUSINESS PENDING
(MOTION TO RECONSIDER
GOVERNOR'S APPOINTMENT)

The Senate resumed consideration of the motion to reconsider the vote by which Margaret Prahl failed to be confirmed by the Senate, previously deferred.

Senator Welsh moved the adoption of the motion to reconsider, which motion prevailed by a voice vote and the confirmation of Margaret Prah1 as a member of the Environmental Protection Commission was taken up for reconsideration.

Senator Welsh moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

MOTION TO RECONSIDER (Governor's Appointee)

Senator Varn filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Martha J. Cumpton failed to be approved by the Senate on April 14, 1993.

The motion prevailed by a voice vote and the appointment of Martha J. Cumpton to the Board of Educational Examiners was taken up for reconsideration.

Senator Fink moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Drake
Fink	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Rensink	Rife	Rittmer
Slife	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 9:

Connolly	Deluhery	Dieleman	Fraise
Husak	Priebe	Riordan	Rosenberg
Sorensen			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The following motion to reconsider filed from the floor was out of order:

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Martha J. Cumpston failed to be approved by the Senate on April 14, 1993.

FLORENCE BUHR

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Horn asked and received unanimous consent that the following bills be placed on the **Unfinished Business Calendar**:

House Files 83, 136, 170, 193, 201, 214, 230, 263, 267, 302, 319, 328, 331, 348, 354, 360, 361, 384, 389, 400, 409, 418, 419, 452, 454, 455, 484, 495, 538, 541, 545, 561, 562, 565, 576, 580, 581, 622, 632, 635, 637, 639, 641, 644, 645 and 652; Senate Concurrent Resolutions 26 and 29; and House Joint Resolutions 17 and 20.

MOTION TO RECONSIDER WITHDRAWN

House File 623

Senator Murphy withdrew the motion to reconsider House File 623, a bill for an act relating to appropriations and revenue involving agriculture and natural resources, and making related statutory changes, filed by him on April 14, 1993, and found on page 1170 of the Senate Journal.

Senator Horn asked and received unanimous consent that **House File 623** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 412, by committee on Ways and Means, a bill for an act relating to a records management fee to be collected by the county recorder.

Read first time and placed on Ways and Means Calendar.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1993, based on past precedents and Section 39.6 of Mason's Manual of Legislative Procedure, refuses to accept the following resolution as messaged:

Senate Concurrent Resolution 5, a concurrent resolution to designate Council Bluffs, Iowa, the Purple Martin Capitol of Iowa.

Senator Gronstal raised the point of order that if the House is refusing to receive our message, then the Senate should have the opportunity to refuse the House message.

The Chair ruled that once the message was read, it was received and that the Senate would have the opportunity to send a message.

APPENDIX

GOVERNOR'S ITEM VETO MESSAGE

April 15, 1993

The Honorable Leonard Boswell
President of the Senate
State Capitol Building
LOCAL

Dear Mr. President:

I hereby transmit Senate File 232, 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 use tax, road use tax fund, and primary road fund, and relating to abstract fees for operating records and to registration fees for certain multipurpose vehicles and handicapped parking signs and providing effective dates

Senate File 232 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portion of Section 2, subsection 1, unnumbered and unlettered paragraph 3. This provision would restrict the administrative authority of the Department of Public Defense regarding firefighter positions at the Des Moines International Airport. These positions have been reduced due to revised federal staffing standards and corresponding federal funding cuts. The Department of Public Defense must be allowed to maintain its flexibility to respond to federal directives regarding personnel.

I am unable to approve the designated portion of Section 7, subsection 1, paragraph e. This provision would unnecessarily delay an initiative by the Department of Transportation that is already well underway and has the potential of saving hundreds of thousands of dollars in road use tax funds. These funds are needed to improve the highway transportation system in the state of Iowa. Requests for proposals have already been issued and bids will be evaluated based on both the potential for cost savings and maintenance of a high quality of service.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 232 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 369, a bill for an act providing for certification for eye enucleation.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bisignano, Buhr, Dieleman, Fink, Giannetto, Lind, Priebe, Sorensen and Welsh. Nays, none. Absent or not voting, 5: Drake, Kramer, McKean, McLaren and Pate.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 412 (SSB 323), a bill for an act relating to a records management fee to be collected by the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 2: Murphy and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 193, a bill for an act relating to increasing the scheduled fine for traffic violations in a road construction zone.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 1: Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 409, a bill for an act relating to multipurpose vehicle registration fees for disabled persons.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3510.

Final Vote: Ayes, 12: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer and Szymoniak. Nays, 1: Riordan. Absent or not voting, 2: Murphy and Rosenberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 495, a bill for an act relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Palmer, Riordan and Szymoniak. Nays, none. Absent or not voting, 2: Murphy and Rosenberg.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Dennis Nagel was approved by the Senate on April 15, 1993.

WALLY E. HORN

AMENDMENTS FILED

S—3508	H.F.	210	Jean Lloyd-Jones
S—3509	H.F.	354	Jean Lloyd-Jones
S—3510	H.F.	409	Ways and Means
S—3511	S.F.	412	Linn Fuhrman

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:00 p.m., until 10:00 a.m., Monday, April 19, 1993.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 19, 1993

The Senate met in regular session at 10:12 a.m., President Boswell presiding.

Prayer was offered by the Reverend Gene Anderson, pastor of the Redeemer Lutheran Church, Indianola, Iowa

The Journal of the Thursday, April 15, 1993, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Varn for the day, Senator Szymoniak until she arrives and Senator Sturgeon until he arrives on request of Senator Horn and Senator Kramer until she arrives on request of Senator Rife.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care (S—3513).

ALSO: That the House has on April 15, 1993, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 518, a bill for an act relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving health care and the child and dependent care individual income tax credit, providing for the application of a civil penalty, providing for effective and applicability dates, and providing for retroactive applicability.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 328** be referred from the Unfinished Business Calendar to the committee on **Ways and Means** and that **House File 234** be referred from the Regular Calendar to the committee on **Local Government**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR

House File 354

On motion of Senator Lloyd-Jones, **House File 354**, a bill for an act relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of transportation, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3430 filed by the committee on Transportation on April 7, 1993, to pages 1, 4 and the title page of the bill.

Senator Lloyd-Jones offered amendment S—3509 filed by her on April 15, 1993, to amendment S—3430 and moved its adoption.

Amendment S—3509 was adopted by a voice vote.

Senator Lloyd-Jones withdrew amendment S—3502 filed by her on April 15, 1993, to amendment S—3430.

Senator Priebe asked and received unanimous consent that action on amendment S—3430 as amended and **House File 354** be **deferred**.

House File 452

On motion of Senator Kibbie, House File 452, a bill for an act extending the waiver provision for the education standards requiring an articulated sequential elementary-secondary guidance program and a media services program to support the total curriculum, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, 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. 452) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Taylor	Tinsman	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Kramer	Sturgeon	Szymoniak	Varn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House Joint Resolution 20

On motion of Senator Fink, House Joint Resolution 20, a joint resolution designating the "Largo" from Antonin Dvorak's "New World Symphony" as the official anthem for the State of Iowa for one year, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Fink moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution pass?" (H.J.R. 20) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Lind
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Taylor	Tinsman
Vilsack	Zieman		

Nays, 4:

Bisignano	Gettings	Priebe	Welsh
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Absent or not voting, 4:

Kramer	Sturgeon	Szymoniak	Varn
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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 561

On motion of Senator Kibbie, House File 561, a bill for an act relating to the practices of nursing and dentistry, including the establishment of penalties, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Gronstal asked and received unanimous consent to withdraw amendment S—3465 filed by the committee on State Government on April 8, 1993, to pages 1, 2 and the title page of the bill.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 561) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
DeLuhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Taylor	Tinsman	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Kramer	Sturgeon	Szymoniak	Varn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kibbie asked and received unanimous consent that **Senate File 378** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

(Deferred April 14, 1993)

House File 275

The Senate resumed consideration of House File 275, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date, deferred April 14, 1993.

