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LEONARD L. BOSWELL, President of the Senate

RON J. CORBETT, Speaker of the House

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STATE OF IOWA
Des Moines

SEVENTY-SIXTH GENERAL ASSEMBLY

1995 Regular Session

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RANDY BAUER, <i>Majority Caucus Research Analyst</i>	Des Moines
STEPHEN CONWAY, <i>Majority Caucus Research Analyst</i>	Des Moines
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CAROLANN JENSEN, <i>Minority Caucus Research Analyst</i>	Ames
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WILLIAM L. KRIEG, <i>Sergeant-at-arms</i>	Des Moines
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ARNOLD BOYUM, <i>Doorkeeper</i>	Des Moines
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GAYLARD PARRISH, <i>Doorkeeper</i>	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i>	Des Moines
KIM RUSSELL, <i>Switchboard Operator</i>	Des Moines
CHARLES B. STESSMAN, <i>Switchboard Operator</i>	Urbandale
ELEANOR HESSLING, <i>Postmaster</i>	Altoona

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

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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Lake Mills
JOY CORNING, <i>Lieutenant Governor</i>	Cedar Falls
PAUL PATE, <i>Secretary of State</i>	Marion
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
TOM MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

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

IOWA COURT OF APPEALS JUDGES

ALLEN L. DONIELSON, <i>Chief Judge</i>	Des Moines
MARK S. CADY, <i>Judge</i>	Fort Dodge
ALBERT L. HABHAB, <i>Judge</i>	Fort Dodge
MAYNARD J.V. HAYDEN, <i>Judge</i>	Indianola
TERRY L. HUITINK, <i>Judge</i>	Orange City
ROSEMARY S. SACKETT, <i>Judge</i>	Spencer

**MEMBERS OF THE SENATE
SEVENTY-SIXTH GENERAL ASSEMBLY
1995 REGULAR SESSION**

BRAD BANKS

Address Westfield
 Age 42
 Occupation Farmer
 Senatorial District 2—Plymouth, Woodbury
 Former Legislative Service 73, 74, 74X, 74XX, 75

MERLIN E. BARTZ

Address Grafton
 Age 33
 Occupation Farmer/Laborer
 Senatorial District 10—Worth, Cerro Gordo, Mitchell
 Former Legislative Service 74, 74X, 74XX, 75

WAYNE D. BENNETT

Address Ida Grove
 Age 67
 Occupation Retired 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, 75

TONY BISIGNANO

Address Des Moines
 Age 42
 Occupation Project Manager, Polk Co. Bd. of Supervisors
 Senatorial District 34—Polk
 Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

DENNIS H. BLACK

Address Grinnell
 Age 55
 Occupation Conservationist
 Senatorial District 29—Jasper, Mahaska, Marshall, Poweshiek
 Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

NANCY BOETTGER

Address Harlan
 Age 51
 Occupation Hospital Dir. of Education & Resource Dev./Farmer
 Senatorial District 41—Shelby, Audubon, Harrison
 Former Legislative Service none

ALLEN BORLAUG

Address Protivin
 Age 53
 Occupation Farm Owner/Insurance Agent
 Senatorial District 15—Chickasaw, Floyd, Howard, Mitchell, Winneshiek
 Former Legislative Service 74, 74X, 74XX, 75

MEMBERS OF THE SENATE—76th GENERAL ASSEMBLY
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LEONARD L. BOSWELL

Address Davis City
Age 61
Occupation Farmer
Senatorial District 45—Decatur, Adams, Page, Ringgold, Taylor, Union
Former Legislative Service 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

MIKE CONNOLLY

Address Dubuque
Age 49
Occupation Education Administrator
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

DICK L. DEARDEN

Address Des Moines
Age 56
Occupation Job Developer, 5th Judicial District
Senatorial District 35—Polk
Former Legislative Service none

PATRICK J. DELUHERY

Address Davenport
Age 52
Occupation College Teacher/Insurance Agent
Senatorial District 22—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

JOANN DOUGLAS

Address Adair
Age 45
Occupation Farmer/Former Teacher
Senatorial District 39—Adair, Dallas, Guthrie, Madison
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

RICHARD F. DRAKE

Address Muscatine
Age 67
Occupation Farmer
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, 75

ROBERT E. DVORSKY

Address Coralville
Age 46
Occupation Job Developer, Community Based Corrections
Senatorial District 49—Johnson, Linn
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

viii MEMBERS OF THE SENATE—76th GENERAL ASSEMBLY
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BILL FINK

Address Carlisle
Age 39
Occupation Teacher
Senatorial District 45—Warren, Marion
Former Legislative Service 75

TOM FLYNN

Address Epworth
Age 39
Occupation Business Owner
Senatorial District 17—Dubuque, Jackson
Former Legislative Service none

EUGENE S. FRAISE

Address Fort Madison
Age 62
Occupation Farming
Senatorial District 50—Lee, Des Moines
Former Legislative Service 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

MARY LOU FREEMAN

Address Storm Lake
Age 54
Occupation Substitute Teacher
Senatorial District 5—Buena Vista, Cherokee, Clay, O'Brien, Plymouth, Pocahontas
Former Legislative Service 75 (2nd)

DONALD E. GETTINGS

Address Ottumwa
Age 71
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, 75

RANDAL J. GIANNETTO

Address Marshalltown
Age 37
Occupation Attorney
Senatorial District 32—Marshall, Story
Former Legislative Service 75

MICHAEL E. GRONSTAL

Address Council Bluffs
Age 44
Senatorial District 42—Pottawattamie
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

ROD HALVORSON

Address Fort Dodge
Age 45
Occupation Real Estate Investor
Senatorial District 7—Webster, Boone, Calhoun, Hamilton
Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

JOHNIE HAMMOND

Address Ames
Age 62
Occupation Legislator
Senatorial District 31—Story
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

STEVEN D. HANSEN

Address Sioux City
Age 39
Occupation Property Management
Senatorial District 1—Woodbury
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

H. KAY HEDGE

Address Fremont
Age 66
Occupation Grain and Livestock Farmer
Senatorial District 48—Mahaska, Keokuk, Marion, Wapello, Washington
Former Legislative Service 73, 74, 74X, 74XX, 75

WALLY E. HORN

Address Cedar Rapids
Age 61
Occupation Educator
Senatorial District 27—Linn
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

EMIL J. HUSAK

Address Toledo
Age 64
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,
75

STEWART E. IVERSON, JR.

Address Dows
Age 44
Occupation Farmer
Senatorial District 17—Wright, Franklin, Hamilton, Hardin
Former Legislative Service 73 (2nd), 74, 74X, 74XX, 75

JOHN W. JENSEN

Address Plainfield
Age 68
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, 75

MEMBERS OF THE SENATE—76th GENERAL ASSEMBLY
1995 REGULAR SESSION—Continued

PATTY JUDGE

Address Albia
 Age 51
 Occupation Farmer/Mediator
 Senatorial District 46—Monroe, Appanoose, Clarke, Davis, Lucas, Van Buren, Wayne
 Former Legislative Service 75

JOHN P. KIBBIE

Address Emmetsburg
 Age 65
 Occupation Farmer
 Senatorial District 4—Palo Alto, Clay, Dickinson, Emmet, Kossuth
 Former Legislative Service 59, 60, 60X, 61, 62, 73, 74, 74X, 74XX, 75

MARY E. KRAMER

Address West Des Moines
 Age 59
 Occupation Insurance Executive
 Senatorial District 37—Polk
 Former Legislative Service 74, 74X, 74XX, 75

JIM LIND

Address Waterloo
 Age 39
 Occupation Service Station Owner/Operator
 Senatorial District 13—Black Hawk
 Former Legislature Service 71 (2nd), 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

MARY LUNDBY

Address Marion
 Age 46
 Senatorial District 26—Linn
 Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

O. GENE MADDOX

Address Clive
 Age 56
 Occupation Lawyer
 Senatorial District 38—Polk, Dallas
 Former Legislative Service 75

ANDY McKEAN

Address Anamosa
 Age 45
 Occupation Lawyer/Bed and Breakfast Operator
 Senatorial District 28—Jones, Linn
 Former Legislative Service 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

DERRYL McLAREN

Address Farragut
Age 45
Occupation Farmer
Senatorial District 43—Fremont, Cass, Mills, Montgomery, Pottawattamie
Former Legislative Service 74, 74X, 74XX, 75

LARRY MURPHY

Address Oelwein
Age 42
Occupation Adjunct College Instructor
Senatorial District 14—Fayette, Black Hawk, Buchanan, Delaware
Former Legislative Service 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

MARY NEUHAUSER

Address Iowa City
Age 60
Occupation Attorney
Senatorial District 23—Johnson
Former Legislative Service 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

WILLIAM D. PALMER

Address Pleasant Hill
Age 59
Occupation 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, 75

BERL E. PRIEBE

Address Algona
Age 76
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, 75

DONALD REDFERN

Address Cedar Falls
Age 49
Occupation Attorney
Senatorial District 12—Black Hawk
Former Legislative Service 75 (2nd)

WILMER RENSINK

Address Sioux Center
Age 61
Occupation Farmer
Senatorial District 3—Sioux, Lyon, O'Brien, Osceola
Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

JACK RIFE

Address Durant
 Age 51
 Occupation Farmer
 Senatorial District 20—Cedar, Clinton, Jones, Scott
 Former Legislative Service 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75

SHELDON RITTMER

Address DeWitt
 Age 66
 Occupation Farmer
 Senatorial District 19—Clinton, Scott
 Former Legislative Service 74, 74X, 74XX, 75

ALBERT G. SORENSEN

Address Boone
 Age 63
 Occupation Owner/Operator Bed & Breakfast
 Senatorial District 40—Boone, Carroll, Greene
 Former Legislative Service 74 (2nd), 74X, 74XX, 75

ELAINE SZYMONIAK

Address Des Moines
 Age 74
 Occupation Retired
 Senatorial District 36—Polk
 Former Legislative Service 73, 74, 74X, 74XX, 75

MAGGIE TINSMAN

Address Davenport
 Age 58
 Occupation Agri Business/Social Worker
 Senatorial District 21—Scott
 Former Legislative Service 73, 74, 74X, 74XX, 75

TOM VILSACK

Address Mt. Pleasant
 Age 43
 Occupation Lawyer
 Senatorial District 49—Henry, Des Moines, Lee, Washington
 Former Legislative Service 75

LYLE E. ZIEMAN

Address Postville
 Age 73
 Occupation Retired Farmer
 Senatorial District 16—Allamakee, Clayton, Fayette, Winneshiek
 Former Legislative Service 75

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 9, 1995

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1995 Regular Session of the Seventy-sixth General Assembly convened at 10:09 a.m., and the Senate was called to order by President Leonard L. Boswell.

Prayer was offered by Reverend Boyce Rogers, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints, Lamoni, Iowa.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Boswell addressed the Senate with the following remarks:

A moment of silence, please, in remembrance of former Senator Dale L. Tieden.

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

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

I want to welcome you as we begin the 76th General Assembly of Iowa. I especially want to welcome all the new members of our Senate family here today; newly elected Senators and their families, staff and pages. I appreciate the effort made by each member of the Senate and the work of our staff towards our business here. I look forward to working with all of you.

Each session is unique and challenging. The first session of the 76th General Assembly will take on a personality of its own. We will face many issues and look for common ground to address them.

This task, representing our fellow Iowans, is an awesome responsibility. We should take it seriously and approach each issue thoughtfully. Iowans have sent us a very clear message. They want their government guided by one principal -- empower Iowans to be successful.

That's a pretty simple concept, if you think about it. Allow us to succeed. Give us the tools to be winners. I believe it is a very positive approach to governing. I have tried and will attempt to continue to follow it. I encourage each of you to use it as your guiding principal when facing tough issues.

The people of Iowa expect us to work together to develop public policy that improves their quality of life and encourages them to succeed. Democrats and Republicans, the Senate and the House, The Legislature and the Governor -- Iowans expect us to work together.

We have made progress in this area of cooperation; spending limits on the state budget, welfare reform, job creation. In each of these areas, and more, we have worked together and found solutions that are in the interests of our state, not one political party or one politician.

There is still much more to do. While our state budget is on the mend and unemployment is relatively low, pay for our workers is not increasing. Our challenge is to develop opportunities to create wealth in Iowa -- products developed in Iowa, manufactured in Iowa, and sold in Iowa and around the globe. It is an opportunity right in front of us to push Iowa into an era of economic prosperity.

With prosperity will come another solution that Iowans crave -- reduce their tax burden. It is a goal we all share. The state must meet its obligations to its citizens, and Iowans must feel their economic outlook is brighter. If those two things are within sight, then the tax burden on Iowans can be reduced.

A fundamental obligation of government is to provide safety. We must continue to develop solutions that prevent crime and punish criminals. The people of Iowa demand it, and they deserve safe streets and neighborhoods.

In every instance, whether it be creating wealth, reducing taxes, or preventing crime, the guiding principal remains the same -- empower Iowans to succeed.

If we work together, with this goal always in the back of our minds, we will be successful, and more importantly, Iowans will be successful in the years to come.

I look forward to the challenges ahead and working with you to create opportunities for Iowans. I wish you the very best this session, and want you to know my door is always open.

Thank you.

REMARKS BY THE MAJORITY LEADER

Senator Horn addressed the Senate as follows:

Mr. President, fellow Senators, ladies & gentlemen:

Welcome to the 76th General Assembly.

My remarks will be brief.

First, I want to welcome our new Senators and staff. It has been said that this Senate is a little like a large family--sometimes at odds on issues, but a place where experienced hands help new ones along, and where we always treat each other with respect. I think you'll find a lot of truth to that, and you will not only feel good about your policy accomplishments, but will enjoy working with the people here.

My door is always open to each of you if I can help in any way.

What do I see ahead for us this session?

This year, we have 110 days to accomplish all we can in such key areas as:
crafting a balanced and priority driven budget for the next fiscal year
fighting crime
providing continued economic growth opportunities
examining our tax laws
reforming government operations such as welfare and health care regulations
supporting education excellence
and other important issues.

While we will not always agree on the details, as far as I can tell, these priorities are shared by most of the members of the Legislature and the Executive branch leadership. With that shared set of priorities, and the healthy mix of experience and new faces in the Senate, I am optimistic we will continue to make progress this year in all these areas.

Mr. President, I'm ready to get started.

REMARKS BY THE MINORITY LEADER

Senator Rife addressed the Senate as follows:

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

The Iowa Legislature is back to tackle the issues that face the state in 1995. As the Minority Party in the Iowa Senate, we are here and ready to resolve these issues in the best interest of our constituents. I look forward to a cooperative, productive working relationship between our caucuses and between the House and Senate.

We have many issues staring at us. The M & E tax, income tax and property tax relief, ICN and our state's budget. The Senate Republicans have been an integral player in helping to retire the state's debt. Because of this, we are now able to operate our budget with a surplus. With a surplus now on our books, we are looking at possible income tax cuts. This is good news for all Iowans.

Education funding will be one of the first major issues we address this session. We must ensure that we provide a level of funding for our K-12 school districts which gives them the resources necessary to prepare our children to lead us into the 21st century. We must work together to meet the allowable growth deadline of February 10th so schools will have sufficient time to complete their budgets and collective bargaining.

Economic development will be advantageous to all of us. With the elimination of the machinery and equipment tax, we will be opening our state's doors to expand manufacturing businesses -- bringing with it new and improved jobs. It is my hope that this will be one of our accomplishments during the 76th General Assembly.

Once again the telecommunications issue will be before us. This, in and of itself, is a big enough project to keep many people occupied for an entire session. It will be my personal goal to make sure that this operation does not grow out of control for the taxpayers who will be financing the project.

I also expect the General Assembly to move ahead on individual health care reform. Although Congress was unable to reach consensus, I hope that we can agree on some basic concepts so that all Iowans can have access to high quality, affordable health care.

Hammering out a new mental health funding formula will be quite a task. We must be sensitive to the groups who need services, and to the financial burden on taxpayers and counties.

The Legislature also needs to make real progress towards reducing crime in Iowa. Juvenile justice, the death penalty and sentencing are key issues that deserve our careful thought and consideration.

In the last two General Assemblies, the Iowa Legislature has reduced its rate of increased spending, balanced the state's books and, as a result, built up a positive ending balance in its general fund. At the same time the Legislature forced cities to freeze their budget for two years, forced many municipalities to borrow in the bond markets and reduced the ending balanced in their general funds. At this point, the state has a more than adequate revenue stream to attend to its needs. It would be my hope that just because we have balanced books, we will not start spending our surplus on new and expanded programs.

Agriculture is a major source of income for Iowa. Livestock confinement facilities have been in the news almost daily. Hog industry representatives are concerned that emotion and hysteria will drive the legislature to increase regulations on these facilities, which would in turn drive the industry out of the state. Rural homeowners and residents of sprawling urban centers are concerned that the smell and the potential pollution of water sources will ruin their quality of life. The decision will be how best to regulate these facilities with all concerns taken into account. Senate Republicans will be there to help make these decisions.

The 1995 session of the 76th General Assembly will be interesting for all -- minority and majority parties. I look forward to working with everyone so that in the end, all of Iowa will be a better place to live and grow.

Thank you.

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 AND TEMPORARY COMPENSATION

Senator Horn moved that the rules of the Senate and provisions for compensation of employees adopted by the 75th General Assembly be adopted as the temporary rules and temporary compensation provisions for the 1995 session of the 76th General Assembly.

The motion prevailed by a voice vote.