Senator Fink offered amendment S—3504 filed by Senators Fink, et al., on April 15, 1993, to page 1 of the bill and moved its adoption.

Amendment S—3504 was adopted by a voice vote.

Senator Fink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 275) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Taylor	Tinsman
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Sturgeon	Szymoniak	Varn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 645

On motion of Senator Gronstal, House File 645, a bill for an act relating to exemptions from liability for environmental contamination and providing for a state lien on the property, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, 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. 645) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Taylor	Tinsman	Vilsack
Welsh	Zieman		

Nays, none.

Absent or not voting, 4:

Murphy	Sturgeon	Szymoniak	Varn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 302

On motion of Senator Bisignano, House File 302, a bill for an act providing for registration of acupuncturists, imposing a fee, and making penalties applicable, with report of committee on State Government recommending passage, and report of committee on Ways and Means recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 302) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Gettings	Giannetto	Gronstal
Hedge	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Taylor	Tinsman	Vilsack
Welsh	Zieman		

Nays, 4:

Fuhrman	Hester	McLaren	Rife
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Absent or not voting, 4:

Murphy	Sturgeon	Szymoniak	Varn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 233, 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 education and cultural programs of this state and providing an effective date (S—3515).

RECESS

On motion of Senator Horn, the Senate recessed at 11:46 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:45 p.m., President Boswell 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.

UNFINISHED BUSINESS CALENDAR

House File 214

On motion of Senator Priebe, House File 214, a bill for an act establishing a loess hills development and conservation authority, specify its membership, powers, and duties, and providing for other properly related matters, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Sorensen offered amendment S—3426 filed by the committee on Local Government on April 7, 1993, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3426 was adopted by a voice vote.

With the adoption of amendment S—3426, the Chair ruled amendment S—3363 filed by Senator Priebe on April 2, 1993, to page 1 of the bill, out of order.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 214) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none:

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.

Senate Concurrent Resolution 29

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 29, a concurrent resolution relating to the common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation, and the Chicago and Northwestern Transportation Company, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3516 filed by her from the floor to pages 2 and 3 of the resolution and moved its adoption.

Amendment S—3516 was adopted by a voice vote.

Senator Lloyd-Jones moved the adoption of Senate Concurrent Resolution 29 as amended, which motion prevailed by voice vote.

House File 562

On motion of Senator Buhr, House File 562, a bill for an act relating to requirements for licensure of massage therapists, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 562) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none:

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.

House File 637

On motion of Senator Priebe, House File 637, a bill for an act relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing penalties, and providing for the repeal of sections, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Priebe offered amendment S—3470 filed by the committee on Agriculture on April 8, 1993, to pages 1, 5-9 and the title page of the bill.

Senator Priebe offered amendment S—3518 filed by Senators Priebe and Fink from the floor to amendment S—3470 and moved its adoption.

Amendment S—3518 was adopted by a voice vote.

Senator Bartz asked and received unanimous consent that action on amendment S—3470 as amended and **House File 637** be deferred.

House File 541

On motion of Senator Buhr, House File 541, a bill for an act relating to vital records by directing the Iowa department of public health to implement a vital records modernization project and providing an appropriation, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 541) the vote was:

Ayes, 49:

Banks
Borlaug
Deluhery
Fraise

Bartz
Boswell
Dieleman
Fuhrman

Bennett
Buhr
Drake
Gettings

Bisignano
Connolly
Fink
Giannetto

Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none:

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.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 30

On motion of Senator Judge, Senate Concurrent Resolution 30, a concurrent resolution commemorating the role of public health nurses in Iowa during the celebration of 100 years of public health nursing, with report of committee recommending passage, was taken up for consideration.

Senator Judge moved the adoption of Senate Concurrent Resolution 30, which motion prevailed by a voice vote.

UNFINISHED BUSINESS CALENDAR

House File 484

On motion of Senator Buhr, House File 484, a bill for an act relating to the authority of the department of inspections and appeals by providing for the collection of debts owed to the department of human services, by providing for the licensure of certain facilities as psychiatric medical institutions for children, by authorizing access to criminal histories to certain tribal gaming officials, and by providing an effective date, with report of committee recommending passage, placed on the Unfinished

Business Calendar on April 15, 1993, was taken up for consideration.

Senator Buhr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 484) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none:

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.

House File 348

On motion of Senator Judge, House File 348, a bill for an act relating to the filing of certain birth certificates, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Judge asked and received unanimous consent that action on **House File 348** be deferred.

House File 419

On motion of Senator Welsh, House File 419, a bill for an act relating to the recovery by the department of public safety of costs associated with the cleanup of a clandestine laboratory site, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, 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. 419) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Vilsack	Welsh
Zieman			

Nays, none:

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.

BUSINESS PENDING

House File 354

The Senate resumed consideration of House File 354, a bill for an act relating to the state department of transportation by requiring federal and state cooperation regarding federal funding

of transportation, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports, and amendment S—3430 as amended by the committee on Transportation to pages 1, 4 and the title page of the bill, previously deferred.

Senator Lloyd-Jones moved the adoption of amendment S—3430 as amended, which motion prevailed by voice vote.

Senator Lloyd-Jones offered amendment S—3490 filed by her on April 14, 1993, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3490 was adopted by a voice vote.

Senator Bartz offered amendment S—3503 filed by him on April 15, 1993, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3503 was adopted by a voice vote.

Senator Jensen offered amendment S—3329 filed by Senators Jensen and Fraise on March 31, 1993, to page 2 and the title page of the bill.

Senator Lloyd-Jones raised the point of order that amendment S—3329 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3329 in order.

Senator Jensen moved the adoption of amendment S—3329 and requested a record roll call.

On the question "Shall amendment S—3329 be adopted?" (H.F. 354) the vote was:

Ayes, 20:

Bennett
Gettings

Boswell
Giannetto

Drake
Hester

Fraise
Husak

Jensen	Kibbie	Kramer	Lind
McKean	McLaren	Pate	Priebe
Rife	Taylor	Vilsack	Welsh

Nays, 29:

Banks	Bartz	Bisignano	Borlaug
Buhr	Connolly	Deluhery	Dieleman
Fink	Fuhrman	Gronstal	Hedge
Horn	Judge	Kersten	Lloyd-Jones
Maddox	Murphy	Palmer	Rensink
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Tinsman
Zieman			

Absent or not voting, 1:

Varn

Amendment S—3329 lost.

The Chair ruled amendment S—3507 filed by Senators Fraise, et al., on April 15, 1993, to page 2 and the title page of the bill, out of order.

Senator Priebe offered amendment S—3519 filed by Senators Priebe and Lloyd-Jones from the floor to page 4 of the bill and moved its adoption.

Amendment S—3519 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 354) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg

Slife
Taylor
Zieman

Sorensen
Tinsman

Sturgeon
Vilsack

Szymoniak
Welsh

Nays, none:

Absent or not voting, 1:

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 538

On motion of Senator Lloyd-Jones, House File 538, a bill for an act repealing provisions relating to an abolishing the county boards of social welfare and providing an effective date, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 538) the vote was:

Ayes, 49:

Banks
Borlaug
Deluhery
Fraise
Gronstal
Husak
Kibbie
Maddox
Palmer
Rife
Slife
Taylor
Zieman

Bartz
Boswell
Dieleman
Fuhrman
Hedge
Jensen
Kramer
McKean
Pate
Riordan
Sorensen
Tinsman

Bennett
Buhr
Drake
Gettings
Hester
Judge
Lind
McLaren
Priebe
Rittmer
Sturgeon
Vilsack

Bisignano
Connolly
Fink
Giannetto
Horn
Kersten
Lloyd-Jones
Murphy
Rensink
Rosenberg
Szymoniak
Welsh

Nays, none:

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.