ANNOUNCEMENT OF VACANCY

President Boswell announced that he had received notification from the office of Governor Branstad of the following vacancy in the Senate subsequent to the adjournment of the 1994 session:

District 26-Paul Pate, resignation effective December 2, 1994.

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 Kibbie, Chair; Fraise, Sorensen, Hedge and Redfern.

The Senate stood at ease at 10:25 a.m. until the fall of the gavel.

The Senate resumed session at 10:28 a.m., President Boswell 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 duly elected to and entitled to seats in the Senate for the 1995 Session of the Seventy-sixth General Assembly:

- JOHN P. KIBBIE, Chair
- EUGENE S. FRAISE
- ALBERT G. SORENSEN
- H. KAY HEDGE
- DONALD B. REDFERN

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, Paul D. Pate, 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 8, 1994, 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, 1995:

Districts

First.....	Steven D. Hansen
Third	Wilmer Rensink
Fifth	Mary Lou Freeman
Seventh.....	Rod Halvorson
Ninth	Stewart Iverson, Jr.
Eleventh	John W. Jensen
Thirteenth	Jim Lind
Fifteenth	Allen Borlaug
Seventeenth	Tom Flynn
Nineteenth	Sheldon Rittmer
Twenty-first	Maggie Tinsman
Twenty-third.....	Mary Neuhauser
Twenty-fifth.....	Robert E. Dvorsky
Twenty-seventh	Wally E. Horn
Twenty-ninth	Dennis H. Black
Thirty-first.....	Johnie Hammond
Thirty-third.....	William D. Palmer
Thirty-fifth.....	Dick L. Dearden

Thirty-seventh	Mary E. Kramer
Thirty-ninth	JoAnn Douglas
Forty-first	Nancy Boettger
Forty-third	Derryl McLaren
Forty-fifth	Bill Fink
Forty-seventh	Don E. Gettings
Forty-ninth	Tom Vilsack

I FURTHER CERTIFY, that the State Canvassing Board has declared that at a special election held on the thirty-first day of August, 1993, DONALD B. REDFERN was duly elected to the office of State Senator for the Twelfth District. At a special election held on the twentieth day of December, 1994, MARY A. LUNDBY was duly elected to the office of State Senator for the Twenty-sixth District. These two senators were elected to fill the balance of unexpired terms which began on the second day of January 1993.

I FURTHER 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
Fourth	John P. Kibbie
Sixth	Wayne D. Bennett
Eighth	Berl E. Priebe
Tenth	Merlin E. Bartz
Fourteenth	Larry Murphy
Sixteenth	Lyle E. Ziemann
Eighteenth	Mike Connolly
Twentieth	Jack Rife
Twenty-second	Patrick J. Deluhery
Twenty-fourth	Richard F. Drake
Twenty-eighth	Andy McKean
Thirtieth	Emil J. Husak
Thirty-second	Randal John Giannetto
Thirty-fourth	Tony Bisignano
Thirty-sixth	Elaine Szymoniak
Thirty-eighth	O. Gene Maddox
Fortieth	Albert G. Sorensen
Forty-second	Michael E. Gronstal
Forty-fourth	Leonard L. Boswell
Forty-sixth	Patty Judge
Forty-eighth	H. Kay Hedge
Fiftieth	Eugene S. Fraise

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary

(SEAL)

of State at the Statehouse, in Des Moines this 9th
Day of January, 1995.

PAUL D. PATE, Secretary of State

I hereby acknowledge receipt of the original copy of this document on January 9, 1995.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, the Secretary of the Senate:

I, ELAINE BAXTER, Secretary of State of the State of Iowa, custodian of the files and records pertaining to the elections in the state,

DO HEREBY CERTIFY THAT the State Canvassing Board has declared that at a special election held on December 20, 1994, MARY A. LUNDBY was elected to fill a vacancy in the office of State Senator of the Twenty-Sixth District, for the balance of the term which began on January second, 1993.

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse in Des Moines this 23rd day of December, 1994.

ELAINE BAXTER, Secretary of State

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

President Boswell announced that the Senator from District 26, Mary Lundby, was administered the oath of office on January 4, 1995, by President Boswell and witnessed by Senators Horn, Maddox and Priebe.

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-sixth 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.

Senator Boswell was administered the oath of office by Chief Justice Arthur McGiverin of the Iowa Supreme Court.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Horn placed in nomination the name of Senator Tony Bisignano of Polk County as a candidate for the office of President pro tempore for the Senate for the Seventy-sixth General Assembly.

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

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

President Boswell requested that Senators Husak, Murphy and Gronstal escort Senator Bisignano to the rostrum.

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

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

COMMITTEE TO NOTIFY THE GOVERNOR

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Judge, Chair; Palmer, Priebe, Jensen and Boettger.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate

that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

COMMITTEE TO NOTIFY THE HOUSE

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Bisignano, Chair; Connolly, Giannetto, Drake and Douglas.

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, Mary Neubauer, Mike Glover
53. WHO-RADIO, Garry Barrett
54. RADIO IOWA, O. Kay Henderson, Vern Beachy
55. SIOUX CITY JOURNAL, Patrick Lalley
56. IOWA LEGISLATIVE NEWS SERVICE, Peter Small, Jack Hunt
- 57.
58. CEDAR RAPIDS GAZETTE, Rod Boshart, Ken Sullivan
59. LEE ENTERPRISES DM BUREAU, Kathie Obradovich, Dennis Carroll
60. IOWA NEWSPAPER ASSOCIATION/BUSINESS RECORD, Jackie King
61. DUBUQUE TELEGRAPH HERALD, Steve Webber
62. WATERLOO COURIER, Kevin Potter
63. WOI-AM, Mark Moran
64. KCCI-TV, Martin Augustine, Steve Karlin

GENERAL ASSIGNMENT

AFSCME PRIDE NEWS: Larry Scarpino
 THE ASSOCIATED PRESS: David Speer, Charles Neibergall, Rodney White, John Gaps III
 DAILY TRIBUNE: Michael Gartner, Jeffrey Bruner
 DES MOINES REGISTER: David Yepsen, Phoebe Howard
 IOWA LEGISLATIVE NEWS SERVICE: Kathi Marts-Foster, Tom Hunt
 KASI/KCCQ RADIO: Rich Fellingham, Darwin Danielson

KCCI-TV-8: Jeanette Trompeter, Cortney Kintzer, Donna Smith, Rick Fuller, Tom Torpy
 KIMT-TV: Brian Mastre, Margot Kim, Robin Wolfram, Lisa Lemke, David Kenney, Susan Zillmer, Dan Close
 KIOA-KRNT-KSTZ AM/FM: Polly Carver-Kimm
 KOEL Radio: Pam Ohrt, Roger King, Kristin McHugh
 KTIV-TV: John Grosvenor, Larry Wentz, Lauri Dumstorff, Bruce Scheid, Joel Johnson, Eric Thorstenson
 KUNI-Radio: Bill Menner
 MADISONIAN: Ted Gorman
 OMAHA WORLD-HERALD: Jim Smiley
 RADIO IOWA: Jordan Melrose, Todd Kimm
 WHO-AM: Sue Danielson, Chuck Shockley, Bob Quinn, Ev Hickman, Jodi Chapman
 WOI-TV: Lisa Brones, Brian Peter
 WOWT-TV: Gary Kerr, Eric Wall

**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-sixth General Assembly:

Secretary of the SenateJohn F. Dwyer

Administrative

Confidential Secretary to the SecretaryLori Bristol
 Senior Finance OfficerLinda Laurenzo
 Assistant Finance OfficerNancy Gibson
 Recording ClerkMadonna Hauge
 Records and Supply ClerkMary Buban
 Administrative Secretary to the SecretaryLuAnn Randleman

Indexing

Indexer IICaryll Wilbur
 Indexing Assistant.....Kathleen Curoe

Journal

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

Legal Counsel

Assistant Secretary of the Senate Cynthia A. Clingan
 Assistant to the Legal Counsel Lois Brownell

President of the Senate's Office

Administrative Assistant to Leader II John Cacciatore

Majority Caucus

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

Minority Caucus

Administrative Assistant to Leader I Stephanie Laudner
 Caucus Staff Director
 Senior Research Analyst James Boose
 Research Analyst III Carolann Jensen
 Research Analyst III Suzanne Johnson
 Research Analyst II Ann Molis
 Research Analyst II Curt Stamp
 Caucus Secretary Kristin Ripperger

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 Arnold Boyum
 Doorkeeper Gaylard Parrish
 Doorkeeper Robert Langbehn

Doorkeeper E.A. Samuelson

Services

Bill Clerk Jay Mosher
Switchboard Operator Kimberly Russell
Switchboard Operator Charles Stessman
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.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

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

The report was accepted and the committee discharged.

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:

ARMSTRONG, HOLLY Robert E. Dvorsky
ASPENGREN, MARY LOU Nancy Boettger
BANKS, CARLA Brad Banks
BARNHILL, ELEANOR Patty Judge
BENNETT, BARBARA Wayne D. Bennett
BLACK, ANNE Dennis Black
COOPER, JEAN Bill Fink
COWDEN, SUSAN Richard F. Drake
DAVIS, VICKI Jack Rife
FOVAL, SCOTT William D. Palmer

FRAISE, FAYE.....	Eugene S. Fraise
GALLAGHER, SALLY	Tom Vilsack
GASS, MARY ANN	Elaine Szymoniak
GETTINGS, MARY	Donald E. Gettings
GORSH, GLENDA.....	Albert G. Sorensen
GOUDY, JEAN	Johnnie Hammond
HALVORSON, BOB	Rod Halvorson
HANOVER, JO ANN	Michael E. Gronstal
HANSEN, VALERIE	JoAnn Douglas
HEDGE, ALLEEN	H. Kay Hedge
HELLER, JEANNE	Mary Neuhauser
HUGHES, JANE	Sheldon Rittmer
HUSAK, DOROTHY	Emil J. Husak
HUYSER, BRENDA	Patrick J. Deluhery
IVERSON, JEANINE	Stewart Iverson, Jr.
JENNINGS, SUE.....	Mary A. Lundby
JENSEN, KIM	Allen Borlaug
JENSEN, MYRTLE.....	John W. Jensen
KELLY, CLARE	Mary Lou Freeman
KIBBIE, KAY	John P. Kibbie
LEVERICH, GAY.....	Andy McKean
LOZIER, KAYE	Mary E. Kramer
MADSEN, MARY.....	Tom Flynn
MARTENS, MARLENE	O. Gene Maddox
PEER, MARY ANN	Leonard L. Boswell
PETERSON, CAROLE	Jim Lind
RENSINK, JASON	Merlin E. Bartz
RENSINK, MARILYN	Wilmer Rensink
ROBERSON, PAIGE.....	Tony Bisignano
ROGERS, BARB	Randal J. Giannetto
SCHRAGE, DIANE.....	Don Redfern
SHAFFER, MACHELLE	Larry Murphy
VENS, WILLIAM.....	Berl E. Priebe
WAYMAN, NANCY	Steven D. Hansen
WEBER, JANETTE	Maggie Tinsman
WENGERT, JOANNE	Dick L. Dearden
WEST, JO ANN.....	Mike Connolly
WISE, BETTY	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.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

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

The report was accepted and the committee discharged.

APPOINTMENT OF 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 1995 Session of the Seventy-sixth General Assembly:

Kate Agena, Secretary of the Senate's Page, Dows
Wendi Boxx, Ottumwa
Melissa Courtney, Burlington
Ben Dickerson, Garrison
Bill Grady, Woodward
Anna Halbur, Milford
Autumn Heath, Thurman
Christine Ingraham, Milford
Sarah Kueter, Cedar Falls
Tony Lengeling, Carroll
Scott Peters, Badger
Melissa Petersen, President of the Senate's Page, Merville
Jonathan Rhyan, Nevada
Jeni Rickabaugh, Tabor
Carrie Schnieders, Mallard
Jessica Scholten, Sioux City
Dana Schroeder, DeWitt
Jill Van Wyk, Pella

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.

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 Gettings, Chair; Deluhery, Freeman and Zieman.

COMMITTEE ON CHAPLAINS

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

TELLERS OF JOINT CONVENTION

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Fink, Halvorson and Rensink.

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 9, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution relating to joint conventions, Monday, January 9, 1995, 1:30 p.m. to canvass votes for Governor and Lieutenant Governor; Tuesday, January 10, 1995, 10:00 a.m.; Governor Terry E. Branstad will deliver his condition of the state and budget messages.

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

ADOPTION OF RESOLUTION

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 relating to joint conventions, Monday, January 9, 1995, 1:30 p.m. to canvass votes for Governor and Lieutenant Governor; Tuesday, January 10, 1995, 10:00 a.m.; Governor Terry E. Branstad will deliver his condition of the state and budget messages, was taken up for consideration.

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

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 9, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, a concurrent resolution relating to a joint convention, Tuesday, January 10, 1995, 1:30 p.m. and that Chief Justice McGiverin be invited to present his message of the condition of the judicial department.

This resolution was read first time and passed on file.

ADOPTION OF RESOLUTION

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 relating to a joint convention, Tuesday, January 10, 1995, 1:30 p.m. and that Chief Justice McGiverin be

invited to present his message of the condition of the judicial department, was taken up for consideration .

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

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 9, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

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

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

ADOPTION OF RESOLUTION

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

House Concurrent Resolution 3

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak for the day on request of Senator Horn.

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 who participated in seat selection in 1994 be granted the privilege of selecting new seats in order of seniority from unassigned seats; that the reelected Senators first elected during the 1994 session be granted the privilege of selecting their seats from the unassigned seats according to their seniority; that former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats according to seniority; that newly elected senators be granted the privilege of selecting their seats from the unassigned seats with order of selection being established by lot; that first, the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats; and that the Majority Leader be allowed to select a seat for Senator Szymoniak.

The motion prevailed by a voice vote.

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

<u>NAME</u>	<u>SEAT NO.</u>
Banks of Plymouth	10
Bartz of Worth	12
Bennett of Ida	28
Bisignano of Polk	35
Black of Jasper	31
Boettger of Shelby	26
Borlaug of Chickasaw	46
Boswell of Decatur	22
Connolly of Dubuque	21
Dearden of Polk	17
Deluhery of Scott	45
Douglas of Adair	20
Drake of Muscatine	40
Dvorsky of Johnson	29
Fink of Warren	25
Flynn of Dubuque	2
Fraise of Lee	7
Freeman of Buena Vista	8
Gettings of Wapello	5
Giannetto of Marshall	23
Gronstal of Pottawattamie	9
Halvorson of Webster	15
Hammond of Story	19
Hansen of Woodbury	11
Hedge of Mahaska	30

Horn of Linn	43
Husak of Tama	47
Iverson of Wright	4
Jensen of Bremer	44
Judge of Monroe	27
Kibbie of Palo Alto	39
Kramer of Polk	48
Lind of Black Hawk	36
Lundby of Linn	6
Maddox of Polk	16
McKean of Jones	14
McLaren of Fremont	34
Murphy of Fayette	49
Neuhauser of Johnson	1
Palmer of Polk	41
Priebe of Kossuth	37
Redfern of Black Hawk	32
Rensink of Sioux	42
Rife of Cedar	38
Rittmer of Clinton	24
Sorensen of Boone	3
Szymoniak of Polk	13
Tinsman of Scott	50
Vilsack of Henry	33
Zieman of Allamakee	18

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 1, by Kibbie, Husak, Boswell, Judge, Bisignano, Fraise, Palmer, and Priebe, a concurrent resolution to request that Congress propose a Constitutional amendment, for ratification by the states, which would specify that the Congress and the states have the power to prohibit the physical desecration of the American flag.

Read first time and passed on file.

Senate Concurrent Resolution 2, by Iverson, a concurrent resolution inviting the Iowa congressional delegation to address a joint session of the Iowa General Assembly regarding unfunded federal mandates.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 1, by Sorensen, a bill for an act relating to

prohibiting a mobile home landlord from cancelling a rental agreement without good cause.

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

Senate File 2, by Vilsack and Sorensen, a bill for an act relating to the filing of claims for credit or refund by retired federal employees as a result of the unconstitutional taxation of federal pensions under the state individual income tax.

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

Senate File 3, by Kibbie, a bill for an act creating a state board of regents nominating council.

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

Senate File 4, by Kibbie, a bill for an act relating to requiring persons who cannot pay criminal fines to perform community service.

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

Senate File 5, by Kibbie, a bill for an act relating to 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 6, by Lind, a bill for an act relating to the awarding of joint custody of children resulting from a dissolution of marriage.

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

Senate File 7, by Vilsack, a bill for an act relating to the knowing transmission of the human immunodeficiency virus and providing penalties.

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

Senate File 8, by Boswell, a bill for an act relating to regulation of public statements made about candidates, by establishing a truth in campaign practices board, providing for the investigation of complaints and issuance of advisory and regulatory opinions by the board, regulating the manner in which negative statements

about candidates or candidates' immediate family members may be made, providing for retractions or explanations of untruthful or deliberately misleading statements, and providing penalties.

Read first time and passed on file.

IMMEDIATELY MESSAGED

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

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 1, by Murphy and Boswell, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring the maintenance of a cash reserve.

Read first time and assigned to the committee on **Appropriations**.

RECESS

On motion of Senator Husak, the Senate recessed at 11:46 a.m., until 1:15 p.m.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the 1995 Regular Session:

*Vice Chair

**Ranking Member

AGRICULTURE—15 Members

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

APPROPRIATIONS—25 Members

Murphy, Chair	Borlaug	Hammond	Neuhauser
Boswell*	Douglas	Husak	Rensink
Lind**	Dvorsky	Iverson	Tinsman
Banks	Flynn	Judge	Vilsack
Bartz	Fraise	Kibbie	
Bisignano	Gronstal	Kramer	
Black	Halvorson	McLaren	

BUSINESS AND LABOR—10 Members

Dearden, Chair	Banks	Giannetto	Iverson
Gettings*	Connolly	Hammond	Maddox
Freeman**	Dvorsky		

COMMERCE—15 Members

Deluhery, Chair	Douglas	Gronstal	Palmer
Hansen*	Flynn	Hedge	Priebe
Jensen**	Freeman	Husak	Redfern
Bisignano	Gettings	Lundby	

COMMUNICATIONS AND INFORMATION POLICY—7 Members

Dvorsky, Chair	Flynn	Jensen
Deluhery*	Hansen	Redfern
McLaren**		

EDUCATION—15 Members

Connolly, Chair	Dvorsky	Kramer	Rensink
Kibbie*	Fink	Lind	Szymoniak
Redfern**	Hammond	Murphy	Tinsman
Deluhery	Iverson	Neuhauser	

ETHICS—6 Members
(Statutory Committee)

Husak, Chair	Hedge**	Gettings
Neuhauser*	Drake	McKean

HUMAN RESOURCES—10 Members

Szymoniak, Chair	Bartz	Kramer	Tinsman
Hammond*	Dvorsky	Neuhauser	Vilsack
Boettger**	Hansen		

JUDICIARY—15 Members

Giannetto, Chair	Bisignano	Halvorson	Neuhauser
Vilsack*	Boettger	Hammond	Redfern
McKean**	Drake	Hansen	Szymoniak
Bartz	Fraise	Maddox	

LOCAL GOVERNMENT—10 Members

Sorensen, Chair	Black	Judge	Rittmer
Fink*	Fraise	McKean	Zieman
Maddox**	Halvorson		

NATURAL RESOURCES, ENVIRONMENT AND ENERGY—15 Members

Fink, Chair	Borlaug	Gronstal	Priebe
Black*	Dearden	Hedge	Rensink
Lundby**	Deluhery	Judge	Sorensen
Banks	Freeman	Kibbie	

RULES AND ADMINISTRATION—9 Members

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

SMALL BUSINESS, ECONOMIC DEVELOPMENT, & TOURISM—15 Members

Hansen, Chair	Boettger	Kibbie	Sorensen
Judge*	Borlaug	Maddox	Szymoniak
Zieman**	Flynn	McKean	Vilsack
Bennett	Giannetto	Palmer	

STATE GOVERNMENT—15 Members

Gronstal, Chair	Bisignano	Fink	Lundby
Kibbie*	Connolly	Giannetto	McLaren
Rittmer**	Dearden	Halvorson	Sorensen
Bennett	Drake	Lind	

TRANSPORTATION—12 Members

Gettings, Chair	Black	Douglas	Jensen
Fraise*	Connolly	Fink	Lind
Drake**	Dearden	Halvorson	Rittmer

WAYS AND MEANS—15 Members

Palmer, Chair	Deluhery	Iverson	Priebe
Husak*	Drake	McLaren	Szymoniak
Bennett**	Freeman	Murphy	Vilsack
Connolly	Hedge	Neuhauser	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

Judge, Chair	Bartz**	Lundby
Sorensen*	Horn	

AGRICULTURE/NATURAL RESOURCES

Black, Chair	Banks**	Gettings
Priebe*	Bennett	

ECONOMIC DEVELOPMENT

Vilsack, Chair	Borlaug**	Zieman
Bisignano*	Hansen	

EDUCATION

Kibbie, Chair	Kramer**	Freeman
Connolly*	Fink	

HEALTH AND HUMAN RIGHTS

Flynn, Chair	Rensink**	Dearden
Giannetto*	Boettger	

HUMAN SERVICES

Hammond, Chair	Tinsman**	Rittmer
Szymoniak*	Deluhery	

JUSTICE SYSTEM

Fraise, Chair	Iverson**	Redfern
Dvorksy*	Husak	

OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Neuhauser, Chair	McLaren**	Maddox
Gronstal*	Boswell	

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Halvorson, Chair	Douglas**	Murphy
Palmer*	Jensen	

SENATORS AND THEIR RESPECTIVE COMMITTEES

Banks, Brad	Agriculture Appropriations Business and Labor Natural Resources, Environment and Energy Agriculture/Natural Resources Appropriations Subcommittee, Ranking Member
Bartz, Merlin E.	Agriculture, Ranking Member Appropriations Human Resources Judiciary Administration and Regulation Appropriations Subcommittee, Ranking Member
Bennett, Wayne D.	Small Business, Economic Development, and Tourism State Government Ways and Means, Ranking Member Agriculture/Natural Resources Appropriations Subcommittee
Bisignano, Tony	Appropriations Commerce Judiciary Rules and Administration State Government Economic Development Appropriations Subcommittee, Vice Chair

Black, Dennis H.	Agriculture Appropriations Local Government Natural Resources, Environment and Energy, Vice Chair Transportation Agriculture/Natural Resources Appropriations Subcommittee, Chair
Boettger, Nancy	Human Resources, Ranking Member Judiciary Small Business, Economic Development, and Tourism Health and Human Rights Appropriations Subcommittee
Borlaug, Allen	Appropriations Natural Resources, Environment and Energy Small Business, Economic Development, and Tourism Economic Development Appropriations Subcommittee, Ranking Member
Boswell, Leonard L.	Agriculture Appropriations, Vice Chair Rules and Administration, Vice Chair Oversight, Audit and Government Reform Appropriations Subcommittee
Connolly, Mike	Business and Labor Education, Chair State Government Transportation Ways and Means Education Appropriations Subcommittee, Vice Chair
Dearden, Dick L.	Business and Labor, Chair Natural Resources, Environment and Energy State Government Transportation Health and Human Rights Appropriations Subcommittee
Deluhery, Patrick J.	Commerce, Chair Communications and Information Policy, Vice Chair Education

	Natural Resources, Environment and Energy Ways and Means Human Services Appropriations Subcommittee
Douglas, JoAnn	Agriculture Appropriations Commerce Transportation Transportation, Infrastructure and Capitals, Appropriations Subcommittee, Ranking Member
Drake, Richard F.	Ethics Judiciary State Government Transportation, Ranking Member Ways and Means
Dvorsky, Robert E.	Appropriations Business and Labor Communications and Information Policy, Chair Education Human Resources Justice System Appropriations Subcommittee, Vice Chair
Fink, Bill	Education Natural Resources, Environment and Energy, Chair Local Government, Vice Chair State Government Transportation Education Appropriations Subcommittee
Flynn, Tom	Appropriations Commerce Communications and Information Policy Small Business, Economic Development, and Tourism Health and Human Rights Appropriations Subcommittee, Chair
Fraise, Eugene S.	Agriculture Appropriations Judiciary Local Government Transportation, Vice Chair Justice System Appropriations Subcommittee, Chair

Freeman, Mary Lou	Business and Labor, Ranking Member Commerce Natural Resources, Environment and Energy Ways and Means Education Appropriations Subcommittee
Gettings, Don E.	Business and Labor, Vice Chair Commerce Ethics Rules and Administration Transportation, Chair Agriculture/Natural Resources Appropriations Subcommittee
Giannetto, Randal J.	Agriculture Business and Labor Judiciary, Chair Small Business, Economic Development, and Tourism State Government Health and Human Rights Appropriations Subcommittee, Vice Chair
Gronstal, Michael E.	Appropriations Commerce Natural Resources, Environment and Energy Rules and Administration State Government, Chair Oversight, Audit and Government Reform Appropriations Subcommittee, Vice Chair
Halvorson, Rod	Appropriations Judiciary Local Government State Government Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Chair
Hammond, Johnie	Appropriations Business and Labor Education Human Resources, Vice Chair Judiciary Human Services Appropriations Subcommittee, Chair

Hansen, Steven D.	Commerce, Vice Chair Communications and Information Policy Judiciary Small Business, Economic Development, and Tourism, Chair Human Resources Economic Development Appropriations Subcommittee
Hedge, H. Kay	Agriculture Commerce Ethics, Ranking Member Natural Resources, Environment and Energy Ways and Means
Horn, Wally E.	Rules and Administration, Chair Administration and Regulation Appropriations Subcommittee
Husak, Emil J.	Agriculture Appropriations Commerce Ethics, Chair Rules and Administration Ways and Means, Vice Chair Justice System Appropriations Subcommittee
Iverson, Stewart, Jr.	Appropriations Business and Labor Education Ways and Means Justice System Appropriations Subcommittee, Ranking Member
Jensen, John W.	Commerce, Ranking Member Communications and Information Policy Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee
Judge, Patty	Agriculture, Vice Chair Appropriations Natural Resources, Environment and Energy Local Government Small Business, Economic Development, and Tourism, Vice Chair Administration and Regulation Appropriations Subcommittee, Chair

Kibbie, John P.	Appropriations Education, Vice Chair Natural Resources, Environment and Energy Small Business, Economic Development, and Tourism State Government, Vice Chair Education Appropriations Subcommittee, Chair
Kramer, Mary E.	Appropriations Education Human Resources Rules and Administration Education Appropriations Subcommittee, Ranking Member
Lind, Jim	Appropriations, Ranking Member Education Rules and Administration State Government Transportation
Lundby, Mary	Commerce Natural Resources, Environment and Energy, Ranking Member State Government Administration and Regulation Appropriations Subcommittee
Maddox, O. Gene	Business and Labor Judiciary Local Government, Ranking Member Small Business, Economic Development, and Tourism Oversight, Audit and Government Reform Appropriations Subcommittee
McKean, Andy	Ethics Judiciary, Ranking Member Local Government Small Business, Economic Development, and Tourism
McLaren, Derryl	Agriculture Appropriations Communications and Information Policy, Ranking Member State Government

	Ways and Means Oversight, Audit and Government Reform Appropriations Subcommittee, Ranking Member
Murphy, Larry	Appropriations, Chair Education Ways and Means Transportation, Infrastructure and Capitals Appropriations Subcommittee
Neuhauser, Mary	Appropriations Education Ethics, Vice Chair Human Resources Judiciary Ways and Means Oversight, Audit and Government Reform Appropriations Subcommittee, Chair
Palmer, William D.	Agriculture Commerce Small Business, Economic Development, and Tourism Ways and Means, Chair Transportation, Infrastructure and Capitals Appropriations Subcommittee, Vice Chair
Priebe, Berl E.	Agriculture, Chair Commerce Natural Resources, Environment and Energy Ways and Means Agriculture/Natural Resources Appropriations Subcommittee, Vice Chair
Redfern, Donald	Commerce Communications and Information Policy Education, Ranking Member Judiciary Justice System Appropriations Subcommittee
Rensink, Wilmer	Appropriations Education Natural Resources, Environment and Energy Health and Human Rights Appropriations Subcommittee, Ranking Member
Rife, Jack	Rules and Administration, Ranking Member

Rittmer, Sheldon	Local Government State Government, Ranking Member Transportation Human Services Appropriations Subcommittee
Sorensen, Albert G.	Agriculture Local Government, Chair Natural Resources, Environment and Energy Small Business, Economic Development, and Tourism State Government Administration and Regulation Appropriations Subcommittee, Vice Chair
Szymoniak, Elaine	Education Human Resources, Chair Judiciary Small Business, Economic Development, and Tourism Ways and Means Human Services Appropriations Subcommittee, Vice Chair
Tinsman, Maggie	Appropriations Education Human Resources Human Services Appropriations Subcommittee, Ranking Member
Vilsack, Tom	Appropriations Human Resources Judiciary, Vice Chair Small Business, Economic Development, and Tourism Ways and Means Economic Development Appropriations Subcommittee, Chair
Zieman, Lyle E.	Agriculture Local Government Small Business, Economic Development, and Tourism, Ranking Member Economic Development Appropriations Subcommittee

**ANNOUNCEMENT OF APPOINTMENTS
BY THE PRESIDENT OF THE SENATE**

The President announced the following appointments made during the 1994 legislative interim:

June 20, 1994

**INTERSTATE GRAIN COMMISSION
(Code 183.1)**

Senator Boswell resigned effective September 1, 1994; Senator Judge will fill the remainder of his term expiring 6-30-95.

**AGRICULTURE ENERGY MANAGEMENT ADVISORY COUNCIL
(Code 161B.1)**

Senator Fink and Hedge, 7/1/94 - 6/30/96.

**CRIMINAL AND JUVENILE ADVISORY COUNCIL
(Code 216A.132)**

Senator Giannetto, 7/1/94 - 6/30/98.

**ECONOMIC DEVELOPMENT BOARD
(Code 15.103)**

Senator Boswell, 7/1/94 - 6/30/96.

**HEALTH DATA COMMISSION
(Code 145)**

Senator Giannetto, 7/1/94 - 6/30/95.

June 21, 1994

**COMMISSION ON THE STATUS OF WOMEN
(Code 216A.52)**

Senator Redfern, 7/1/94 - 6/30/96.

**IOWA CRIMINAL & JUVENILE ADVISORY COUNCIL
(Code 216A.132)**

Senator Maddox, 7/1/94 - 6/30/98.

ANNOUNCEMENT OF APPOINTMENT BY THE MINORITY LEADER

The Minority Leader announced the following appointment made during the 1994 legislative interim:

NATURAL DISASTER PREPAREDNESS TASK FORCE

Due to the retirement of Senator Hester, Senator Freeman was appointed to fill out the remaining term of this task force.

RESIGNATION FROM OFFICE

The following resignation was received subsequent to adjournment of the 1994 legislative session:

December 14, 1994

Honorable Terry E. Branstad
State Capitol
Des Moines, Iowa 50319

Dear Governor Branstad:

As a result of my election as a Polk County Supervisor, I submit my resignation as an Iowa State Senator effective December 31, 1994.

Respectfully,

Florence D. Buhr
State Senator

REPORT OF THE COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Section 2.10, Code 1995, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-Sixth General Assembly:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
Banks, Brad	410
Bartz, Merlin E.	274
Bennett, Wayne	280
Bisignano, Tony	8
Black, Dennis H.	104
Boettger, Nancy	222
Borlaug, Allen	370
Boswell, Leonard L.	160

Connolly, Michael W.	400
Dearden, Dick L.	none
Deluhery, Patrick J.	338
Douglas, JoAnn	118
Drake, Richard F.	306
Dvorsky, Robert E.	224
Fink, Bill	28
Flynn, Tom	418
Fraise, Eugene S.	369
Freeman, Mary Lou	320
Gettings, Don E.	190
Giannetto, Randal J.	100
Gronstal, Michael E.	270
Halvorson, Rod.	190
Hammond, Johnie	74
Hansen, Steven D.	412
Hedge, H. Kay	152
Horn, Wally E.	250
Husak, Emil J.	150
Iverson, Stewart, Jr.	152
Jensen, John W.	290
Judge, Patty	142
Kibbie, John P.	344
Kramer, Mary E.	none
Lind, Jim	220
Lundby, Mary	272
Maddox, O. Gene	16
McKean, Andy	300
McLaren, Derryl	300
Murphy, Larry	300
Neuhauser, Mary	228
Palmer, William D.	12
Priebe, Berl E.	280
Redfern, Donald	210
Rensink, Wilmer	460
Rife, Jack	308
Rittmer, Sheldon	388
Sorensen, Albert G.	96
Szymoniak, Elaine	none
Tinsman, Maggie	360
Vilsack, Tom.	260
Zieman, Lyle E.	400

Respectfully submitted,

DON E. GETTINGS, Chair
 PATRICK J. DELUHERY
 LYLE E. ZIEMAN
 MARY LOU FREEMAN

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, the committee on Rules and Administration submits the following increases and reclassifications and the effective dates of Senate employees:

Secretary of the Senate	John F. Dwyer	Annual Salary 55,369.60 to 60,382.40 effective 6/17/94
Assistant Secretary of the Senate III	Cynthia Clingan	Grade 35-6 to 38-4 effective 6/17/94
Sr. Administrative Assistant to Majority Leader	Greg Nichols	Step 4 to Step 5 effective 6/17/94
Sr. Research Analyst	James Boose	Step 1 to Step 2 effective 6/17/94
Admin. Assist. to Leader II	John Cacciatore	Step 1 to Step 2 effective 6/17/94
Admin. Assist. to Leader II	Stephanie Laudner	Step 1 to Step 2 effective 6/17/94
Confidential Secretary to the Secretary	Lori Bristol	Step 3 to Step 4 effective 6/17/94
Research Analyst I to Research Analyst II	Ann Molis	Grade 29-3 to 32-2 effective 7/15/94
Research Analyst I to Research Analyst II	Curt Stamp	Grade 29-3 to 32-2 effective 7/15/94
Research Analyst III	Suzanne Johnson	Step 2 to Step 3 effective 8/12/94
Sr. Caucus Staff Director	Carol Olson	Step 1 (-2) to Step 1 (-1) effective 8/26/94
Research Analyst II to Research Analyst III	Randall Bauer	Grade 32-3 to 35-2 effective 8/12/94
Senior Finance Officer	Linda Laurenzo	Step 1 to Step 2 effective 9/9/94
Assistant Finance Officer	Nancy Gibson	Step 5 to Step 6 effective 9/9/94
Research Analyst III	Steve Conway	Step 2 to Step 3 effective 9/9/94
Indexing Assistant	Kathleen Curoe	Step 4 to Step 5 effective 9/9/94
Research Analyst I to Research Analyst II	Robyn Mills	Grade 29-3 to 32-2 effective 10/7/94

Research Analyst III	Theresa Kehoe	Step 2 to Step 3 effective 11/18/94
Sr. Caucus Staff Director	Debbie O'Leary	Step 1 (-2) to Step 1 (-1) effective 8/12/94
Admin. Assist. to Leader I	Julie Simon	Step 2 to Step 3 effective 10/7/94
Senior Research Analyst	William Haigh	Step 1 (-1) to Step 1 effective 1/13/95
Journal Editor I to Journal Editor II	Teri Souer	Grade 22-3 to 25-2 effective 1/13/95
Research Analyst III	Carolann Jensen	Step 2 to Step 3 effective 3/10/95
Admin. Secretary to Leader	Mary Ann Peer	Step 5 to Step 6 effective 1/9/95
Executive Secretary to Leader	Vicki Davis	Step 2 to Step 4 effective 1/9/95
Research Assistant	L. Day Barnes	Step 1 to Step 2 effective 7/1/94
Caucus Secretary	Kristin Ripperger	Grade 21-1 effective 10/17/94
Bill Clerk	Jay Mosher	Step 1 to Step 2 effective 2/24/95
Admin. Sec. to the Secretary	Luann Randleman	Step 1 to Step 2 effective 1/13/95
Doorkeeper	Gaylord Parrish	Step 1 to Step 2 effective 2/24/95
Chief Doorkeeper	Ray Prosperi	Step 5 to Step 6 effective 2/24/95
Legislative Committee Secretary	Anne Black	Step 1 to Step 2 effective 3/24/95
Legislative Committee Secretary	Jean Cooper	Step 1 to Step 2 effective 3/24/95
Legislative Committee Secretary	Mary Gettings	Step 2 to Step 3 effective 1/9/95
Legislative Committee Secretary	Jo Ann Hanover	Step 4 to Step 5 effective 4/7/95
Legislative Secretary	Barbara Bennett	Step 3 to Step 4 effective 1/27/95
Legislative Secretary	Jane Hughes	Step 1 to Step 2 effective 2/24/95
Legislative Secretary	Kim Jensen	Step 1 to Step 2 effective 1/9/95

Legislative Secretary

Marilyn Rensink

Step 4 to Step 5
effective 3/24/95

WALLY E. HORN, Chair

AFTERNOON SESSION

The Senate reconvened at 1:32 p.m., President Boswell presiding.