House File 267

On motion of Senator Judge, House File 267, a bill for an act relating to the definition of resident for taking fish, game, and other protected species of animal, with report of committee recommending amendment and passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Judge offered amendment S—3521 filed by Senators Judge, Lind and Fink, from the floor to strike everything after the enacting clause of the bill.

Senator Judge asked and received unanimous consent that action on amendment S—3521 and **House File 267** be deferred.

UNFINISHED BUSINESS (Deferred April 6, 1993)

Senate File 393

The Senate resumed consideration of Senate File 393, a bill for an act establishing a volunteer physician program within the Iowa department of public health, deferred April 6, 1993.

Senator Szymoniak offered amendment S—3522 filed by her from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3522 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous consent that **House File 200** be substituted for **Senate File 393** as amended.

House File 200

On motion of Senator Szymoniak, House File 200, a bill for an act establishing a volunteer physician program within the Iowa department of public health and providing for certain immunity from liability, 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. 200) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none:

Absent or not voting, 2:

Murphy Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Szymoniak asked and received unanimous consent that **Senate File 393** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that the following bills be immediately messaged to the House:

Senate Concurrent Resolutions 29 and 30, House Joint Resolution 20, House Files 200, 214, 275, 302, 354, 452, 484, 538, 541, 561, 562 and 645.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 1993, passed the following bills in which the concurrence of the House was asked:

Senate File 38, a bill for an act providing for requirements of a financing statement filed under the uniform commercial code, and providing applicability and effective dates.

Senate File 78, a bill for an act making technical changes to transportation Code provisions concerning applications for registration and title, relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations.

Senate File 392, a bill for an act relating to duties and procedures of the department of corrections, providing for agreements for private employment of inmates, application of witness fees earned by an inmate toward payment of restitution or crime victim compensation, removing language relating to transfers of certain inmates, providing for temporary supervision and placement of inmates in violator facilities, making changes in provisions relating to escape from work release, and changing times of payment of certain funds to inmates.

ALSO: That the House has on April 19, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 320, a bill for an act relating to the development of a community health management information system (S-3520).

APPENDIX

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: April 15, 1993, 12:00 noon.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bisignano, Buhr, Dieleman, Fink, Giannetto, Lind, Priebe, Sorensen and Welsh.

Members Absent: Drake, Kramer, McKean, McLaren and Pate.

Committee Business: Recommended passage of House File 369.

Adjourned: 12:02 p.m.

WAYS AND MEANS

Convened: April 15, 1993, 1:51 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Murphy, Palmer, Riordan, and Szymoniak.

Members Absent: Rosenberg (excused).

Committee Business: Assigned bill to a subcommittee; recommended passage of House Files 193 and 495; recommended passage of House File 409 as amended; approved SSB 323 as a committee bill.

Adjourned: 2:28 p.m.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 19th day of April, 1993:

Senate File 59.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 354, the following correction was made:

1. Page 14, line 31, the words "20 of this Act" were changed to the words "23 of this Act".

ALSO: That in engrossing the Senate amendment to House File 623, the following corrections were made:

1. Page 29, line 12, the word and number "Section 700" were changed to the word and number "Section 4".

2. Page 29, line 15, the words and numbers "DATES. Sections 13 and 24" were changed to the words and numbers "DATE. Sections 13 and 25".

3. Page 29, line 18, the words and numbers "Sections 100, 200, and 300" were changed to the words and numbers "Sections 24, 46, and 47".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eight ladies from Trinity United Methodist Church, Albia.
Senator Judge.

PETITIONS

The following petitions were presented and placed on file by:

Senator Rosenberg from 500 residents of Story County opposing the confirmation of Marvin Pomerantz as a member of the State Board of Regents.

Senator Sorensen from 97 residents of Boone County favoring legislation repealing the provisions of Section 414.23 of the Code of Iowa (zoning jurisdiction).

SUBCOMMITTEE ASSIGNMENT

House File 328

WAYS AND MEANS: Drake, Chair; Dieleman and McLaren

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 328, a bill for an act requiring a single state insurance registration system for motor carriers.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: Murphy and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 419 passed the Senate on April 19, 1993.

JOE WELSH

AMENDMENTS FILED

S-3512	H.F.	451	Ralph Rosenberg
S-3513	S.F.	221	House amendment
S-3514	H.F.	409	William W. Dieleman
S-3515	S.F.	233	House amendment
S-3516	S. C. R.	29	Jean Lloyd-Jones
S-3517	H.F.	361	Jean Lloyd-Jones
S-3518	H.F.	637	Berl E. Priebe Bill Fink
S-3519	H.F.	354	Berl E. Priebe Jean Lloyd-Jones
S-3520	S.F.	320	House amendment
S-3521	H.F.	267	Patty Judge Jim Lind Bill Fink
S-3522	S.F.	393	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Tuesday, April 20, 1993.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 20, 1993

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Mike Eubanks, pastor of the First Baptist Church, Manchester, Iowa

The Journal of the Monday, April 19, 1993, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 349, a bill for an act relating to child support and providing effective and retroactive applicability dates (S—3525).

ALSO: That the House has on April 19, 1993, passed the following bills in which the concurrence of the House was asked:

Senate File 48, a bill for an act designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund.

Senate File 363, a bill for an act relating to motor vehicle dealers by permitting the sale of classic cars and defining adjacent lots for purposes of license fees.

ALSO: That the House has on April 19, 1993, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 271, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations (S—3528).

Senate File 376, a bill for an act relating to community college athletic programs, community college approval and accreditation standards, repealing provisions for certain studies related to community colleges, and providing for other related matters (S—3526).

Senate File 394, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance (S—3527).

ALSO: That the House has on April 19, 1993, passed the following bills in which the concurrence of the Senate is asked:

House File 625, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

This bill was read first time and **passed on file**.

House File 656, a bill for an act relating to exempting methane gas conversion property from taxation.

This bill was read first time and **passed on file**.

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **House File 625** was assigned to the committee on **Appropriations**.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Varn until he arrives on request of Senator Horn and Senator Maddox until he arrives on request of Senator Rife.

HOUSE AMENDMENT CONSIDERED

Senate File 347

Senator Kibbie called up for consideration Senate File 347, a bill for an act relating to public retirement systems, and including effective and retroactive applicability dates, amended by the House, and moved that the Senate concur in House amendment S—3487 filed April 14, 1993.

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. 347) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Maddox

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 15, 1993)

House File 451

The Senate resumed consideration of House File 451, a bill for an act relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies, deferred April 15, 1993.

Senator Rosenberg offered amendment S—3480 filed by the committee on Judiciary on April 13, 1993, to pages 1 and 2 of the bill.

Senator Rosenberg offered amendment S—3512 filed by him on April 19, 1993, to amendment S—3480 and moved its adoption.

Amendment S—3512 was adopted by a voice vote.

Senator Rosenberg moved the adoption of amendment S—3480 as amended, which motion prevailed by voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 451) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Maddox

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1993)

House File 369

The Senate resumed consideration of House File 369, a bill for an act providing for certification for eye enucleation, and amendment S—3327 by the committee on Local Government to page 1 of the bill, deferred on April 12, 1993, referred to the committee on State Government on April 13, 1993, and report of committee on State Government recommending passage.

Senator Sorensen moved the adoption of amendment S—3327, which motion prevailed by voice vote.

Senator Sorensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 369) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Vilsack	Welsh	Zieman	

Nays, none.

Absent or not voting, 3:

Maddox

Rife

Varn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 12, 1993)

House File 603

The Senate resumed consideration of House File 603, a bill for an act relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation, deferred April 12, 1993.

Senator Sorensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 603) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Maddox

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 495

On motion of Senator Gronstal, House File 495, a bill for an act relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty, with report of committee on Commerce recommending amendment and passage, and report of committee on Ways and Means recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Gronstal offered amendment S—3433 filed by the committee on Commerce on April 7, 1993, to page 18 of the bill and moved its adoption.