COMMITTEE FROM THE HOUSE

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

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

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

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order at 1:40 p.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.

President Boswell announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 8, 1994, and announced as teller, on the part of the Senate, Senator Fink, and assistant tellers, Senators Halvorson and Rensink; and as teller, on the part of the House, Representative Dinkla, and assistant tellers, Representatives Cornelius and Larkin.

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

The Senate stood at ease at 1:42 p.m. until the fall of the gavel.

The Senate resumed session at 2:03 p.m., President Boswell presiding.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 8, 1994.

Representative Siegrist moved that the joint convention recess until 10:00 a.m., Tuesday, January 10, 1995.

The motion prevailed by a voice vote and the joint convention was recessed at 2:05 p.m.

The Senate returned to the Senate chamber and resumed regular session, Senator Fink presiding.

RECESS

On motion of Senator Judge, the Senate recessed at 2:05 p.m., until 3:00 p.m.

RECONVENED

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 48 present, 2 absent and a quorum present.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	1	Local Government
S.F.	2	Ways and Means
S.F.	3	State Government
S.F.	4	Judiciary
S.F.	5	State Government
S.F.	6	Judiciary
S.F.	7	Judiciary
S.F.	8	State Government
S.C.R.	1	Judiciary
S.C.R.	2	Rules and Administration

STUDY BILL RECEIVED

SSB 1 Education

Relating to the inclusion of school nurses and area education agency professionals in the educational excellence program and providing effective and retroactive applicability dates.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

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

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

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

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 4, a senate concurrent resolution relating to the compensation of employees of the central legislative staff agencies for the seventy-sixth general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTIONS

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

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

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

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

Senate Concurrent Resolution 4, a senate concurrent resolution relating to the compensation of employees of the central legislative staff agencies for the seventy-sixth general assembly.

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

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:12 p.m., until 9:00 a.m., Tuesday, January 10, 1995.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 10, 1995

The Senate met in regular session at 9:03 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 Monday, January 9, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 9, by Hansen, a bill for an act relating to the performance of duties of the office of recorder on abolition of the office and the filing of documents and providing an effective date and for retroactive applicability.

Read first time and passed on file.

Senate File 10, by Kibbie, a bill for an act relating to the appointment and senate confirmation of the executive director of the office of the state board of regents 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 45 present, 5 absent and a quorum present.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolutions 3 and 4.

Senate Concurrent Resolution 3

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

Senator Gronstal moved the adoption of Senate Concurrent Resolution 3.

A non record roll call was taken.

The ayes were 43, nays none.

The motion prevailed and the resolution was adopted.

Senate Concurrent Resolution 4

On motion of Senator Gronstal, Senate Concurrent Resolution 4, a concurrent resolution relating to the compensation of employees of the central legislative staff agencies for the seventy-sixth General Assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 4.

A non record roll call was taken.

The ayes were 47, nays none.

The motion prevailed and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolutions 3 and 4** be **immediately messaged** to the House.

The Senate stood at ease at 9:18 a.m. until the fall of the gavel.

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

INTRODUCTION OF BILLS

Senate File 11, by Priebe, a bill for an act relating to requiring good cause before a mobile home landlord may cancel a rental agreement.

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

Senate File 12, by Vilsack, a bill for an act relating to the enhancement of a sentence for a conviction of sexual assault which involves the knowing transmission of the human immunodeficiency virus.

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

Senate File 13, by Szymoniak, Bartz, Kramer, and Murphy, a bill for an act relating to the establishment of a decision-making process for prospective minor parents, providing penalties, and providing effective dates.

Read first time and assigned to the committee on **Human Resources**.

COMMITTEE FROM THE HOUSE

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

JOINT CONVENTION

The joint convention reconvened at 9:44 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 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, Flynn and Borlaug on the part of the Senate, and Representatives Gries, Cormack and Drees on the part of the House.

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

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

The following guests were escorted into the House chamber:

Lieutenant Governor Joy Corning; Secretary of State, Paul Pate; Treasurer of State, Michael Fitzgerald; Secretary of Agriculture, Dale Cochran; State Auditor, Richard Johnson; and Attorney General, Tom Miller.

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:

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

Before I begin this morning, I'd like to welcome all of the members of the General Assembly -- especially the new ones. I know what it's like to be in your place -- filled with energy, excitement, and a desire to go to work. I once sat where you are sitting and, today, I am even more energetic, more excited, and more willing to go to work for the people of this state than ever before.

For those of you expecting a challenging and exciting time, this is the year. I am offering a most ambitious legislative program and we will be grappling some of the biggest issues in years. Let us resolve here today that we will work side-by-side, freshman and veterans, Democrat and Republican, House and Senate, Legislature and Governor to set an agenda of progress and opportunity for the people of this great state.

Today, it is my job to report on the condition of our state and our plans for the future. The condition of the state is excellent. Our economy is robust; our communities are rebounding, and our families are resilient. The Iowa spirit is stronger than ever.

When the history books are written on this time in our state, they'll surely record that the year 1993 was the year of the Great Flood, and the year 1994 was the year of the Great Recovery in Iowa. That recovery from the mud, the devastation, the washed-away dreams was not only remarkable, it was truly incredible. And it truly represents one of the state's finest years.

Consider, for example, that:

Today, more Iowans are working than ever before in our history and our unemployment rate is half the national average.

Today, our economy is stronger and more diverse. Our bin busting crop was the biggest in history and it caused our farm exports to continue to rise. And, for the first time ever, we exported as much from our factories as we did from our farms.

Today, communities, large and small, are welcoming back the sons and daughters of Iowa who once left for better jobs and now are coming home to good jobs and strong families.

Today, Iowa students continue to score highest on their ACT and SAT scores.

Today, our state budget is in its best shape in 20 years. Last year, we spent 4.3% less than taken in -- the best record of all fifty states.

This incredible story of recovery is worthy of button-popping pride. But we Iowans don't strut. We know this story was written only with God's help. We know that our record of recovery was made possible by sticking to the core values that make us special.

Growing up in Iowa, we were taught certain qualities which are good and right: a solid work ethic, honesty, a belief in God, and a commitment to public service. We may not have known it back then, but those things our parents and teachers instilled in us comprise the heart of what it means to be an Iowan. And it is those values that turned a flood into a recovery.

Our Iowa spirit and values have been tested more in the past decade than ever before. Whether it be a farm crisis, natural disaster, or budget problems, Iowans have met and passed those tests. We made it through the hard times with our state and our character intact and stronger than ever.

Today, we are over the hump. The journey we are on is no longer merely one of recovery. We must now choose a path to progress and opportunity.

Will Rogers once said, "Even if you're on the right track, you'll get run over if you just sit there." I firmly believe that if the progress and opportunities we are experiencing are to continue, we have to do more than just take the path -- we have to keep moving and pick up the pace.

1994 was a year when Iowa was engaged in a vigorous debate over the course of their future. Out of all the sound and the fury of that long, political campaign came a few unmistakable messages from Iowans.

Iowans want government to tax less and do only what it must do better.

Iowans want better quality jobs and the highest standard of living in our state's history.

Iowans want welfare to mean work and responsibility and not dependence.

Iowans want to feel safer in their homes and in their communities.

Iowans want the best education system in the world for their children.

In 1994, the people of Iowa spoke -- less government, lower taxes, better reformed welfare, safe communities, the best education -- that is their message.

Now, here in 1995, it is our job to govern accordingly.

And that is exactly what I plan to do. The budget and program I am presenting to you mirrors these goals and will help make this -- the 1990's -- Iowa's best decade ever.

First, we must cut taxes. Iowa families and business pay too much in income and property taxes to government and keep too little of their hard earned money to help our economy grow. Our state income tax is too high -- it drives people out of our state. Our property taxes are too high -- they burden investment, job creation, agricultural production, and home ownership. Income and property must be cut.

With the condition of our budget, there is no state in the nation that is better positioned to reduce the tax burden on its citizens than we are today. And, there is no reason why we should not act now.

I am proposing an across-the-board 15% cut in income tax rates for all Iowa taxpayers. This will make our state more competitive. The facts show that the states that cut income taxes experience greater economic growth than those that do not.

We can never forget that the money which may look like a line on a budget is the hard-earned income of hard-working Iowans. The best opportunity we can provide and the best incentive for progress is to let the people of Iowa take home more in their paycheck.

Property taxes must also be reduced. We will do that by controlling mental health care costs and by having the state pick up a bigger share. To ensure taxpayers that this will be translated into lower property taxes, we should require that additional state aid to counties be met dollar-for-dollar with property tax reductions.

One of the best ways to control taxes in the future is to pass the Taxpayers Rights Amendment to the Iowa Constitution. This measure will give citizens greater control over their taxes and will force government to live within its means.

Second, we must attract better paying jobs to Iowa.

Iowa is one of the few states in the Midwest to tax investment in machinery and equipment that is needed for high-paying manufacturing jobs. We must begin eliminate the property tax on all machinery and equipment this year. The plan I am recommending will eliminate the tax over the next six years, reimbursing local governments for any lost revenue.

We need to give small businesses the advantages of the single-factor formula and modify the sales tax on printing supplies to make us more competitive. These changes will lead to additional progress and opportunity and will have a lasting effect on the economic development of our state.

Our new tourism slogan, "Iowa, You Make Me Smile," captures our pride in Iowa. By sharing Iowa's treasures, we have made tourism into our third largest industry.

Just a week ago, the Des Moines Register declared 1995 to be the "Year of Iowa". With our sesquicentennial just around the corner in 1996, our state parks rating their 75th anniversary this year, and the soon to be released movie, The Bridges of Madison County, we have a golden opportunity to showcase our state and really show the world what Iowa has to offer.

The strength of many of our communities depends on our farmers' success. The passage of NAFTA and GATT present unparalleled opportunities for Iowa farmers. But Iowa farmers also face major challenges. The livestock industry is changing rapidly and we must help our family farmers compete. Last year alone, Iowa lost 18% of its swine breeding stock. We cannot, we must not, we will not lose the livestock industry in Iowa. We must act responsibly this year to make sure of that.

I am recommending an ambitious livestock incentive, which will provide a property tax credit targeted to help our family farms. Our livestock initiative is designed to help our farmers modernize and to make them more competitive while protecting the environment.

Value-added products are the future of Iowa agriculture and we need to recognize that greater world trade opportunities lie in the sale of finished products. Iowa Quality Meats and exciting new products made from corn and soybeans are being shipped to all parts of the world. By developing new markets and uses for our agricultural products, we are strengthening the future of family farmers.

Third, we must make Iowa safer. Over the past few years the specter of violent crimes has frightened and touched too many Iowans. The heinous crimes we all heard about over the past year must stop. Although our crime rate is one of the lowest in the country, every tragic crime sends a ripple through this state -- a shockwave of uncertainty. We must act now to make certain that the seeds of violent crime that have been sown throughout the country do not take root here in Iowa. Iowa must be a safe place.

Iowa is one of a shrinking number of states that has no death penalty under any circumstances. I believe we need to restore the death penalty for serial killers, lifers who kill again, and rapists or kidnappers who murder their victims. An overwhelming majority of Iowans support this action and they should no longer be ignored.

No criminal should go free because we are short of prison space. The state is building a new 750 bed prison and I am recommending we add another 750 bed prison this year. Even though we may not be able to repeat the bargain we got with the Clarinda prison, we should see to it that we get the most for our money again.

When a violent criminal is given a sentence, they should serve their time. Parole for the most violent criminals should be eliminated to keep hardened criminals in prison and out of our communities.

One of the most frightening trends in Iowa and throughout the nation is the dramatic increase in crimes committed by juveniles. Juveniles who commit adult crimes should be tried as adults. We need to take a "tough love" approach that holds them accountable for their actions.

Taking a gun to school should be a felony and anyone convicted should lose their firearms rights for life. School officials and teachers should be given the authority they need to maintain discipline and order. To do that, it's time to get rid of the 24-hour notice for locker searches.

New options in the prevention of juvenile crime must also be explored. I am recommending the establishment of a truancy pilot project. Kids that fail to live by the rules in school or at home need a more structured environment where they learn the meanings of respect and responsibility.

Fourth, we must continue to reform our welfare system to make it work even harder. Iowa has been at the forefront in welfare reform. Our emphasis is on making work pay, and today we have more welfare recipients working than any other state in the nation.

We must strengthen our emphasis on work and accountability that reinforce our Iowa values. Welfare should not promote dependency or divide families. Our family investment policy is designed to instill the values of hard work, parental responsibility, and self-sufficiency to those in need.

We can develop a strong work ethic by encouraging teens, whose families receive public assistance, to work. If a teenager is in the full-time pursuit of a high school diploma, any earnings from a part-time job should not cause his or her family's assistance to be reduced. Young people need to learn that work is a good thing.

Parental responsibility is something young people must have instilled in them at an early age. Teenage parents should be required to attend parenting classes and live with their parents. Kids who have kids don't have the experience of life to guide them through the challenges of parenthood. All teenage parents should

be required to pay some child support -- regardless of their circumstances. We cannot continue to reward irresponsibility.

One of the greatest tragedies of modern America is the number of teenage parents who do not finish high school. And there is too much of that here in Iowa, too. We should require parents who are under 18 and receiving welfare to either have completed high school or be in the fulltime pursuit of their diploma. A high school education is essential to the teenage parent's future and the future of their children.

Fifth, we must give our children the best education in the world. The foundation of all future progress and opportunities lies in our historic commitment to the education of our children. Iowa's first in the nation schools, dedicate teachers, and involved parents and communities have made education a great source of pride for the people of this state.

Through the farm crisis and all of the challenges we faced in the 1980's, we always found the resources for our schools. While 48 of the 50 states lessen their commitment to education during that time, we, here in Iowa, held firm.

The budget I will present to you continues that commitment. Education will receive an increasing share of our resources.

In addition, to allowable growth in school budgets, I am proposing a School Improvement Program. This innovative program will add an additional \$15 million a year for the next four years in state aid to local schools. I believe that with additional resources and the flexibility they need, our schools can compete with the best in the world.

We are the best in the nation. But we can't rest on our laurels; now we must become the best in the world.

Last month, Newsweek magazine carried an article about the Iowa Communications Network entitled, "We've Seen the Future. It's in Iowa." This year, 100,000 hours of two-way interactive classes will be conducted using ICN. The investment we made in ICN several years ago is one that is benefiting Iowa's schoolchildren today and whose benefits will be shown most clearly through the next generation of Iowans. The next step is to route the information superhighway to every school district in this state.

Iowans have a great deal of pride in the quality and diversity of our higher education. Iowa ranks in the top ten in the nation for state support of higher education. Our state universities, community colleges and independent colleges and universities are great assets in dozens of communities throughout the state and they provide Iowans of all ages and backgrounds with the opportunity to reach their full potential.

A national magazine recently rated the University of Iowa and Iowa State University among the fifty best buys in public higher education. The University of Northern Iowa was rated as the most efficient university in the Midwest and the safest campus community in the nation. Competitive salaries for faculty have

helped to attract some of the world's brightest minds so that Iowans are getting an excellent higher education at a reasonable price.

Iowa's independent colleges and universities attract students from Iowa and out-of-state. Seventy percent of those students remain in our state to live and work. With the increase I am recommending in the Iowa Tuition Grant, more Iowa kids will have access to the Iowa college or university of their choice.

Iowa's community colleges have become key partners in both our education and economic development strategy. They have proven to be an invaluable resource in technology and job training as well as lifelong learning.

There are other key action steps that I am asking you to take in this ambitious agenda for Iowa's future. We should improve access to affordable health care by:

Allowing farmers and other self-employed Iowans to deduct all of their health insurance premiums on both their federal and state income taxes;

Reforming our medical insurance malpractice system to reduce costs by preventing unnecessary lawsuits and capping certain damage awards; and

Putting a safety net in place so that all Iowans are assured access to a standard insurance policy at an affordable price.

Our ethics and campaign finance disclosure laws also need to be strengthened requiring state officials to make a full financial disclosure and limiting the size of contributions from special interest PACs and individuals. And, anyone who is being compensated to influence public policy should be required to register as a lobbyist and disclose all compensation received.

The condition of the State of Iowa in 1995 is strong and getting stronger. The Reverend Robert Schuller, a native of Sioux County, says that tough times last, but tough people do. That certainly describes Iowa in the 1980's. Those tough times didn't last, but the tough people of Iowa did.

And in 1994 those people spoke. We, as their servants must respond in 1995. We must cut taxes, reduce the size of state government, help create better jobs, crack down on criminals, reform welfare, and give our children the best education in the world. That is our mission for 1995 -that is our agenda for the future.

Remember the warning given by the American philosopher, George Santayana:

"Those who cannot remember the past are condemned to repeat it."

In the past, there were those who put government first and the people second. We must put Iowa families first in our minds, in our hearts, and in our actions.

As your Governor, I plan to focus all of my energies, all of my efforts, on getting this job done. This is no time for politics; it is time for, governing for the good of our people.

I pledge to work with you, all of you, and to seek your help to get the job done. But I want you to know, I will call them as I see them, unencumbered by any interest, except a burning desire to make Iowa the best it can be.

1995 offers us a time of unprecedented opportunity to make these years the glory years in Iowa. As we approach the 150th birthday of our state, let no one ever say that we let that opportunity slip through our fingers.

As certain as the sun rises in the East, Iowa is destined to shine among all the states in the heartland of this great nation. With your help and the help of all Iowans, I will do my best to guide Iowa to its destiny. These can and will be Iowa's greatest years.

Thank you. God Bless you and God bless the State of Iowa.

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

On motion of Representative Seigrist, the joint convention recessed at 10:33 a.m. until 8:45 a.m., Friday, January 13, 1995, at Veterans Memorial Auditorium.

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

RECESS

On motion of Senator Flynn, the Senate recessed at 10:45 a.m., until 1:15 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 3, your committee on Rules and Administration submits the following names of officers and employees of the Senate for the Seventy-sixth General Assembly, 1995 Session, and their respective classifications, grades and steps:

		Class	Grade	Step
Secretary of the Senate	John F. Dwyer	P-FT	\$60,382.40 annual	
Assistant Secretary of the Senate III	Cynthia A. Clingan	P-FT	38	4
Sr. Caucus Staff Director	Debbie O'Leary	P-FT	41	-1
Sr. Administrative Assistant to Majority Leader	Gregory Nichols	P-FT	38	5
Administrative Assistant to Minority Leader II	Stephanie Laudner	P-FT	32	2
Administrative Assistant to President II	John Cacciatore	P-FT	32	2
Administrative Assistant to Leader I	Julie Simon	P-FT	29	3
Sr. Legislative Research Analyst	William Haigh	P-FT	38	1
Sr. Legislative Research Analyst	James Boose	P-FT	38	2
Legislative Research Analyst III	Theresa Kehoe	P-FT	35	3
Legislative Research Analyst III	Steve T. Conway	P-FT	35	3
Legislative Research Analyst III	Suzanne Johnson	P-FT	35	3
Legislative Research Analyst III	Randy Bauer	P-FT	35	2
Legislative Research Analyst III	Carolann Jensen	P-FT	35	3
Legislative Research Analyst II	Curt Stamp	P-FT	32	2
Legislative Research Analyst II	Ann Molis	P-FT	32	2
Legislative Research Analyst II	Robyn Mills	P-FT	32	2
Legislative Research Analyst	Linda Santi	P-FT	27	3
Research Assistant	L. Day Barnes	P-FT	24	2
Caucus Secretary	Mary Bustad	P-FT	21	6
Caucus Secretary	Kristin Ripperger	P-FT	21	1

Executive Secretary to Minority Leader	Vicki Davis	E-FT	24	4
Administrative Secretary to the President	Mary Ann Peer	E-FT	21	6
Administrative Secretary to the Secretary	LuAnn Randelman	S-O	21	1
Confidential Secretary to Secretary	Lori Bristol	P-FT	27	4
Senior Journal Editor	C.J. Kelly	P-FT	30	6
Journal Editor II	Teri Souer	P-FT	25	2
Assistant to Legal Counsel	Lois Brownell	S-O	19	1
Senior Finance Officer	Linda Laurenzo	P-FT	31	2
Assistant Finance Officer	Nancy Gibson	P-FT	21	6
Recording Clerk	Madonna Hauge	S-O	21	1
Journal Recording Clerk	Linda Morrow	S-O	21	2
Indexer II	Caryll Wilbur	P-FT	25	6
Indexing Assistant	Kathleen Curoe	P-FT	19	5
Records and Supply Clerk	Mary Buban	S-O	18	6
Switchboard Operator	Charles Stessman	S-O	14	1
Switchboard Operator	Kimberly Russell	S-O	14	1
Legislative Secretary	Mary Lou Aspengren	S-O	16	1
Legislative Secretary	Carla Banks	S-O	16	2
Legislative Secretary	Barbara Bennett	S-O	16	3
Legislative Secretary	Susan Cowden	S-O	16	1
Legislative Secretary	Valerie Hansen	S-O	16	1
Legislative Secretary	Jane Hughes	S-O	16	1
Legislative Secretary	Alleen Hedge	S-O	18	3
Legislative Secretary	Kim Jensen	S-O	16	2
Legislative Secretary	Myrtle Jensen	S-O	16	4
Legislative Secretary	Jeanine Iverson	S-O	16	2
Legislative Secretary	Sue Jennings	S-O	16	3+2
Legislative Secretary	Gay Leverich	S-O	16	5+2
Legislative Secretary	Kaye Lozier	S-O	18	2
Legislative Secretary	Clare Kelly	S-O	16	1
Legislative Secretary	Marlene Martens	S-O	16	1
Legislative Secretary	Carole Peterson	S-O	18	4+2
Legislative Secretary	Jason Rensink	S-O	17	2
Legislative Secretary	Marilyn Rensink	S-O	16	4+2
Legislative Secretary	Paige Roberson	S-O	18	1
Legislative Secretary	Diane Schrage	S-O	16	2
Legislative Secretary	Janette Weber	S-O	18	1
Legislative Secretary	Betty Wise	S-O	17	6+2
Legislative Secretary	Beverly Zieman	S-O	16	2
Legislative Committee Secretary	Eleanor Barnhill	S-O	18	2
Legislative Committee Secretary	Holly Armstrong	S-O	18	1
Legislative Committee Secretary	Anne Black	S-O	18	1
Legislative Committee Secretary	Jean Cooper	S-O	18	1
Legislative Committee Secretary	JoAnn Wengert	S-O	17	4
Legislative Committee Secretary	Faye Fraise	S-O	18	3
Legislative Committee Secretary	Scott Foval	S-O	18	1

Legislative Committee Secretary	Jean Goudy	S-O	18	4
Legislative Committee Secretary	Sally Gallagher	S-O	18	6+2
Legislative Committee Secretary	Mary Ann Gass	S-O	18	3
Legislative Committee Secretary	Mary Gettings	S-O	18	3
Legislative Committee Secretary	Glenda Gorsh	S-O	18	2
Legislative Committee Secretary	Jo Ann Hanover	S-O	18	4+2
Legislative Committee Secretary	Dorothy Husak	S-O	18	4
Legislative Committee Secretary	Brenda Huysler	S-O	18	3
Legislative Committee Secretary	Bob Halvorson	S-O	17	1
Legislative Committee Secretary	Kay Kibbie	S-O	18	2
Legislative Committee Secretary	Jeanne Heller	S-O	18	3+2
Legislative Committee Secretary	Mary Madsen	S-O	17	1
Legislative Committee Secretary	Machelle Shaffer	S-O	17	2+1
Legislative Committee Secretary	Barb Rogers	S-O	18	2
Legislative Committee Secretary	William Vens	S-O	18	1
Legislative Committee Secretary	Nancy Wayman	S-O	18	1
Legislative Committee Secretary	Jo Ann West	S-O	18	5+2
Bill Clerk	Jay Mosher	S-O	14	1
Postmaster	Eleanor Hesselting	S-O	12	3
Sergeant-at-Arms	William Krieg	S-O	17	3
Assistant Sergeant-at-Arms	Lynn Brandt	S-O	14	3
Chief Doorkeeper	Ray J. Prosperi	S-O	12	5
Doorkeeper	Svend Christensen	S-O	11	3
Doorkeeper	George Finkenauer	S-O	11	2
Doorkeeper	Arnold Boyum	S-O	11	2
Doorkeeper	Gaylard Parrish	S-O	11	1
Doorkeeper	Robert Langbehn	S-O	11	2
Doorkeeper	E.A. Samuelson	S-O	11	4
Page	Kate Agena	S-O		Minimum Wage
Page	Wendi Boxx	S-O		Minimum Wage
Page	Melissa Courtney	S-O		Minimum Wage
Page	Ben Dickerson	S-O		Minimum Wage
Page	Bill Grady	S-O		Minimum Wage
Page	Anna Halbur	S-O		Minimum Wage
Page	Autumn Heath	S-O		Minimum Wage
Page	Christine Ingraham	S-O		Minimum Wage
Page	Sarah Kueter	S-O		Minimum Wage
Page	Tony Lengeling	S-O		Minimum Wage
Page	Scott Peters	S-O		Minimum Wage
Page	Melissa Petersen	S-O		Minimum Wage
Page	Jonathan Rhyan	S-O		Minimum Wage
Page	Jeni Rickabaugh	S-O		Minimum Wage
Page	Carrie Schnieders	S-O		Minimum Wage
Page	Jessica Scholten	S-O		Minimum Wage
Page	Dana Schroeder	S-O		Minimum Wage
Page	Jill Van Wyk	S-O		Minimum Wage

WALLY E. HORN, Chair

**SENATE RULES AND ADMINISTRATION COMMITTEE
STANDING SUBCOMMITTEES, 76th GENERAL ASSEMBLY**

JOINT RULES

Horn, Chair
Bisignano
Boswell
Rife
Lind

JOINT PAY

Gronstal, Chair
Horn
Gettings
Kramer
Rife

SENATE RULES

Boswell, Chair
Gronstal
Horn
Rife
Kramer

NON-PARTISAN STAFF

Boswell, Chair
Horn
Kramer

PARTISAN STAFF

Horn, Chair
Husak
Rife

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: January 9, 1995, 9:05 a.m.

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

Members Absent: Gronstal.

Committee Business: Approved employment of session-only employees; granted access to floor by democratic and republican party staff.

Adjourned: 9:14 a.m.

RULES AND ADMINISTRATION

Convened: January 9, 1995, 2:10 p.m.

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

Members Absent: none.

Committee Business: Approved proposed committee resolutions relating to the senate rules, joint pay for house and senate employees and joint pay for central legislative staff agencies.

Adjourned: 2:45 p.m.

CERTIFICATE OF RECOGNITION

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

Tony Nemmers, Anamosa — Achieving the rank of Eagle Scout. Senator McKean (1-15-95).

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 1

APPROPRIATIONS: Boswell, Chair; Lind and Murphy

Senate File 4

JUDICIARY: Hammond, Chair; Boettger, Neuhauser, Redfern and Vilsack

Senate File 6

JUDICIARY: Neuhauser, Chair; Bartz, Drake, Szymoniak and Vilsack

Senate File 7

JUDICIARY: Vilsack, Chair; Boettger, Giannetto, Halvorson and Redfern

Senate File 13

HUMAN RESOURCES: Szymoniak, Chair; Bartz, Kramer and Vilsack

Senate Concurrent Resolution 1

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Hansen and Maddox.

STUDY BILLS RECEIVED

SSB 2 Education

Establishing the state percent of growth for the school budget

year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions.

SSB 3 Education

Relating to the expulsion of a student for bringing a weapon to school.

SSB 4 Local Government

Changing the name of the league of Iowa municipalities to the Iowa league of cities.

AFTERNOON SESSION

The Senate reconvened at 1:22 p.m., President pro tempore Bisignano 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 1:26 p.m., President pro tempore Bisignano 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 pro tempore Bisignano declared a quorum present and the joint convention duly organized.

Senator Horn moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Branstad to the State of the Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Dvorsky, Dearden and Bartz, on the part of the Senate, and Representatives Hanson, Warnstadt and Salton, 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 Giannetto, Gettings and Iverson, on the part of the Senate, and Representatives Hurley, Lamberti and Moreland, on the part of the House.

The following guests were escorted into the House chamber:

Secretary of State, Paul Pate; Treasurer of State, Michael Fitzgerald; Secretary of Agriculture, Dale Cochran; State Auditor, Richard Johnson; and Attorney General, Tom Miller.

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

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

The Justices of the Supreme Court, Chief Judge Donielson and the Judges of the Court of Appeals, and the Chief Judges of the state's judicial districts were escorted into the House chamber.

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

President pro tempore Bisignano then presented Chief Justice McGiverin who delivered the following State of the Judiciary Message:

MR. PRESIDENT, MR. SPEAKER, GOVERNOR, MEMBERS OF THE GENERAL ASSEMBLY, STATE OFFICIALS, JUDICIAL COLLEAGUES, AND FRIENDS:

THANK YOU FOR THE INVITATION TO SPEAK HERE TODAY. WE ARE HONORED BY THE OPPORTUNITY TO VISIT WITH YOU EACH YEAR ABOUT IOWA'S COURT SYSTEM. THIS REPORT HAS BECOME A TRADITION AND IS A SIGN OF THE COOPERATION AND RESPECT BETWEEN IOWA'S LEGISLATIVE AND JUDICIAL BRANCHES OF GOVERNMENT.

ON BEHALF OF THE SUPREME COURT, I WANT TO EXTEND A WARM WELCOME TO THE NEW LEGISLATORS. IF ANY OF YOU ARE NOT FAMILIAR WITH THE OPERATION OF THE COURT SYSTEM, I HOPE YOU WILL TAKE SOME TIME TO BECOME ACQUAINTED WITH IT. THE BEST PLACE TO START IS IN YOUR LOCAL COMMUNITIES. PLEASE VISIT YOUR LOCAL COURTHOUSE. OUR JUDGES AND STAFF WILL BE

HAPPY TO FULLY ACQUAINT YOU WITH THE OPERATION OF THE COURT IN YOUR AREA.

I WANT TO TAKE A MOMENT TO ACKNOWLEDGE SOME OF THE MEMBERS OF THE JUDICIARY WHO ARE PRESENT. WE HAVE WITH US THE IOWA COURT OF APPEALS, INCLUDING ITS NEWEST MEMBERS, JUDGE MARK CADY AND JUDGE TERRY HUITINK. OUR COURT OF APPEALS CONTINUES TO PLAY A CRUCIAL ROLE, DECIDING A LARGE VOLUME OF CASES EACH YEAR. WE AGAIN COMMEND THEM. ALSO PRESENT ARE THE CHIEF JUDGES OF IOWA'S EIGHT JUDICIAL DISTRICTS. THEY ARE RESPONSIBLE FOR SUPERVISING THE JUDGES AND COURT EMPLOYEES WITHIN EACH DISTRICT. IN ADDITION TO THEIR LEADERSHIP ROLE, THEY ALSO DEAL WITH A STAGGERING INDIVIDUAL CASELOAD.

ALTHOUGH THE MAIN FOCUS OF THESE REMARKS WILL BE THE CONDITION OF THE JUDICIARY'S PRIMARY FUNCTION - DECIDING CASES, I WOULD LIKE TO FIRST MENTION THE PROGRESS WE HAVE MADE ON SOME OTHER IMPORTANT ISSUES OVER THIS PAST YEAR.

FOUR YEARS AGO, WITH FUNDS YOU APPROPRIATED, THE SUPREME COURT ESTABLISHED THE EQUALITY IN THE COURTS TASK FORCE, CHAIRED BY CHIEF JUDGE JAMES HAVERCAMP. ITS PURPOSE WAS TO INVESTIGATE ANY RACE AND GENDER BIAS IN THE COURT SYSTEM. IN 1992, THE TASK FORCE REPORTED ITS FINDINGS, AND OFFERED RECOMMENDATIONS OF WAYS TO HELP ELIMINATE BIAS WHICH MAY Demean COURT PARTICIPANTS OR POSE A THREAT TO EQUAL TREATMENT. OUR COURT HAS EXHAUSTIVELY CONSIDERED EACH RECOMMENDATION OF THE TASK FORCE AND TAKEN APPROPRIATE ACTION. ATTACHED TO MY MESSAGE IS A BRIEF SUMMARY OF THOSE EFFORTS.