Amendment S—3433 was adopted by a voice vote.

Senator Gronstal offered amendment S—3474 filed by him on April 12, 1993, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3474 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. 495) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg

Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 565

On motion of Senator Giannetto, House File 565, a bill for an act relating to membership of community action agency boards and providing effective and retroactive applicability dates, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Giannetto moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 565) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 360

On motion of Senator Sorensen, House File 360, a bill for an act relating to containers used for liquified petroleum gas and providing a penalty, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **House File 360** be **deferred**.

House File 389

On motion of Senator Sturgeon, House File 389, a bill for an act relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters with report of committee on Commerce recommending amendment and passage, report of committee on Ways and Means recommending passage, and placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Sturgeon offered amendment S—3431 filed by the committee on Commerce on April 7, 1993, to page 8 of the bill and moved its adoption.

Amendment S—3431 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. 389) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor

Tinsman
Zieman

Varn

Vilsack

Welsh

Nays, none.

Absent or not voting, 1:

Bisignano

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:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones (S—3529).

INTRODUCTION OF BILL

Senate File 413, by committee on Ways and Means, a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

Read first time and placed on Ways and Means Calendar.

HOUSE AMENDMENTS CONSIDERED

Senate File 233

Senator Kibbie called up for consideration Senate File 233, 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 education and cultural programs of this state and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3515 filed April 19, 1993.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

Senate File 221

Senator Kramer called up for consideration Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care, amended by the House, and moved that the Senate concur in House amendment S—3513 filed April 19, 1993.

Senator Priebe asked and received unanimous consent that action on House amendment S—3513 and Senate File 221 be deferred.

UNFINISHED BUSINESS CALENDER

Senate Concurrent Resolution 26

On motion of Senator Bartz, Senate Concurrent Resolution 26, a concurrent resolution supporting the expansion of the Fitzsimons Army Medical Center, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Bartz moved the adoption of Senate Concurrent Resolution 26, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 288

Senator Sturgeon called up for consideration Senate File 288, a bill for an act relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure, amended by the House, and moved that the Senate concur in House amendment S—3420 filed April 7, 1993.

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. 288) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

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, 1993)

Senate File 277

The Senate resumed consideration of Senate File 277, a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date, deferred April 6, 1993.

Senator Deluhery offered amendment S-3332 filed by the committee on Commerce on March 31, 1993, to pages 1-3 of the bill.

Senator Rife asked and received unanimous consent that action on amendment S—3332 and **Senate File 277** be deferred and requested that the bill be referred to the committee on Appropriations.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 277** be referred to the committee on **Appropriations** and returned to the Senate Calendar by 1:00 p.m., Tuesday, April 20, 1993.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that the following bills be immediately messaged to the House:

Senate Concurrent Resolution 26, Senate File 233 and House Files 369, 389, 451, 495, 565 and 603.

Senator Horn asked and received unanimous consent to send an immediate message to the House on Senate Files 288 and 347.

RECESS

On motion of Senator Horn, the Senate recessed at 10:57 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:37 p.m., President Boswell presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1993, passed the following bills in which the concurrence of the House was asked:

Senate File 225, a bill for an act related to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the department of general services, and providing for related matters.

Senate File 343, a bill for an act relating to standards for land surveying by designating an Iowa plane coordinate system.

ALSO: That the House has on April 20, 1993, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 174, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable (S—3549).

Senate File 191, a bill for an act relating to the levy of taxes for school libraries in certain school districts (S—3544).

Senate File 206, a bill for an act relating to educational finances, activities, and procedures and providing an effective date (S—3545).

Senate File 335, a bill for an act relating to the Wallace technology transfer foundation and providing an effective date (S—3543).

ALSO: That the House has on April 20, 1993, 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 267, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates.

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Fink, a resolution recognizing the economic importance of the sprint car racing season in Knoxville, Iowa.

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.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 277, a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 22: Murphy, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Boswell, Kersten and Varn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 625, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Murphy, Boswell, McLaren, Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

Senate File 277

The Senate resumed consideration of Senate File 277, a bill for an act relating to authorization of alternative forms of regulation for utilities providing communications services and providing an effective date, and amendment S—3332 by the

committee on Commerce to pages 1-3 of the bill previously deferred and referred to the committee on Appropriations, with report of committee on Appropriations recommending passage, was taken up for further consideration.

Senator Deluhery moved the adoption of amendment S—3332, which motion prevailed by voice vote.

Senator Deluhery offered amendment S—3538 filed by Senators Deluhery, et al., from the floor to page 2 of the bill and moved its adoption.

Amendment S—3538 was adopted by a voice vote.

Senator Gronstal offered amendment S—3540 filed by Senators Gronstal, et al., from the floor to page 2 of the bill.

Senator Rife asked and received unanimous consent that action on amendment S—3540 and **Senate File 277** be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 405

On motion of Senator Husak, Senate File 405, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard, was taken up for consideration.

Senator Bennett offered amendment S—3330 filed by Senators Bennett, et al., on March 31, 1993, to pages 1 and 3 of the bill.

Senator Tinsman offered amendment S—3355 filed by Senators Tinsman, Giannetto and Bennett on April 1, 1993, to amendment S—3330 and moved its adoption.

Amendment S—3355 was adopted by a voice vote.

Senator Gronstal raised the point of order that amendment S—3330 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3330 as amended out of order.

Senator Rosenberg offered amendment S—3531 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3531 was adopted by a voice vote.

Senator Deluhery offered amendment S—3550 filed by Senators Deluhery and Husak from the floor to page 2 and the title page of the bill.

Senator Bennett raised the point of order that amendment S—3550 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3550 in order.

Senator Rife asked and received unanimous consent that action on amendment S—3550 and **Senate File 405** be deferred.

The Senate stood at ease at 3:40 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:23 p.m., President Boswell presiding.

HOUSE AMENDMENTS CONSIDERED

Senate File 374

Senator Lloyd-Jones called up for consideration Senate File 374, a bill for an act relating to the state department of transportation concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials, amended by the House, and moved that the Senate concur in House amendment S—3488 filed April 14, 1993.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Lloyd-Jones moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 374) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Borlaug
Boswell	Buhr	Connolly	Deluhery
Dieleman	Drake	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Jensen
Judge	Kersten	Kibbie	Kramer
Lind	Lloyd-Jones	Maddox	McKean
McLaren	Palmer	Pate	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Zieman			

Nays, 3:

Bisignano	Priebe	Welsh
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Absent or not voting, 2:

Husak	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 320

Senator Varn called up for consideration Senate File 320, a bill for an act relating to the development of a community health management information system, amended by the House, and moved that the Senate concur in House amendment S—3520 filed April 19, 1993.

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. 320) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly

Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, 1:

McKean

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 266

Senator Vilsack called up for consideration Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, amended by the House in House amendment S—3486 filed April 14, 1993.

Senator Vilsack asked and received unanimous consent that action on House amendment S—3486 and **Senate File 266** be deferred.

BUSINESS PENDING

Senate File 221

The Senate resumed consideration of Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult

abuse, and child day care, and House amendment S-3513, previously deferred.

Senator Kramer 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 Kramer moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 221) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS

(Deferred April 19, 1993)

House File 637

The Senate resumed consideration of House File 637, a bill for an act relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing

penalties, and providing for the repeal of sections, and amendment S—3470 as amended by the committee on Agriculture to pages 1, 5-9 and the title page of the bill, deferred April 19, 1993.

Senator Riordan called for a division of amendment S—3470 as amended:

Division S—3470A: Page 1, lines 3-50; pages 2 and 3 and page 4, lines 1-3.

Division S—3470B: Page 4, lines 4-50 and page 5, lines 1-11.

Senator Priebe moved the adoption of division S—3470A which motion prevailed by voice vote.

The Chair clarified that lines 4-18 on page 4 of division S—3470B had been struck by adoption of amendment S—3518 to amendment S—3470 on April 19, 1993.