WE HAVE ALSO UNDERTAKEN A DETAILED STUDY OF DOMESTIC ABUSE IN IOWA. BECAUSE OUR TRADITIONAL LEGAL PROCEDURES ARE OFTEN NOT DESIGNED TO DEAL WITH THE SPECIAL PROBLEMS POSED BY THESE INSIDIOUS ACTS, WE ESTABLISHED A TASK FORCE TO EXPLORE THIS SUBJECT. IN DOING SO, WE SOLICITED OTHER GROUPS TO HELP THE COURTS RESPOND TO DOMESTIC VIOLENCE. OUR DOMESTIC ABUSE TASK FORCE, CO-CHAIRRED BY JUDGE CADY AND LINDA MCGUIRE, HAS PREPARED A COMPREHENSIVE REPORT WITH RECOMMENDATIONS FOR IMPROVEMENTS IN A WIDE-RANGE OF AREAS.

THE REPORT SETS OUT WAYS IN WHICH GOVERNMENT AND SOCIETY CAN WORK TOGETHER TO RESPOND MORE EFFECTIVELY TO DOMESTIC VIOLENCE. WE HAVE BEGUN TO IMPLEMENT THOSE RECOMMENDATIONS WHICH CALL FOR COURT ACTION. THE REPORT ALSO CONTAINS A NUMBER OF PROPOSED LEGISLATIVE CHANGES WHICH WE ENCOURAGE YOU TO REVIEW. BECAUSE MANY OF THE

PROPOSALS ARE OUTSIDE OUR AUTHORITY, WE FORWARD THEM TO YOU, CONFIDENT THAT YOU WILL TAKE APPROPRIATE ACTION.

THE COURTS CAN SET AN EXAMPLE FOR THE REST OF THE COMMUNITY BY RECOGNIZING THE IMPORTANCE OF STOPPING DOMESTIC VIOLENCE. WE CHALLENGE OTHERS TO JOIN US IN BRINGING AN END TO THIS SCOURGE.

ON ANOTHER MATTER, THE SUPREME COURT HAS RECENTLY INITIATED A LONG-RANGE STRATEGIC PLANNING PROCESS. THIS EFFORT WILL INCLUDE AN EXAMINATION OF SOCIAL, ECONOMIC, POLITICAL AND TECHNOLOGICAL TRENDS, AND AN ASSESSMENT OF CURRENT AND FUTURE ISSUES CONFRONTING THE COURTS. THIS EFFORT WILL PROVIDE US WITH A FOUNDATION FOR FACING UP TO THE DEMANDS OF THE FUTURE. AS THAT BASEBALL SAGE, YOGI BERRA, ONCE WISELY PUT IT, "YOU'VE GOT TO BE CAREFUL IF YOU DON'T KNOW WHERE YOU ARE GOING, BECAUSE YOU MIGHT NOT GET THERE!"

WE HAVE ATTEMPTED THROUGH THESE STUDIES BOTH TO ADDRESS ANY OF OUR SHORTCOMINGS AND TO PLAN FOR OUR FUTURE. ONLY WITH YOUR ASSISTANCE CAN WE OVERCOME OUR MOST IMMEDIATE PROBLEM -- MEETING THE PUBLIC'S EXPECTATIONS FOR JUSTICE WHEN THE HIGH DEMAND EXCEEDS OUR RESOURCES.

MORE THAN AT ANY TIME IN THE HISTORY OF OUR STATE, THE PEOPLE OF IOWA ARE TURNING TO THE COURTS FOR HELP. PEOPLE SUCH AS:

- THE PERMANENTLY INJURED TRUCK DRIVER SEEKING JUDICIAL REVIEW OF A WORKER'S COMPENSATION AWARD,
- THE DIVORCED PARENTS OF TWO LITTLE GIRLS FIGHTING OVER CUSTODY OF THE CHILDREN, AND
- THE SEVEN-YEAR-OLD GIRL WHO NEEDS PROTECTION FROM SEXUAL ABUSE BY HER MOTHER'S LIVE-IN BOYFRIEND.

THE NUMBER OF CASES COMING TO THE COURTS IS AT AN ALL-TIME HIGH. THE SOARING CASELOAD IS ATTRIBUTABLE, IN PART, TO INCREASES IN THE MOST DIFFICULT TYPES OF CASES: CRIMINAL, JUVENILE, AND DOMESTIC ABUSE. THESE CASES, WHICH DEMAND OUR BEST AND MOST CAREFUL EFFORTS, CONSUME THE GREATEST PART OF OUR COURT TIME. RATHER THAN RECITE STATISTICS NOW, I HOPE YOU WILL REVIEW THE INFORMATION PROVIDED WITH THESE REMARKS.

CRIMINAL CASES HAVE ALL BUT HIJACKED THE COURTS' DOCKET. FILINGS IN MAJOR CRIMINAL CASES, WHICH HAVE SHOT UP 92% SINCE 1984, NOW OUTNUMBER CIVIL FILINGS AND THE GAP IS WIDENING. CONSTITUTIONAL AND STATUTORY SPEEDY TRIAL REQUIREMENTS

GIVE CRIMINAL CASES PRIORITY TO THE TIME AVAILABLE TO THE COURTS. WITHOUT ADDITIONAL PERSONNEL, WE SOON MAY BE FACING UP TO THE PROSPECT OF DEVOTING ALL, OR NEARLY ALL, OF OUR JUDICIAL RESOURCES TO CRIMINAL CASES.

WE CAN ONLY SPECULATE ABOUT WHAT'S BEHIND THIS SHIFT. BUT AS YOU ALL KNOW, PEOPLE ARE FRUSTRATED WITH CRIME. VICTIMS JUSTLY DEMAND THEIR DAY IN COURT AND A FRIGHTENED PUBLIC CRIES OUT FOR SWIFT PUNISHMENT OF CRIMINALS.

IN RESPONSE TO THESE CALLS, MORE LAWS ARE PASSED AND LAW ENFORCEMENT EFFORTS ARE EXPANDED. AS A RESULT, MORE AND MORE CASES POUR INTO THE COURT SYSTEM.

SOME OF OUR COURTS ARE SO BUSY WITH CRIMINAL CASES THAT THE WHEELS OF JUSTICE ARE SPINNING OUT OF CONTROL. PLEASE LISTEN TO THIS DESCRIPTION OF ONE OF THE BUSIEST COURTS IN IOWA, "JAIL COURT" IN POLK COUNTY. EACH DAY IN A CROWDED ROOM IN THE POLK COUNTY JAIL ONE DISTRICT ASSOCIATE JUDGE PRESIDES OVER THE HEARINGS OF PEOPLE ARRESTED AND DETAINED THE PREVIOUS NIGHT. THE LONG PROCESSION OF DEFENDANTS BEGINS EARLY IN THE MORNING AND LASTS ALL DAY. ON A TYPICAL DAY, THE JUDGE CONSIDERS THE CASES OF NINETY PRISONERS. THERE IS NOT THE LUXURY OF TAKING TIME TO MAKE A DECISION BASED UPON A THOROUGH INVESTIGATION. PEOPLE MUST BE RUSHED THROUGH TO MAKE ROOM IN THE JAIL FOR THE NEXT NIGHT AND ALSO TO MEET CONSTITUTIONAL REQUIREMENTS. IN THIS ENVIRONMENT THERE IS A TENDENCY FOR CORNERS TO BE CUT AND DEALS TO BE MADE. DECISIONS MUST BE QUICKLY RENDERED.

SWIFT COURT ACTION IS ONE OF THE MOST EFFECTIVE DETERRENTS TO CRIME. BUT AS SOMEONE ONCE SAID, "JUSTICE DELAYED IS JUSTICE DENIED. BUT JUSTICE RUSHED IS JUST AS BAD." WHEN WE ARE FORCED, BECAUSE OF LIMITED RESOURCES, TO PUSH CASES THROUGH THE SYSTEM TOO QUICKLY, THE FASTEST DISPOSITION METHOD IS PLEA BARGAINING, WHICH AS YOU KNOW RESULTS SOMETIMES IN POOR RESULTS. WE WOULD PREFER A CLIMATE THAT DISCOURAGES DEAL MAKING AND RETURN TO A PROCESS BY WHICH OUTCOMES ARE NOT DRIVEN BY AN OVERLY CROWDED COURT DOCKET.

THE GROWING NUMBER OF CHILDREN WITH SERIOUS LEGAL NEEDS IS OVERWHELMING OUR JUVENILE COURTS. THIS YEAR ESPECIALLY THERE HAVE BEEN MANY DISTURBING REPORTS OF VIOLENT CRIMES COMMITTED BY JUVENILES. WHILE PUBLIC ATTENTION HAS BEEN FOCUSED ON VIOLENT JUVENILES, LET'S NOT FORGET THE THOUSANDS OF CHILDREN IN THE COURT SYSTEM WHO ARE THEMSELVES VICTIMS OF VIOLENCE, ABUSE AND NEGLECT.

OFTEN TIMES, THESE CHILDREN DEPEND ON THE COURTS TO HELP PUT THE PIECES OF THEIR LIVES BACK TOGETHER.

DOMESTIC VIOLENCE CASES ARE INCREASING FASTER THAN ALL OTHERS. THE NUMBER OF REPORTED DOMESTIC ABUSE CASES HAS SOARED SINCE THE CREATION OF LAWS WHICH MAKE IT EASIER FOR SURVIVORS OF DOMESTIC VIOLENCE TO GET PROTECTION FROM THE COURTS. EVEN THOUGH WE HAVE MADE THESE CASES A PRIORITY, WE ARE NOT EQUIPPED TO PROVIDE EACH VICTIM SEEKING EMERGENCY PROTECTIVE ORDERS WITH THE IMMEDIATE ATTENTION THEY DESERVE. MOST OF THE RURAL COUNTIES IN IOWA ONLY HAVE A DISTRICT COURT JUDGE AVAILABLE ONCE EVERY TWO WEEKS.

THE BUSIER COURTS HAVE DEDICATED SPECIFIC DAYS OR TIMES FOR DOMESTIC ABUSE HEARINGS. FOR INSTANCE, IN SCOTT COUNTY, THE ASSIGNMENT JUDGE SPENDS TWO OR MORE HOURS A DAY REVIEWING INITIAL REQUESTS FOR PROTECTIVE ORDERS. EACH FRIDAY AFTERNOON IS RESERVED FOR HEARINGS FOR PERMANENT PROTECTIVE ORDERS. DURING THAT TIME, MOST OF THE DISTRICT COURT JUDGES ARE BUSY HEARING THE CASES OF PEOPLE, USUALLY WOMEN, ABUSED BY THEIR COMPANIONS. WOMEN -- SUCH AS THE MOTHER OF THREE YOUNG CHILDREN WHOSE LIVE-IN BOYFRIEND THREATENED TO SHOOT HER AND HER CHILDREN. HER HASTILY SCRIBBLED PETITION INCLUDED THE PLEA, "PLEASE JUDGE, HELP ME." SHE WAS ONE OF THE DOZENS OF VICTIMS WAITING IN LINE TO GET A PROTECTIVE ORDER FROM THE COURT THAT DAY.

ON ONE FRIDAY AFTERNOON LAST MONTH, FIVE OF THE SIX DISTRICT COURT JUDGES IN THE SAME COUNTY WERE ASSIGNED TO HEAR THIRTY-TWO CASES. EACH WAS ENORMOUSLY IMPORTANT AND EACH HELD THE POTENTIAL TO CONSUME SEVERAL HOURS OF COURT TIME.

CRIMINAL, JUVENILE, AND DOMESTIC ABUSE CASES RECEIVE PRIORITY STATUS. NOT ALL CASES CAN BE A PRIORITY. CONSEQUENTLY, MANY PEOPLE WITH OTHER KINDS OF SERIOUS PROBLEMS MUST WAIT FOR THEIR DAY IN COURT.

LAST MARCH I RECEIVED A LETTER FROM AN IOWA CITY ATTORNEY WHO WAS REPRESENTING A MOTHER OF TWO YOUNG CHILDREN IN AN ACTION FOR DISSOLUTION OF MARRIAGE. THE CASE HAD BEEN PENDING FOR SOME TIME. THE LAWYER WROTE, "FOR THE SECOND TIME IN THE LAST THREE MONTHS, I HAVE HAD THE DECIDEDLY UNPLEASANT TASK OF HAVING TO TELL (MY CLIENT) THAT THE TRIAL OF HER DISSOLUTION CASE COULD NOT GO FORWARD." AT THE TIME OF THE LETTER, THE CASE HAD JUST BEEN "BUMPED" AGAIN FROM THE TRIAL SCHEDULE BECAUSE OF OTHER PRIORITY MATTERS THAT HAD TO BE HEARD BY THE COURT.

I WISH I COULD SAY THAT THIS MOTHER'S DIFFICULTY IN GETTING A TRIAL IS UNUSUAL -- BUT I CANNOT. THE NUMBER OF CRIMINAL AND DOMESTIC ABUSE CASES HAVE THE DISTRICT COURT CALENDAR SO OVERWHELMED THAT EVERYTHING ELSE IS BEING SET FOR HEARING FURTHER AND FURTHER IN THE FUTURE.

I SUGGEST THAT THE LENGTH OF TIME IT TAKES FOR CIVIL CASES TO GET THROUGH THE SYSTEM MAY DISCOURAGE PEOPLE FROM USING THE COURTS TO RESOLVE THEIR DISPUTES AND FORCE THEM TO ACCEPT RESULTS OR SETTLEMENTS THEY OTHERWISE WOULD NOT ACCEPT IF THEY COULD GET A REASONABLY PROMPT HEARING.

YOU MAY BE WONDERING HOW WE ARE KEEPING UP TO THE EXTENT THAT WE ARE. OUR JUDGES AND STAFF ARE MOVING MORE CASES FASTER THAN EVER. ON THE AVERAGE, TODAY'S DISTRICT COURT JUDGE DISPOSES OF 36 PERCENT MORE CASES THAN IN 1984. AT THE SAME TIME, THE NUMBER OF DISPOSITIONS PER DISTRICT ASSOCIATE JUDGE MUSHROOMED 86 PERCENT. PARENTHETICALLY, THE NUMBER OF MATTERS HEARD BY EACH PART-TIME MAGISTRATE JUMPED 47 PERCENT.

THE MAJOR INCREASES IN THE BUSINESS OF THE COURTS HAVE HAD A DRAMATIC IMPACT ON THE AMOUNT OF TIME ALLOTTED TO EACH CASE. EFFICIENCY MEASURES AND AGGRESSIVE CASE MANAGEMENT CAN ONLY GO SO FAR, BECAUSE EVEN THE MOST PRODUCTIVE JUDGE CAN ONLY CAREFULLY DECIDE SO MANY CASES EACH DAY. THERE COMES A POINT WHERE EITHER QUALITY IS DIMINISHED OR PRODUCTIVITY DROPS.

A MORE IMPORTANT CONCERN, IN ADDITION TO THE NUMBERS OF CASES FLOWING THROUGH THE SYSTEM, IS THE QUALITY OF SERVICE. UNDER THE CIRCUMSTANCES, YOU NEED TO ASK IF YOUR CONSTITUENTS ARE GETTING THE JUSTICE SYSTEM THEY NEED, THE JUSTICE SYSTEM THEY EXPECT, THE JUSTICE SYSTEM THEY DESERVE. I WOULD SUGGEST THAT OUR JUDGES PRESENTLY MUST TAKE AN APPROACH ANALOGOUS TO A COMBAT SURGEON, WHOSE MAIN ROLE IS TO ADDRESS LIFE THREATENING ISSUES AS QUICKLY AS POSSIBLE WITHOUT TIME FOR CONCERN ABOUT SCARS OR THE EMOTIONAL TRAUMA OF THE WOUNDED.

THE PEOPLE OF IOWA DESERVE BETTER.

TO PROVIDE THE HIGHEST QUALITY OF JUSTICE WE NEED MORE RESOURCES. TO BE MORE SPECIFIC WE NEED:

- MORE DISTRICT COURT JUDGES;
- MORE DISTRICT ASSOCIATE JUDGES;
- MORE JUVENILE COURT OFFICERS; AND
- MORE HELP IN THE CLERK OF COURT OFFICES TO HANDLE THE PAPERWORK.

THE DETAILS OF OUR SPECIFIC NEEDS AND RECOMMENDATIONS ARE CONTAINED IN OUR BUDGET REQUEST WHICH WE HAVE SUBMITTED TO YOU.

WE SERVE THE SAME CONSTITUENTS YOU DO. ON THEIR BEHALF WE RESPECTFULLY ASK THAT YOU PROVIDE THE RESOURCES FOR THE COURT SYSTEM TO KEEP UP WITH THE TIMES AND THE RISING CASELOAD.

MORE RESOURCES WILL ALLOW US TO BRIDGE THE EVER EXPANDING GULF BETWEEN THE REALITY OF OUR PRESENT JUSTICE SYSTEM AND THE PROMISES OF JUSTICE. LET'S WORK TOGETHER TO TURN THE PROMISE INTO REALITY.

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 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 Dearden presiding.

RECESS

On motion of Senator Horn, the Senate recessed at 2:05 p.m., until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:30 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 14, by Horn, a bill for an act relating to the commission on compensation, expenses, and salaries for elective state officials and providing an effective date.

Read first time and passed on file.

Senate File 15, by Priebe, a bill for an act requiring clerks of the district court to file certain facsimile-transmitted copies of orders and other court documents.

Read first time and passed on file.

Senate File 16, by Jensen, a bill for an act relating to requirements for approval of a general permit to discharge stormwater.

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.

The Senate stood at ease at 3:39 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 3:52 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 38 present, 12 absent and a quorum present.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 17 (SSB 2), a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Kibbie, Deluhery, Dvorsky, Fink, Hammond, Neuhauser and Szymoniak. Nays, 6: Redfern, Iverson, Kramer, Lind, Rensink and Tinsman. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 13, a bill for an act relating to the establishment of a decision-making process for prospective minor parents, providing penalties, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3002.

Final Vote: Ayes, 8: Szymoniak, Boettger, Bartz, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, 2: Hammond and Dvorsky.

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.	9	Local Government
S. F.	10	State Government
S. F.	11	Local Government
S. F.	12	Judiciary
S. F.	14	State Government
S. F.	15	Judiciary
S. F.	16	Natural Resources

INTRODUCTION OF BILL

Senate File 17, by committee on Education, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3001	S. R.	1	Rod Halvorson
S-3002	S. F.	13	Human Resources

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:52 p.m., until 9:00 a.m., Wednesday, January 11, 1995.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 11, 1995

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

Prayer was offered by the Reverend Russ Seeger, pastor of the Carlisle Christian Church, Carlisle, Iowa.

The Journal of Tuesday, January 10, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 18, by Iverson, a bill for an act exempting from the sales, services, and use tax specific items used by printers and publishers.

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

Senate File 19, by Iverson, a bill for an act relating to the production and processing exemption of flowering, ornamental, or vegetable plants for purposes of the state sales, services, and use taxes.

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.

RECESS

On motion of Senator Horn, the Senate recessed at 9:16 a.m., until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:21 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 20, by Rife, a bill for an act providing a property tax exemption for certain honorably discharged veterans of the United States armed forces for service in or near Lebanon, Grenada, or Panama between May 8, 1975, and August 1, 1990, both dates inclusive.

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

Senate File 21, by Gettings, a bill for an act eliminating the twenty-four hour notice to students prior to a periodic search of students' lockers.

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

Senate File 22, by Iverson, a bill for an act relating to state mandates and providing an effective date.

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

Senate File 23, by Bartz, a bill for an act authorizing city councils to prohibit the sale of alcoholic beverages for consumption on the premises.

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

Senate File 24, by Bartz, a bill for an act relating to the use of the metric system on highway signs.

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

Senate File 25, 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 26, by Lind, a bill for an act relating to silver or bronze star motor vehicle registration plates and providing an effective date.

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

Senate File 27, 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 28, 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.**

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.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 9, 1995, 11:50 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned SJR 1 to a subcommittee.

Adjourned: 12:00 noon.

EDUCATION

Convened: January 10, 1995, 3:40 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 2 as a committee bill.

Adjourned: 3:47 p.m.

HUMAN RESOURCES

Convened: January 10, 1995, 2:29 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of Senate File 13 as amended.

Adjourned: 3:06 p.m.

STUDY BILLS RECEIVED

SSB 5 Judiciary

Relating to the operation of maintenance equipment by road workers on highways.

SSB 6 Judiciary

Relating to cruelty to police service dogs and providing for enhanced penalties.

SSB 7 Judiciary

Relating to the offense of operating while intoxicated, and providing for minimum hours of community service for certain offenders, minimum periods of license revocation, and other related matters.

SSB 8 Judiciary

Relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties.

SSB 9 Judiciary

Reducing the per se alcohol concentration level for the offense of operating while intoxicated.

SSB 10 Judiciary

Relating to motor vehicle laws by prohibiting intoxication or simulation of intoxication in the interior of a motor vehicle, increasing the penalty for driving with a denied, canceled, suspended, or revoked license, adopting a safe distance rule for following too closely, and making penalties applicable.

SSB 11 Judiciary

Relating to the Iowa civil rights Act by expanding the definition of public accommodation.

SSB 12 Natural Resources Environment & Energy

Striking the moratorium on wastewater treatment plant compliance with effluent requirements.

SSB 13 Human Resources

Relating to education requirements for nurses.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

WAYS AND MEANS: Vilsack, Chair; Hedge and Murphy

Senate File 12

JUDICIARY: Vilsack, Chair; Boettger, Giannetto, Halvorson and Redfern

Senate File 16

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair; Hedge and Judge

SSB 1

EDUCATION: Deluhery, Chair; Connolly and Kramer

SSB 2

EDUCATION: Connolly, Chair; Kibbie and Lind

SSB 3

EDUCATION: Kibbie, Chair; Deluhery and Redfern

SSB 4

LOCAL GOVERNMENT: Halvorson, Chair; Fraise and McKean

SSB 5

JUDICIARY: Giannetto, Chair; Bartz, Boettger, Hansen and Vilsack

SSB 6

JUDICIARY: Fraise, Chair; Drake, Giannetto, Hansen and Maddox

SSB 7

JUDICIARY: Giannetto, Chair; Boettger, Halvorson, McKean and Vilsack

SSB 8

JUDICIARY: Hansen, Chair; Bartz, Hammond, Neuhauser and Redfern

SSB 9

JUDICIARY: Vilsack, Chair; Boettger, Giannetto, Halvorson and McKean

SSB 10

JUDICIARY: Giannetto, Chair; Boettger, Halvorson, Hansen and McKean

SSB 11

JUDICIARY: Fraise, Chair; Bisignano, Drake, Maddox and Vilsack

SSB 12

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair; Freeman and Sorensen

BILLS ASSIGNED TO COMMITTEE

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

S.F.	18	Ways and Means
S.F.	19	Ways and Means
S.F.	20	Ways and Means
S.F.	21	Judiciary
S.F.	22	Appropriations
S.F.	23	State Government
S.F.	24	Transportation
S.F.	25	Transportation
S.F.	26	Transportation
S.F.	27	Judiciary
S.F.	28	Judiciary

COMMITTEE REPORT

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 1, a concurrent resolution to request that Congress propose a Constitutional amendment, for ratification by the states, which would specify that the Congress and the states have the power to prohibit the physical desecration of the American flag.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Giannetto, Vilsack, McKean, Bartz, Bisignano, Drake, Fraise, Halvorson, Hansen, Maddox and Redfern. Nays, 2: Hammond and Neuhauser. Absent or not voting, 2: Boettger and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3003 S. F. 17 Stewart Iverson, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:48 p.m., until 9:00 a.m., Thursday, January 12, 1995.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 12, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Kevin Sorensen, pastor of the Altoona Evangelical Free Church, Altoona, Iowa.

The Journal of Wednesday, January 11, 1995, was approved.

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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 1** be referred from the Regular Calendar to committee on **Judiciary**.

RECESS

On motion of Senator Horn, the Senate recessed at 9:15 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 11, 1995, 9:38 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair and Lundby.

Members Absent: Bartz, Ranking Member and Horn.

Committee Business: Adopted committee rules and tentative schedule.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 11, 1995, 9:38 a.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member and Gettings.

Members Absent: Bennett.

Committee Business: Approved committee rules; discussed possible subcommittees and introduced department heads.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 11, 1995, 9:40 a.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: none.

Committee Business: Organizational meeting and adopted committee rules.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 11, 1995, 9:36 a.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Overview of budget by the Legislative Fiscal Bureau.

Adjourned: 10:41 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 11, 1995, 9:34 a.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Approved committee rules and review of legislative oversight by the Legislative Fiscal Bureau.

Adjourned: 10:28 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 11, 1995, 9:40 a.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Overview of budget by the Legislative Fiscal Bureau; representatives of the DHS Council were present.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 11, 1995, 9:38 a.m.

Members Present: Fraise, Chair; Dvorksy, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Adopted committee rules; overview of budget by the Legislative Fiscal Bureau.

Adjourned: 11:26 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 11, 1995, 9:40 a.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Approved committee rules, reviewed future topics to be considered and overview of budget by the Legislative Fiscal Bureau.

Adjourned: 11:00 a.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: January 11, 1995, 2:07 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: none.

Committee Business: Organizational meeting; adopted temporary committee rules.

Adjourned: 2:22 p.m.

STATE GOVERNMENT

Convened: January 10, 1995, 2:25 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: Drake (excused).

Committee Business: Organizational meeting; adopted temporary committee rules.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: January 11, 1995, 1:32 p.m.

Members Present: Palmer, Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: Husak, Vice Chair and McLaren.

Committee Business: Assigned a bill to subcommittee and discussed upcoming issues.

Adjourned: 1:54 p.m.

ANNOUNCEMENT BY THE MAJORITY LEADER

The Majority Leader announced the following appointments made during the 1994 legislative interim:

COMMISSION ON COMPENSATION, EXPENSES, AND SALARIES FOR ELECTED STATE OFFICIALS (Chapter 2A):

To a term expiring 6-30-98: Becky Reynolds-Knight, Keosauqua.

To a term expiring 6-30-99: Kasey Kincaid, Des Moines.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 32 (SSB 1), a bill for an act relating to the inclusion of school nurses and area education agency professionals in the educational excellence program and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 33 (SSB 3), a bill for an act relating to the expulsion of a student for bringing a weapon to school.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 5, (formerly Senate Concurrent Resolution 1), a concurrent resolution to request that Congress propose a Constitutional amendment, for ratification by the states, which would specify that the Congress and the states have the power to prohibit the physical desecration of the American flag.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Giannetto, Vilsack, McKean, Bartz, Bisignano, Drake, Fraise, Halvorson, Hansen, Maddox and Redfern. Nays, 2: Hammond and Neuhauser. Absent or not voting, 2: Boettger and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:03 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 39 present, 11 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 13

On motion of Senator Szymoniak, Senate File 13, a bill for an act relating to the establishment of a decision-making process for prospective minor parents, providing penalties, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hammond offered amendment S—3006 filed by her from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3006 lost by a voice vote.

Senator Banks asked and received unanimous consent to withdraw amendment S—3004 filed by Senators Banks, et al., from the floor to page 1 of the bill.

Senator Szymoniak offered amendment S—3002 filed by the committee on Human Resources on January 10, 1995, to pages 1-5, 9, 12 and 13 of the bill.

Senator Szymoniak offered amendment S—3007 filed by Senators Szymoniak, et al., from the floor to amendment S—3002.

Senator Banks called for a division of amendment S—3007 to amendment S—3002:

Division S—3007A: Page 1, lines 11-13.

Division S—3007B: Page 1, lines 3-10 and 14-50; pages 2 and 3; page 4, lines 1-21.

Senator Szymoniak moved the adoption of division S—3007A to amendment S—3002, which motion prevailed by a voice vote.

Senator Banks asked and received unanimous consent that action on division S—3007B to amendment S—3002 be deferred.

Senator Banks offered amendment S—3005 filed by Senators Banks, et al., from the floor to amendment S—3002, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3005 to amendment S—3002 be adopted?” (S.F. 13) the vote was:

Ayes, 15:

Banks	Boettger	Borlaug	Flynn
Freeman	Gettings	Giannetto	Hedge
Iverson	Jensen	Kibbie	Lundby
McKean	Rensink	Zieman	

Nays, 35:

Bartz	Bennett	Bisignano	Black
Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Fraise	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Judge
Kramer	Lind	Maddox	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Amendment S—3005 lost.

Senator Banks withdrew amendment S—3008 filed by him from the floor to amendment S—3002.

Senator Szymoniak asked and received unanimous consent that action on amendment S—3002 as amended by deferred.

Senator McKean offered amendment S—3009 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3009 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3002 as amended, previously deferred.

Senator Banks offered amendment S—3010 filed by him from the floor to amendment S—3002 and moved its adoption.

Amendment S—3010 lost by a voice vote.

The Senate resumed consideration of division S—3007B by Senators Szymoniak, et al., to amendment S—3002.

Senator Szymoniak moved the adoption of division S—3007B to amendment S—3002, previously deferred.

Division S—3007B was adopted by a voice vote.

Senator Szymoniak moved the adoption of amendment S—3002 as amended, which motion prevailed 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. 13) the vote was:

Ayes, 40:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Deluhery
Douglas	Drake	Flynn	Fraise
Gettings	Giannetto	Halvorson	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 10:

Banks	Borlaug	Dearden	Dvorsky
Fink	Freeman	Gronstal	Hammond
Rensink	Zieman		

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 5, by committee on Judiciary, a concurrent resolution to request that Congress propose a Constitutional amendment, for ratification by the states, which would specify that the Congress and the states have the power to prohibit the physical desecration of the American flag.

Read first time and placed on calendar.

Senate Concurrent Resolution 6, by committee on Agriculture, a concurrent resolution objecting to a plan proposed by the United States Corps of Engineers to dramatically alter the operation of the Missouri River, and to request that the current operation of the river be maintained or that an alternative plan be considered that does not negatively impact upon the effective operation of the river.

Read first time and placed on calendar.

Senate Concurrent Resolution 7, by Black, a concurrent resolution supporting the United Nations' recognition of the Republic of China on Taiwan.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 29, by Halvorson, a bill for an act relating to the forfeiture of vehicles driven by persons convicted of a third or subsequent offense for operating a motor vehicle while intoxicated.

Read first time and passed on file.

Senate File 30, by Lind, a bill for an act relating to sexual exploitation by law enforcement officers and providing a penalty.

Read first time and passed on file.

Senate File 31, by Halvorson, a bill for an act relating to lighted headlamps and windshield wiper operation, and making a penalty applicable.

Read first time and passed on file.

Senate File 32, by committee on Education, a bill for an act relating to the inclusion of school nurses and area education agency professionals in the educational excellence program and providing effective and retroactive applicability dates.

Read first time and placed on calendar.

Senate File 33, by committee on Education, a bill for an act relating to the expulsion of a student for bringing a weapon to school.

Read first time and placed on calendar.

Senate File 34, by Rittmer and Sorensen, a bill for an act relating to the power of a county with a charter form of government to allow eligible electors of the county to request reconsideration of a county ordinance.

Read first time and passed on file.

Senate File 35, by Rittmer and Sorensen, a bill for an act relating to the power of a city with a home rule charter to allow registered voters of the city to request reconsideration of a city ordinance.

Read first time and passed on file.

Senate File 36, by committee on Agriculture, a bill for an act relating to the liability of persons involved in domesticated animal activities.

Read first time and placed on calendar.

Senate File 37, by committee on Agriculture, a bill for an act relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the department of natural resources.

Read first time and placed on calendar.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 12, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 7, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-sixth General Assembly.

This resolution was read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 13** be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 11, 1995, 9:35 a.m.

Members Present: Halvorson, Chair; Palmer, Vice Chair; Douglas, Ranking Member and Jensen.

Members Absent: Murphy.

Committee Business: Adopted committee rules and overview of budget by the Legislative Fiscal Bureau.

Adjourned: 10:30 a.m.

JUDICIARY

Convened: January 11, 1995, 2:10 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern.

Members Absent: Boettger and Szymoniak.

Committee Business: Adopted committee rules; recommended passage of Senate Concurrent Resolution 1.

Adjourned: 2:20 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 21

JUDICIARY: Fraise, Chair; Giannetto, Hansen, McKean and Redfern

Senate File 27

JUDICIARY: Halvorson, Chair; Boettger, McKean, Szymoniak and Vilsack

Senate File 28

JUDICIARY: Maddox, Chair; Drake, Giannetto, Neuhauser and Vilsack

STUDY BILLS RECEIVED**SSB 14 Agriculture**

Providing for the regulation of domestic deer and making penalties applicable.

SSB 15 Agriculture

Relating to the liability of persons involved in domesticated animal activities.

SSB 16 Agriculture

Relating to procedures and criteria for recovery by private property owners due to inverse condemnation of real property by state government action and providing an applicability date.

SSB 17 Agriculture

Relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the department of natural resources.

SSB 18 Human Resources

Relating to anabolic steroids and the Iowa uniform controlled substances Act.

SSB 19 Judiciary

Eliminating the restitution limit for the offense of operating a motor vehicle while intoxicated.

SSB 20 Judiciary

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.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 6 (LSB 1627), a concurrent resolution objecting to a plan proposed by the United States Corps of Engineers to dramatically alter the operation of the Missouri River, and to request that the current operation of the river be maintained or that an alternative plan be considered that does not negatively impact upon the effective operation of the river.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 36 (SSB 15), a bill for an act relating to the liability of persons involved in domesticated animal activities.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 37 (SSB 17), a bill for an act relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE JOINT RESOLUTION 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa requiring the maintenance of a cash reserve.

Recommendation: DO PASS.

Final Vote: Ayes, 21: Murphy, Boswell, Lind, Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, McLaren, Neuhauser, Rensink and Vilsack. Nays, 1: Iverson. Absent or not voting, 3: Bisignano, Kramer and Tinsman.

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.	29	Judiciary
S. F.	30	Judiciary
S. F.	31	Transportation
S. F.	34	State Government
S. F.	35	State Government
S. C. R.	7	Rules and Administration
H. C. R.	7	Rules and Administration

AMENDMENTS FILED

S-3004	S. F.	13	Brad Banks Allen Borlaug Wilmer Rensink John P. Kibbie H. Kay Hedge Andy McKean
S-3005	S. F.	13	Brad Banks Alllen Borlaug Wilmer Rensink John P. Kibbie H. Kay Hedge Andy McKean
S-3006	S. F.	13	Johnie Hammond
S-3007	S. F.	13	Elaine Szymoniak Merlin E. Bartz

			Mary E. Kramer
			Larry Murphy
S-3008	S.F.	13	Brad Banks
S-3009	S.F.	13	Andy McKean
S-3010	S.F.	13	Brad Banks

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:00 p.m., until 8:45 a.m., Friday, January 13, 1995.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Gaskel Room
Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 13, 1995

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

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

COMMITTEE FROM THE HOUSE

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

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

JOINT CONVENTION

The joint convention reconvened at 8:55 a.m., President Boswell presiding.

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

President Boswell declared a quorum present.