Senator Priebe moved the adoption of division S—3470B as amended.

A non record roll call was requested.

The ayes were 27, nays 15.

Division S—3470B as amended was adopted.

Senator Bartz offered amendment S—3541 filed by Senators Bartz, et al., from the floor to pages 2, 3 and 8 of the bill.

Senator Bartz called for a division of amendment S—3541: lines 3-8 as division S—3541A and lines 9-20 as division S—3541B.

Senator Bartz asked and received unanimous consent to withdraw division S—3541A.

Senator Bartz moved the adoption of division S—3541B, which motion prevailed by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 637) the vote was:

Ayes, 34:

Banks	Bartz	Bennett	Borlaug
Boswell	Deluhery	Dieleman	Drake
Fink	Fraise	Fuhrman	Gettings
Hedge	Hester	Horn	Husak.
Jensen	Judge	Kersten	Kibbie
Lind	Lloyd-Jones	McKean	McLaren
Pate	Priebe	Rensink	Rife
Rittmer	Slife	Varn	Vilsack
Welsh	Zieman		

Nays, 14:

Bisignano	Buhr	Connolly	Gronstal
Kramer	Maddox	Palmer	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman		

Voting present, 1:

Giannetto

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.

Senator Horn asked and received unanimous consent that **House File 637** be **immediately messaged** to the House.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent to send an immediate message to the House on Senate Files 221, 320 and 374.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 457, a bill for an act relating to school administration, accreditation, finance, transportation, and providing effective and applicability dates.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 31, by Kibbie, a concurrent resolution to designate Spencer, Iowa, the Flag City of Iowa, during its Flagfest '93 celebration from June 11, 1993, to June 13, 1993.

Read first time and **passed on file**.

Senate Concurrent Resolution 32, by Lloyd-Jones, Bartz, Tinsman, Judge, Sturgeon, Rittmer, McKean, Kramer, Szymoniak, Bennett, and Varn, a concurrent resolution expressing support for centers for independent living for persons with disabilities in Iowa.

Read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 414, by committee on Appropriations, a bill for an act providing for ex officio, nonvoting membership on the state board of regents and for related matters.

Read first time and **placed on Appropriations Calendar**.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 19, 1993, 1:37 p.m.

Members Present: Dieleman, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Riordan, Rosenberg and Szymoniak.

Members Absent: Murphy (excused) and Palmer.

Committee Business: Assigned bills to subcommittees; amended and approved House File 516 as a committee bill; recommended passage of House File 328.

Adjourned: 2:17 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred thirty fifth and sixth grade students from West Monona Community School, Onawa, Iowa, accompanied by Jo Petersen. Senator Bennett.

Fifty fifth grade students from Beaman-Conrad-Liscomb, Conrad, Iowa and Union-Whitten Middle School, Union, Iowa. Senators Jensen, Giannetto and Taylor.

One hundred fifty twelfth grade students from Johnston High School, Johnston, Iowa, accompanied by David Pitts. Senator Maddox.

Sixty-five fifth grade students from Audubon Middle School, Audubon, accompanied by Bob Clark. Senator Hester.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Sheri Murphy. Senator Judge.

STUDY BILL RECEIVED**SSB 324 Appropriations**

Providing for ex officio, nonvoting membership on the state board of regents and for related matters.

SUBCOMMITTEE ASSIGNMENTS**House File 625**

APPROPRIATIONS: Rosenberg, Chair; Banks and Husak

SSB 324

APPROPRIATIONS: Boswell, Chair; McLaren and Murphy

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE FILE 414 (SSB 324), a bill for an act providing for exofficio, nonvoting membership on the state board of regents and for related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Murphy, Boswell, Bisignano, Buhr, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Varn and Vilsack. Nays, 10: McLaren, Banks, Borlaug, Kramer, Lind, Pate, Rensink, Rosenberg, Slife and Tinsman. Absent or not voting, 2: Connolly and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 27, a concurrent resolution honoring the University of Iowa Women's Basketball Team and Coach C. Vivian Stringer.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Connolly, Kibbie, Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, and Vilsack. Nays, none. Absent or not voting, 4: Kramer, Murphy, Tinsman and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 413 (LSB 1194), a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dieleman, Husak, Bennett, Deluhery, Drake, Fuhrman, Hedge, Hester, Lloyd-Jones, McLaren, Riordan, Rosenberg and Szymoniak. Nays, none. Absent or not voting, 2: Murphy and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S. R.	9	Small Business, Econ. Dev. & Tourism
S. C. R.	31	State Government
S. C. R.	32	Human Resources
H. F.	656	Ways and Means

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3538 to Senate File 277 was adopted by the Senate on April 20, 1993.

JOHN W. JENSEN

AMENDMENTS FILED

S—3523	H.F.	267	Patty Judge
S—3524	H.F.	632	Patty Judge
S—3525	S.F.	349	House amendment
S—3526	S.F.	376	House amendment
S—3527	S.F.	394	House amendment
S—3528	S.F.	271	House amendment
S—3529	S.F.	11	House amendment
S—3530	H.F.	348	Linn Fuhrman

S-3531	S.F.	405	Mary Kramer
S-3532	H.F.	384	Ralph Rosenberg
			Larry Murphy
			Mike Connolly
			Mary Kramer
			Jim Lind
S-3533	H.F.	632	Eugene Fraise
S-3534	S.F.	277	Joe Welsh
S-3535	S.F.	277	Joe Welsh
S-3536	H.F.	361	Berl E. Priebe
			Jim Lind
S-3537	S.F.	277	Joe Welsh
			Patrick J. Deluhery
S-3538	S.F.	277	Patrick J. Deluhery
			Michael E. Gronstal
			Richard J. Varn
			Joe Welsh
S-3539	S.F.	277	Michael E. Gronstal
			Patrick J. Deluhery
			Richard J. Varn
			Joe J. Welsh
S-3540	S.F.	277	Michael E. Gronstal
			Patrick J. Deluhery
			Richard Varn
			Joe Welsh
S-3541	H.F.	637	Merlin E. Bartz
			Berl E. Priebe
			Patty Judge
			Derryl McLaren
S-3542	H.F.	632	Eugene Fraise
S-3543	S.F.	335	House amendment
S-3544	S.F.	191	House amendment
S-3545	S.F.	206	House amendment
S-3546	H.F.	652	Merlin E. Bartz
S-3547	H.F.	384	Mike Connolly
S-3548	H.F.	639	Michael Gronstal
S-3549	S.F.	174	House amendment
S-3550	S.F.	405	Patrick J. Deluhery
			Emil Husak
S-3551	S.F.	405	Berl Priebe
S-3552	H.F.	230	Linn Fuhrman
S-3553	H.F.	384	Mike Connolly

S—3554	S. F.	266	Larry Murphy William D. Palmer Harry G. Slife Tony Bisignano Joe J. Welsh Jim Lind Patrick J. Deluhery
S—3555	S. F.	266	Larry Murphy William D. Palmer Harry G. Slife Tony Bisignano Joe Welsh Jim Lind Patrick J. Deluhery
S—3556	S. F.	226	Mike Connolly

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Wednesday, April 21, 1993.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 21, 1993

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Robert Schmidtberger, pastor of the Sharon Reformed Presbyterian Church, Morning Sun, Iowa.

The Journal of the Tuesday, April 20, 1993, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates (S—3560).

ALSO: That the House has on April 20, 1993, insisted on its amendment to **Senate File 233**, 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 education and cultural programs of this state and providing an effective date, and that the members of the conference committee on part of the House are: The Representative from Linn, Mr. Corbett, Chair; the Representative from Benton, Mr. Brand; the Representative from Union, Mr. Daggett; the Representative from Wright, Mr. Iverson; the Representative from Clinton, Mr. Ollie.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 50** be referred from the Ways and Means Calendar to the committee on **Ways and Means** and **Senate File 160** be referred from the Unfinished Business Calendar to the committee on **Education**.

HOUSE AMENDMENTS CONSIDERED

Senate File 376

Senator Kibbie called up for consideration Senate File 376, a bill for an act relating to community college athletic programs, community college approval and accreditation standards, repealing provisions for certain studies related to community colleges, and providing for other related matters, amended by the House, and moved that the Senate concur in House amendment S—3526 filed April 20, 1993.

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. 376) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor

Tinsman
Zieman

Varn

Vilsack

Welsh

Nays, none.

Absent or not voting, 1:

Fraise

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 335

Senator Riordan called up for consideration Senate File 335, a bill for an act relating to the Wallace technology transfer foundation and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3543 filed April 20, 1993.

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. 335) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McLaren	Murphy	Palmer	Pate
Priebe	Rensink	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 2:

McKean

Rife

Absent or not voting, 1:

Fraise

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED
(Deferred April 20, 1993)

Senate File 266

The Senate resumed consideration of Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, and House amendment S—3486 deferred April 20, 1993.

Senator Murphy offered amendment S—3555 filed by Senators Murphy, et al., on April 20, 1993, to pages 1-4 of House amendment S—3486.

Senator Welsh offered amendment S—3564 filed by him from the floor to amendment S—3555 to House amendment S—3486.

Senator Connolly raised the point of order that amendment S—3564 was an amendment in the third degree.

The Chair stated amendment S—3564 was in order.

Senator Gronstal asked and received unanimous consent that action on amendment S—3564 to amendment S—3555, amendment S—3555 to House amendment S—3486, House amendment S—3486 and **Senate File 266** be deferred.

INTRODUCTION OF BILL

Senate File 415, by Horn and Rife, a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

Read first time and passed on file.

HOUSE AMENDMENT CONSIDERED

Senate File 271

Senator Deluhery called up for consideration Senate File 271, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations, amended by the House, and moved that the Senate concur in House amendment S—3528 filed April 20, 1993.

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. 271) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Palmer	Pate
Priebe	Rensink	Rife	Riordan
Rittmer	Rosenberg	Slife	Sorensen
Sturgeon	Szymoniak	Taylor	Tinsman
Varn	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Judge Murphy

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 Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 27.

Senate Concurrent Resolution 27

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 27, a concurrent resolution honoring the University of Iowa Women's Basketball Team and Coach C. Vivian Stringer, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Concurrent Resolution 27, which motion prevailed by a voice vote.

UNFINISHED BUSINESS CALENDAR

House File 454

On motion of Senator Deluhery, House File 454, a bill for an act relating to the annual electric supply and cost review for certain public utilities, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 15, 1993, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 454) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Judge

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 11

Senator Priebe called up for consideration Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, amended by the House, and moved that the Senate concur in House amendment S—3529 filed April 20, 1993.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 410

On motion of Senator Deluhery, Senate File 410, a bill for an act relating to the sales, services, and use tax exemption for sales

of educational, religious, or charitable activities, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 410) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Welsh	Zieman		

Nays, none.

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 191

Senator Lloyd-Jones called up for consideration Senate File 191, a bill for an act relating to the levy of taxes for school libraries in certain school districts, amended by the House in House amendment S—3544 filed April 20, 1993.

Senator Lloyd-Jones offered amendment S—3567 filed by her from the floor to House amendment S—3544 and moved its adoption.

Amendment S—3567 was adopted by a voice vote.

Senator Lloyd-Jones 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 Lloyd-Jones 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. 191) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Rife	Riordan	Rittmer	Rosenberg
Slife	Sorensen	Sturgeon	Szymoniak
Taylor	Tinsman	Varn	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL. (Ways and Means Calendar)

Senate File 412

On motion of Senator Deluhery, Senate File 412, a bill for an act relating to a records management fee to be collected by the county recorder, was taken up for consideration.

Senator Fuhrman offered amendment S—3511 filed by him on April 15, 1993, to pages 1 and 2 of the bill.

President pro tempore Palmer took the chair at 11:06 a.m.

Senator Deluhery called for a division of amendment S—3511: page 1, lines 25-27 as division S—3511A; page 1, lines 2-24 and 28-50 and page 2, lines 1-11 as division S—3511B.

Senator Fuhrman asked and received unanimous consent that action on division S—3511A be deferred.

Senator Fuhrman moved the adoption of division S—3511B.

A non record roll call was requested.

The ayes were 6, nays 27.

Division S—3511B lost.

Senator Fuhrman moved the adoption of division S—3511A previously deferred, which motion prevailed by voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 412) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Borlaug
Boswell	Connolly	Deluhery	Dieleman
Drake	Fink	Fraise	Fuhrman
Gettings	Giannetto	Gronstal	Hedge
Hester	Horn	Husak	Jensen
Judge	Kersten	Kibbie	Kramer
Lloyd-Jones	Maddox	McKean	McLaren
Murphy	Palmer	Pate	Priebe
Rensink	Rife	Riordan	Rittmer
Rosenberg	Slife	Sorensen	Sturgeon
Szymoniak	Taylor	Tinsman	Varn
Vilsack	Welsh	Zieman	

Nays, 3:

Bisignano	Buhr	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.

UNFINISHED BUSINESS
(Deferred April 20, 1993)

Senate File 405

The Senate resumed consideration of Senate File 405, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard, and amendment S—3550 by Senators Deluhery and Husak to page 2 and the title page of the bill, deferred April 20, 1993.

Senator Kersten offered amendment S—3566 filed by Senators Kersten and Priebe from the floor to amendment S—3550 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3566 to amendment S—3550 be adopted?" (S.F. 405) the vote was:

Ayes, 29:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Giannetto	Hedge
Hester	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Maddox
McKean	McLaren	Pate	Priebe
Rensink	Rife	Rittmer	Slife
Sorensen	Taylor	Tinsman	Vilsack
Zieman			

Nays, 21:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Gronstal	Horn	Husak
Lloyd-Jones	Murphy	Palmer	Riordan
Rosenberg	Sturgeon	Szymoniak	Varn
Welsh			

Amendment S—3566 was adopted.

Senator Bennett asked unanimous consent that action on amendment S—3550 as amended be deferred.

Senator Horn asked and received unanimous consent that action on amendment S—3550 as amended and Senate File 405 be deferred.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1993, passed the following bills in which the concurrence of the House was asked:

Senate File 254, a bill for an act to broaden the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration and to provide for related matters.

Senate File 364, a bill for an act relating to nonpublic school pupil textbook services.

ALSO: That the House has on April 21, 1993, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 3, a bill for an act relating to the establishment and regulation of elder group homes (S—3570).

RECESS

On motion of Senator Horn, the Senate recessed at 11:58 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 20, 1993, 11:08 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; McLaren, Ranking Member; Banks, Bisignano, Borlaug, Buhr, Connolly, Fraise, Gronstal, Horn, Husak, Judge, Kersten, Kibbie, Kramer, Lind, Palmer, Pate, Rensink, Rosenberg, Slife, Tinsman, Varn and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 277 and House File 625; approved SSB 324 as a committee bill.

Adjourned: 12:10 p.m.

EDUCATION

Convened: April 20, 1993, 1:34 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Kramer, Ranking Member; Deluhery, Dieleman, Fink, Lind, Rensink, Slife, Szymoniak, Taylor, Tinsman and Vilsack.

Members Absent: Murphy and Varn (both excused).

Committee Business: Recommended passage of Senate Concurrent Resolution 27; discussed head start and early childhood issues.

Adjourned: 2:25 p.m.

ETHICS

Convened: April 20, 1993, 1:40 p.m.

Members Present: Gettings, Chair; Rosenberg, Vice Chair; Hedge, Ranking Member; Drake, Husak and McKean.

Members Absent: none.

Committee Business: Discussed senate resolution on ethics.

Adjourned: 2:35 p.m.

BILL ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bill to committee:

S.F. 415 Human Resources

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five twelfth grade students from Monticello High School, Monticello, accompanied by Frank Frostestad. Senator McKean.

Twenty-five twelfth grade students from Southeast Webster High School, Burnside, accompanied by Jim Ainslie. Senator Kersten.

A delegation from Lucas, Iowa. Senator Judge.

President Boswell welcomed the following visitors who were present in the Senate Chamber:

The Honorable Edgar H. Holden from Scott County and the Honorable Lee Holt from Clay County, formers members of the House and Senate.

Mrs. Frances Miller from Ventura, wife of the late Senator Alvin V. Miller.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 8

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Riordan, Chair; Borlaug and Vilsack

Senate Resolution 9

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Riordan, Chair; Borlaug and Vilsack

Senate Concurrent Resolution 32

HUMAN RESOURCES: Lloyd-Jones, Chair; Bartz and Tinsman

House File 656

WAYS AND MEANS: Riordan, Chair; Hester and Szymoniak

AMENDMENTS FILED

S—3557	S.F.	411	Andy McKean Emil J. Husak Brad Banks
S—3558	S.F.	411	Andy McKean Brad Banks
S—3559	S.F.	405	Wayne Bennett Maggie Tinsman Randal J. Giannetto Brad Banks Merlin E. Bartz
S—3560	S.F.	268	House amendment
S—3561	H.F.	360	Albert Sorensen John P. Kibbie
S—3562	S.F.	413	Al Sturgeon
S—3563	S.F.	405	Jim Riordan
S—3564	S.F.	266	Joe Welsh
S—3565	H.F.	419	Joe Welsh
S—3566	S.F.	405	Jim Kersten Berl E. Priebe
S—3567	S.F.	191	Jean Lloyd-Jones
S—3568	H.F.	430	Michael E. Gronstal
S—3569	S.F.	266	Michael E. Gronstal
S—3570	S.F.	3	House amendment
S—3571	S.F.	266	Michael E. Gronstal
S—3572	S.F.	266	Andy McKean Michael E. Gronstal
S—3573	S.F.	266	Andy McKean

AFTERNOON SESSION

The Senate reconvened at 3:12 p.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1993, passed the following bill in which the concurrence of the Senate is asked:

House File 388, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services.

This bill was read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that the following bills be immediately messaged to the House: Senate Files 11, 191, 410 and 412; Senate Concurrent Resolution 27 and House File 454.

Senator Horn asked and received unanimous consent to send an immediate message to the House on Senate Files 271, 335 and 376.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 625.

House File 625

On motion of Senator Rosenberg, House File 625, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—3581 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3581 was adopted by a voice vote.

Senator Rosenberg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 625) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Fuhrman	Gettings	Giannetto	Gronstal
Hedge	Hester	Horn	Husak
Jensen	Judge	Kersten	Kibbie
Kramer	Lind	Lloyd-Jones	Maddox
McKean	McLaren	Murphy	Palmer
Pate	Priebe	Rensink	Rife
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Varn	Vilsack	Welsh
Zieman			

Nays, none.

Absent or not voting, 1:

Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO OVERRIDE GOVERNOR'S ITEM VETO LOST

Senator Murphy called up for consideration Senate File 232, 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 use tax, road use tax fund, and primary road fund, and relating to abstract fees for operating records and to registration fees for certain multipurpose vehicles and handicapped parking signs and providing effective dates, and

moved to reconsider and pass, the objection of the Governor notwithstanding, Section 7, subsection 1, paragraph e, as item vetoed by the Governor on April 15, 1993.

On the question "Shall the Senate on reconsideration, agree to pass Section 7, subsection 1, paragraph e, the objections of the Governor to the contrary notwithstanding?" (S.F. 232) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Bisignano	Boswell	Buhr	Connolly
Deluhery	Dieleman	Fink	Fraise
Gettings	Giannetto	Gronstal	Horn
Husak	Judge	Kibbie	Lloyd-Jones
Murphy	Palmer	Priebe	Riordan
Rosenberg	Sorensen	Sturgeon	Szymoniak
Varn	Vilsack	Welsh	

Nays, 23:

Banks	Bartz	Bennett	Borlaug
Drake	Fuhrman	Hedge	Hester
Jensen	Kersten	Kramer	Lind
Maddox	McKean	McLaren	Pate
Rensink	Rife	Rittmer	Slife
Taylor	Tinsman	Zieman	

The motion having failed to receive a two-thirds vote was declared to have lost and the Governor's item veto was sustained.

Senator Horn asked and received unanimous consent to postpone indefinitely any further action on Senate File 232 and remove the bill from the Senate Calendar.

BUSINESS PENDING

Senate File 266

The Senate resumed consideration of Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure

commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, House amendment S—3486, amendment S—3555 to House amendment S—3486 and amendment S—3564 to amendment S—3555 to House amendment S—3486, previously deferred.

Senator Gronstal asked and received unanimous consent that action on all amendments to amendment S—3555 to House amendment S—3486 be deferred and raised the point of order that amendment S—3555 to House amendment S—3486 was not germane.

The Chair ruled the point not well taken and the amendment in order.

Senator Gronstal offered amendment S—3569 filed by him from the floor to amendment S—3555 to House amendment S—3486 and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 33.

Amendment S—3569 lost.

Senator McKean offered amendment S—3573 filed by him from the floor to amendment S—3555 to House amendment S—3486, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3573 to amendment S—3555 to House amendment S—3486 be adopted?" (S.F. 266) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Banks
Connolly
Giannetto

Bartz
Dieleman
Gronstal

Bennett
Fuhrman
Hedge

Boswell
Gettings
Hester

Husak	Jensen	Lloyd-Jones	McKean
Rensink	Rosenberg	Sorensen	Sturgeon
Szymoniak	Taylor	Varn	Vilsack
Zieman			

Nays, 25:

Bisignano	Borlaug	Buhr	Deluhery
Drake	Fink	Fraise	Horn
Judge	Kersten	Kibbie	Kramer
Lind	Maddox	McLaren	Murphy
Palmer	Pate	Priebe	Rife
Riordan	Rittmer	Slife	Tinsman
Welsh			

Amendment S—3573 lost.

Senator Welsh asked and received unanimous consent to continue to defer action on amendment S—3564 by him to amendment S—3555 to House amendment S—3486.

Senator Gronstal offered amendment S—3571 filed by him from the floor to amendment S—3555 to House amendment S—3486.

Senator Dieleman called for a division of amendment S—3571: lines 4-7 as division S—3571A and lines 8-16 as division S—3571B.

Senator Gronstal moved the adoption of division S—3571A to amendment S—3555 to House amendment S—3486.

On the question "Shall division S—3571A to amendment S—3555 to House amendment S—3486 be adopted?" (S.F. 266) the vote was:

Ayes, 28:

Bisignano	Borlaug	Buhr	Connolly
Deluhery	Drake	Fink	Fraise
Gronstal	Horn	Kersten	Kibbie
Kramer	Lind	Maddox	McLaren
Murphy	Palmer	Pate	Rife
Riordan	Rittmer	Slife	Szymoniak
Tinsman	Varn	Vilsack	Welsh

Nays, 22:

Banks	Bartz	Bennett	Boswell
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Dieleman	Fuhrman	Gettings	Giannetto
Hedge	Hester	Husak	Jensen
Judge	Lloyd-Jones	McKean	Priebe
Rensink	Rosenberg	Sorensen	Sturgeon
Taylor	Zieman		

Division S—3571A was adopted.

Senator Gronstal moved the adoption of division S—3571B to amendment S—3555 to House amendment S—3486.

A record roll call was requested.

On the question "Shall division S—3571B to amendment S—3555 to House amendment S—3486 be adopted?" (S.F. 266) the vote was:

Ayes, 26:

Bisignano	Borlaug	Buhr	Deluhery
Drake	Fink	Gronstal	Horn
Kersten	Kibbie	Kramer	Lind
Maddox	McLaren	Murphy	Palmer
Pate	Priebe	Rife	Riordan
Rittmer	Slife	Szymoniak	Tinsman
Varn	Welsh		

Nays, 24:

Banks	Bartz	Bennett	Boswell
Connolly	Dieleman	Fraise	Fuhrman
Gettings	Giannetto	Hedge	Hester
Husak	Jensen	Judge	Lloyd-Jones
McKean	Rensink	Rosenberg	Sorensen
Sturgeon	Taylor	Vilsack	Zieman

Division S—3571B was adopted.

Senator Gronstal offered amendment S—3575 filed by him from the floor to amendment S—3555 to House amendment S—3486 and moved its adoption.

A non record roll call was requested.

The ayes were 41, nays 5.

Amendment S—3575 was adopted.

With the adoption of divisions S—3571A and S—3571B to amendment S—3555 to House amendment S—3486, the Chair ruled amendment S—3564 by Senator Welsh to amendment S—3555 to House amendment S—3486, previously deferred, out of order.

Senator Gronstal offered amendment S—3582 filed by him from the floor to amendment S—3555 to House amendment S—3486 and called for a division: lines 4 and 5 as division S—3582A and lines 6-13 as division S—3582B.

Senator Gronstal withdrew division S—3582A to amendment S—3555 to House amendment S—3486.

Senator Gronstal moved the adoption of division S—3582B to amendment S—3555 to House amendment S—3486, which motion prevailed by voice vote.

Senator Priebe offered amendment S—3585 filed by him from the floor to amendment S—3555 to House amendment S—3486 and moved its adoption.

Amendment S—3585 was adopted by a voice vote.

Senator Welsh offered amendment S—3588 filed by him from the floor to amendment S—3555 to House amendment S—3486 and called for a division: lines 4 and 5 as division S—3588A and lines 6-11 as division S—3588B.

Senator Welsh withdrew division S—3588A to amendment S—3555 to House amendment S—3486.

Senator Welsh moved the adoption of division S—3588B to amendment S—3555 to House amendment S—3486, which motion prevailed by voice vote.

Senator Gronstal raised the point of order that amendment S—3555 as amended to House amendment S—3486 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3555 as amended to House amendment S—3486 in order.

Senator Murphy moved the adoption of amendment S—3555 as amended to House amendment S—3486.

A record roll call was requested.

On the question "Shall amendment S—3555 as amended to House amendment S—3486 be adopted?" (S.F. 266) the vote was:

Ayes, 23:

Bisignano	Borlaug	Buhr	Deluhery
Fink	Fraise	Horn	Kersten
Kibbie	Kramer	Lind	Maddox
McLaren	Murphy	Palmer	Pate
Priebe	Rife	Rittmer	Slife
Szymoniak	Tinsman	Welsh	

Nays, 25:

Banks	Bartz	Bennett	Boswell
Connolly	Dieleman	Drake	Fuhrman
Gettings	Gronstal	Hedge	Hester
Husak	Jensen	Judge	Lloyd-Jones
McKean	Rensink	Riordan	Rosenberg
Sorensen	Sturgeon	Taylor	Vilsack
Zieman			

Absent or not voting, 2:

Giannetto	Varn
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Amendment S—3555 as amended lost.

The Chair ruled amendment S—3554 filed by Senators Murphy, et al., on April 20, 1993, to House amendment S—3486, out of order.

The Chair ruled the following amendments to amendment S—3554 to House amendment S—3486, out of order:

S—3576 and S—3577 filed by Senator Gronstal from the floor.

S—3584 filed by Senator Dieleman from the floor.

Senator McKean offered amendment S—3572 filed by Senators McKean and Gronstal from the floor to House amendment S—3486 and moved its adoption.

Amendment S—3572 lost by a voice vote.

Senator Vilsack moved that the Senate concur in the House amendment.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

HOUSE AMENDMENT CONSIDERED

Senate File 349

Senator Lloyd-Jones called up for consideration Senate File 349, a bill for an act relating to child support and providing effective and retroactive applicability dates, amended by the House, and moved that the Senate concur in House amendment S—3525 filed April 20, 1993.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Lloyd-Jones moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 349) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Borlaug	Boswell	Buhr	Connolly
Deluhery	Dieleman	Drake	Fink
Fraise	Fuhrman	Gettings	Giannetto
Gronstal	Hedge	Hester	Horn
Husak	Jensen	Judge	Kersten
Kibbie	Kramer	Lind	Lloyd-Jones
Maddox	McKean	McLaren	Murphy
Palmer	Pate	Priebe	Rensink
Riordan	Rittmer	Rosenberg	Slife
Sorensen	Sturgeon	Szymoniak	Taylor
Tinsman	Vilsack	Welsh	Zieman

Nays, none.

Absent or not voting, 2:

Rife

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:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1993, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 24, a concurrent resolution relating to the state board of regents five-year building program.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by committee on Ethics, a resolution to provide the senate rules governing lobbyists.

Read first time and **passed on file**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following **conference committee on Senate File 233** on the part of the Senate: Senators Murphy, Chair; Kibbie, Welsh, Lind and Kramer.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 625** and **Senate File 266** be immediately messaged to the House.

Senator Horn asked and received unanimous consent to send an immediate message to the House on **Senate File 349**.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

Senate File 415

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Sturgeon

SPECIAL GUESTS

Senator Riordan presented Dr. Bill Higdon, president of Graceland College in Lamoni, and Dr. Barbara Higdon, past president of Graceland College, and their guests from the Ukraine; Dr. Anatoly Mazaraki, Rector of the Kiev Institute of Trade and Economics and his interpreter, Tatiana Chaiseen.

Senator Riordan presented the guests with an Iowa tin of caramels.

COMMITTEE REPORTS

ETHICS

Final Bill Action: *SENATE RESOLUTION 10 (LSB 1907), a resolution to provide the senate rules governing lobbyists.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Gettings, Rosenberg, Hedge, Drake and Husak. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ethics Committee on Senate Resolution 10 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE RESOLUTION 11 (LSB 1908), a resolution to provide for the Senate Code of Ethics.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Gettings, Rosenberg, Hedge, Drake and Husak. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ethics Committee on Senate Resolution 11 and they were attached to the committee report.

- REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 267, the following corrections were made:

1. Page 28, line 7, the word and number "Section 19" were changed to the word and number "Section 18".

2. Page 28, lines 8 and 9, the word and number "section 19" were changed to the word and number "section 18".

3. Page 28, line 10, the word and number "section 19" were changed to the word and number "section 18".

4. Page 28, line 11, the word and number "section 19" were changed to the word and number "section 18".

5. Page 28, line 17, the words and numbers "Sections 16, 20, 21 and 23" were changed to the words and numbers "Sections 15, 19, 20, and 23".

JOHN F. DWYER
Secretary of the Senate

RESOLUTION ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following resolution to committee:

H.C.R. 24 Appropriations

INTRODUCTION OF RESOLUTION

Senate Resolution 11, by committee on Ethics, a resolution to provide for the Senate Code of Ethics.

Read first time under Senate Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3574	H.F.	409	William W. Dieleman
S-3575	S.F.	266	Michael E. Gronstal
S-3576	S.F.	266	Michael E. Gronstal
S-3577	S.F.	266	Michael E. Gronstal
S-3578	S.F.	411	Harry G. Slife Emil J. Husak
S-3579	S.F.	206	Mike Connolly
S-3580	S.F.	411	Larry Murphy
S-3581	H.F.	625	Larry Murphy
S-3582	S.F.	266	Michael E. Gronstal
S-3583	H.F.	652	Michael E. Gronstal
S-3584	S.F.	266	William W. Dieleman
S-3585	S.F.	266	Berl E. Priebe
S-3586	S.F.	405	Larry Murphy
S-3587	S.F.	405	Larry Murphy
S-3588	S.F.	266	Joe Welsh William W. Dieleman
S-3589	H.F.	360	Albert Sorensen John Kibbie Eugene Fraise

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Thursday, April 22, 1993.