REPORT OF CANVASS OF VOTE

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

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

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 8, 1994, begs leave to make the following report of the total vote cast for Governor:

Terry E. Branstad.....	566,395
Bonnie J. Campbell.....	414,453
Richard O'Dell Hughes	5,505
Veronica Wells Butler	3,737
Carl E. Olsen.....	2,772
Scattering	4,386

And the total vote cast for Lieutenant Governor at the election, held November 8, 1994:

Joy Corning.....	566,395
Leonard L. Boswell.....	414,453
Monica Davis.....	5,505
Robert Stowe.....	3,737
Brenda Carey	2,772
Scattering	2,990

All of which is most respectfully submitted.

BILL FINK
Teller of the Senate
RODNEY N. HALVORSON
Assistant Teller
WILMER RENSINK
Assistant Teller
ELIZABETH A. ISAACSON
Secretary of the Joint Convention

DWIGHT L. DINKLA
Teller of the House
GERALD E. CORNELIUS
Assistant Teller
RICHARD L. LARKIN
Assistant Teller

Senator Horn moved the adoption of the report.

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

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

for the ensuing term, or until a successor is duly elected and qualified.

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

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETINGS:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-sixth General Assembly of the State of Iowa, of all votes cast at the general election held November 8, 1994, for the office of Governor of the State of Iowa, it appeared that Terry E. Branstad received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this thirteenth day of January A.D., 1995.

RON J. CORBETT
Speaker of the House
BILL FINK
Teller of the Senate
DWIGHT L. DINKLA
Teller of the House

ELIZABETH A. ISAACSON
Clerk of the House and
Secretary of the Joint Convention
LEONARD L. BOSWELL
Presiding Officer
of the Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETINGS:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-sixth General Assembly of the State of Iowa, of all votes cast at the general election held November 8, 1994, for the office of Lieutenant Governor of the State of Iowa, it appeared that Joy Corning received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this thirteenth day of January A.D., 1995.

RON J. CORBETT
Speaker of the House

ELIZABETH A. ISAACSON
Clerk of the House and

BILL FINK
Teller of the Senate
DWIGHT L. DINKLA
Teller of the House

Secretary of the Joint Convention
LEONARD L. BOSWELL
Presiding Officer
of the Joint Convention

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

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

The motion prevailed by voice vote and President Boswell announced the appointment of Senators Fink, Halvorson and Maddox, on the part of the Senate, and Representatives Drake, Schulte and Nelson, on the part of the House.

Senator Husak took the chair at 9:00 a.m.

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

The joint convention resumed session, Senator Husak presiding.

REPORT OF COMMITTEE

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

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

Respectfully submitted,

BILL FINK
RODNEY N. HALVORSON
O. GENE MADDOX
Senate

JACK DRAKE
LYNN SCHULTE
LINDA NELSON
House

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

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

The joint convention resumed session on the main floor of Veterans Memorial Auditorium at 9:48 a.m., President Boswell presiding.

Musical accompaniment was provided by Sioux City Heelin High School Concert Band.

President Boswell requested that the members of the 1995 Legislative Inaugural Committee retire and escort Governor Terry E. Branstad and Lieutenant Governor Joy Corning to the Joint Convention.

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

The Senate resumed session at 9:51 a.m., President Boswell presiding.

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

The 1995 Iowa Inaugural Committee was escorted into the auditorium.

The Most Reverend Daniel Kucera, Archbishop of the Dubuque Diocese, and Linda Carder, the Associate Conference Minister for Education and the Arts for the Iowa Conference of the United Church of Christ, were escorted to their seats.

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

The members of the legislative inaugural committee in attendance consisting of Senators Priebe, Sorensen, Bennett and Maddox on the part of the Senate; and Representatives Garman, Larson, Lamberti, Connors, Mertz and Schrader on the part of the House, were escorted to the front of the rostrum.

Lieutenant Governor Joy Corning was escorted to the rostrum.

Governor Terry E. Branstad was escorted to the rostrum.

The colors were advanced by the Iowa National Guard.

The National Anthem was sung by Denise Shipler of Burt, Iowa.

The invocation was delivered by the Most Reverend Daniel W. Kucera.

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

President Boswell presented Lieutenant Governor Corning who delivered the following remarks:

Governor Branstad, President Boswell, Speaker Corbett, Chief Justice McGivern, Justices and Judges, State Officials, Senators and Representatives, Distinguished Guests and Friends.

In his Condition of the State message on Tuesday, Governor Branstad focused on Iowa pride, progress, and opportunity. And he emphasized that we want Iowans to feel safer and we want Iowans to build even stronger families.

I see the faces of Iowans gathered here today -- young faces, middle-aged faces, children's faces (my own grandchildren's faces), and the faces of older Iowans, the elderly. Your faces -- and those of all of our neighbors and friends and relatives -- remind me of the abiding pride we have in Iowa people. The Governor and I continually boast of your solid, common sense values, your commitment to responsibility and your care and concern for others.

When I see your faces, I am also reminded of where, indeed, I focus my visions and hopes for a safe, secure, loving, nurturing environment.

I want you and you and each one of you to feel accepted and nurtured and to have the opportunity to reach your full potential as an informed and contributing and effective citizen of our state.

I want that for you whether you are a Jew, a Muslim, a Christian, a Latino, a Caucasian, an African-American, a Southeast Asian, a Native American -- whether you live in cities or on farms -- whether you are rich or poor, disabled, or differ in your family structure.

All of my adult life -- and now, with great commitment during the past four years in this office--

I have worked with concerned citizens to strengthen and protect the children and families of our state.

I have worked with citizens to foster acceptance of all people of our state.

I intend to continue these vital initiatives the next four years, to explore and augment avenues that prevent the problems that devastate lives and eat away at our valuable resources. And I invite and challenge all Iowans to participate in these efforts.

I have other special projects that would fit under these umbrellas, though their titles might suggest yet other goals:

my workplace literacy project
chairing the Council on Human Investment
and chairing the Governor's Cultural Coalition to name a few.

I intend to enthusiastically continue these also, with renewed vigor and commitment. And, again, I invite your support.

Together we make Iowa the beautiful, bountiful haven that is our home, the place of our grounding, and the land that reverberates our heartbeats and nurtures our highest hopes.

"The Song of Iowa" and "America the Beautiful" were sung by the Choral of Des Moines Children's Choruses.

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

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

President Boswell, Speaker Corbett, Lieutenant Governor Corning, Chief Justice McGivern, Justices and Judges, State Officials, Senators and Representatives, Distinguished Guests and Friends.

Each and every time I have recited that oath to uphold our constitution and serve as your Governor, I am awestruck. Goosebumps still run up and down my spine as I think of my place in the long line of distinguished citizens who have served as Chief Executive of this great State we call Iowa.

They and I have been entrusted by the people to lead this state. From Ansel Briggs to Bob Ray, they have helped mold this land between two great rivers into a special place on God's earth. Through the fickle winds of blizzards and heat, floods and drought, have emerged a unique people. A people who steward the land and feed the world; a people who love God and help their neighbors; a people who understand their place in the world and have the most uncommon, common sense.

I am humbled and honored to be called by those people to serve as their Governor. I thank you for giving me the opportunity to serve you and I gratefully accept the challenge you have bestowed upon me. I pray, and I ask for your prayers, that God will grant me the wisdom to lead this state to its brightest days.

Can we make these years before us the best in our state's history? Just as our ancestors tamed the prairie, can we take the future and make it our own? Can we chop away the underbrush of yesterdays yearnings and resist the modern day

temptation to follow blind paths? Of course we can. Of course we will. But we must take a clear-eyed view of who we are and where we are and dare to dream of what we can be.

Who are we? We are first and foremost good people. We believe that certain values are good and right: hard work, honesty, a belief in God, and a commitment to public service. We were all taught these values and they bubble forth in all of us like a spring on a hillside. We may not have known it as kids, but those things that our parents and teachers instilled in us are the heart and soul of what it means to be an Iowan.

We are a people with a deep faith in the value of a good education. We learned early that fortunes can be lost with the shift of the wind. But, as my mother would tell me over and over, "They can never take an education away from you." We know that the education of our children is the ticket to our future and from the one-room township schoolhouse to the fiber optic network, we have never doubted our faith in education.

We are good stewards of the land; with reverence for the natural resources from which grows our productivity. Whether we live in city or country, apartment or farmhouse, we are not far from the land. We understand its bounty is our bounty -- its loss our loss. Our values are grounded in the deep black earth that covers this state.

We are a people committed to quality. From John Deere to Maytag; Winnebago to Pella Corporation, people all over the world know that Iowa means quality and Iowa products are the best on the market. The productivity and skill of our workers in Iowa gets the job done right, the first time.

Iowa is a state of neighbors and families and small communities. It is a place where we bring over food for the neighbor who is sick; harvest the crops for the family who's suffered a tragedy; cheer on the high school basketball team every Friday night. In Iowa, we are still connected to each other in bonds of friendship, compassion, and civility.

In short, Iowans are good people, with good values rooted in the land, a deep faith in education, and a commitment to quality. Iowans are good neighbors, devoted family members, and active citizens of small communities. That is who we are.

Where are we? In Iowa, we are in the center of things. Smack dab in the center of North America -- in the center of our nation. That placement makes us aware and affected by the world around us. We know that what happens in Russia impacts us in Moscow, Iowa. We know that free and open trade means bread on the table of our farm families. We know that our lives and our fortunes are swayed by trends and pressures outside of us and over which we have little control.

Economically, we are strong, with our bins busting, our coffers full, and more people working than ever before in our history. With the world poised to open its borders to trade, Iowa stands to reap untold economic benefits. Rapid changes in technology are shortening distances and allowing Iowans in Madrid to compete

with people in Madrid. We live in a time when hard work, quality, and good communities are rare commodities as never before. Iowa stands poised for great opportunities.

Today, who we are -- our values and our people -- and where we are -- in the center of things poised for opportunity -- provide us with our greatest opportunities and our greatest challenges.

Our values are in short supply in the world today and that makes them more valuable and attractive. yet, they are founded on the farm -- and the farm is changing. They are framed by the family -- and the family unit is stressed. They are connected to the community -- and our communities are challenged. Being in the center of things gives us an awareness and an ability to compete in the world marketplace. But we cannot let being in the center of things make us satisfied to be in the middle of the pack.

No, we must dare to dream what kind of state, what kind of people we can be and have the courage to take the steps to get there. The winds of change that sweep this country's plains sweep Iowa, too. We cannot build mountains or walls to keep them out.

Our challenge is to take the best of our past and mold it into a bright future.

It won't be easy. Many of our farms and farmers are stretched to the limit trying to compete with the forces of modern agriculture. Some would like to turn back the clock and legislate away competition. But if we do that, we would be signing our state's economic death warrant. Instead, we need to give our farmers the tools, the products, and the knowledge to compete with anyone in the world.

Many of our families are stressed and near breaking. Some would want government to substitute itself for the family as the glue that holds our society together. But that has proven only to speed up the breakdown of families. Instead, we must place more emphasis on personal and family responsibility, not government-sponsored dependency.

Some of our communities are having a tough time coping with a rapidly changing economy. For those, we need to train new leaders, break down the barriers of distance with new technology, and energize the community into building its own future. I will not rest until every part of this state is growing again.

Even the insidious forces of crime seem to be seeping into some of our proud and safe communities. Our challenge is to stop it and stop it now. When I was young, we lived along highway sixty-nine, and even with that, we didn't lock the doors at night -- we didn't even have locks on the doors. When you and I were the age of the children seated in the balcony here today, we could play in the streets without worry. And the thought of injury at school didn't expand beyond the class bully. Iowa can and will return to that gentler era when the dark of night meant peaceful rest and the break of dawn meant peace of mind. We will do it not by coddling the criminal, but by making punishment clear, swift, and tough.

As a state, we, too, must not simply sit on the status quo. Sure, our budget is balanced, but there is more to governing than that.

We must remake and continuously improve state government so that it is doing only what it needs to do and is doing that well.

We cannot afford to have a tax structure that punishes the production and penalized success. Income taxes and property taxes must be cut and our commitment to education must reach historic highs.

In short, our state can be a stand-out if we dare to compete. We have the resources -- land, people, intelligence, communities -- to best anyone, anywhere. If government removes the lead-weights from the legs of Iowans and trains them with the best education system in the world, no one will stop us.

Our standard of living will rise.
Our family incomes will shoot up.
Our exports will take off.
Our communities will grow.
Iowa will be the best that it can be.

As your Governor, I will dedicate my next four years to making this dream a reality. But I will need your help. The help of my good friend and partner, Joy Corning, whose advice and calm voice of reason I value. The help of my family -- Chris, Eric, Allison, and Marcus -- who have all sacrificed so much and given me their unselfish support and love.

The help of the good people of Iowa who have entrusted me with the responsibilities of leadership.

This is a new day in Iowa, new times, with new challenges. And the same old Governor, with the same old principles and the same old values. Well, I don't plan to change my values or my principles -- they, like the values of all Iowans, are rooted in the good earth of our state.

But like the people of this state, I plan to use those old-fashioned values and principles to lead Iowa to a bright future.

The future is history we now have a chance to write. My goal is to have the future historians of this state say this about my service as your Governor, "He embraced the traditional values of Iowa's past; faced squarely the challenges of his day; and led Iowa to its most promising future." With your help, I will reach that, the most important goal, I have ever set.

Thank you and God bless you.

The benediction was offered by the Reverend Linda Carder.

Representative Siegrist moved that the joint convention be dissolved.

The motion prevailed by a voice vote and the joint convention was dissolved at 10:46 a.m.

The Senate resumed regular session, President Boswell presiding.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 12, 1995, 10:04 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Sorensen and Ziemann.

Members Absent: Palmer (excused).

Committee Business: Approved SSBs 15 and 17 and LSB 1627 as committee bills.

Adjourned: 10:24 a.m.

APPROPRIATIONS

Convened: January 12, 1995, 2:30 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, and Vilsack.

Members Absent: Bisignano, Kramer and Tinsman (all excused).

Committee Business: Recommended passage of Senate Joint Resolution 1.

Adjourned: 2:33 p.m.

BUSINESS AND LABOR

Convened: January 12, 1995, 11:30 a.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox.

Members Absent: Banks.

Committee Business: Approved committee rules.

Adjourned: 11:38 a.m.

COMMERCE

Convened: January 12, 1995, 1:32 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern.

Members Absent: Palmer.

Committee Business: Adopted committee rules.

Adjourned: 1:42 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 12, 1995, 9:36 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; Flynn, Hansen, Jensen and Redfern.

Members Absent: McLaren, Ranking Member.

Committee Business: Adopted committee rules.

Adjourned: 9:52 a.m.

EDUCATION

Convened: January 12, 1995, 10:07 a.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Approved SSBs 1 and 3 as committee bills.

Adjourned: 10:34 a.m.

LOCAL GOVERNMENT

Convened: January 12, 1995, 1:35 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean, Rittner and Ziemann.

Members Absent: none.

Committee Business: Adopted committee rules and assigned a study bill to a subcommittee.

Adjourned: 1:43 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: January 12, 1995, 10:49 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 11:23 a.m.

TRANSPORTATION

Convened: January 12, 1995, 10:50 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business: Organizational meeting; assigned bills to subcommittees.

Adjourned: 11:05 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 2

RULES AND ADMINISTRATION: Gettings, Chair; Boswell and Kramer

Senate Concurrent Resolution 7

RULES AND ADMINISTRATION: Gettings, Chair; Boswell and Lind

House Concurrent Resolution 7

RULES AND ADMINISTRATION: Horn, Chair; Bisignano, Boswell, Lind and Rife

SSB 15

AGRICULTURE; Boswell, Chair; Bartz and Fraise

SSB 17

AGRICULTURE: Priebe, Chair; Husak and McLaren

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:47 a.m., until 10:00 a.m., Tuesday, January 17, 1995.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 17, 1995

The Senate met in regular session at 10:14 a.m., President Boswell presiding.

Prayer was offered by the Reverend David Renfro, pastor of the St. Paul Lutheran Church, Aurelia, Iowa.

The Journals of Thursday, January 12 and Friday, January 13, 1995, were approved.

INTRODUCTION OF BILLS

Senate File 38, by Bisignano, Husak, Priebe, and Douglas, a bill for an act to support renovation and capital projects relating to the Iowa state fairgrounds by providing an appropriation.

Read first time and passed on file.

Senate File 39, by Banks, a bill for an act relating to underground storage tank upgrade requirements and providing effective and retroactive applicability dates.

Read first time and passed on file.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Giannetto until he arrives on request of Senator Horn; Senator McKean until he arrives on request of Senator Bartz and Senator Lundby until she arrives on request of the Chair.

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 17

On motion of Senator Connolly, Senate File 17, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions, was taken up for consideration.

Senator Iverson offered amendment S—3003 filed by him on January 11, 1995, to page 1 of the bill.

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

Senator Iverson moved the adoption of amendment S—3003.

A record roll call was requested.

On the question "Shall amendment S—3003 be adopted?" (S.F. 17) the vote was:

Ayes, 19:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	McLaren	Rensink
Rife	Tinsman	Zieman	

Nays, 30:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Maddox	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rittmer	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

McKean

Amendment S—3003 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. 17) the vote was:

Ayes, 30:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Judge
Kibbie	Lundby	Murphy	Neuhauser
Palmer	Priebe	Rittmer	Sorensen
Szymoniak	Vilsack		

Nays, 19:

Banks	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Maddox	McLaren	Redfern	Rensink
Rife	Tinsman	Zieman	

Absent or not voting, 1:

McKean

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

Senator Horn asked and received unanimous consent that Senate File 17 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 committee meeting.

The Senate resumed session at 11:13 a.m., President Boswell presiding.

APPENDIX**STUDY BILLS RECEIVED****SSB 21 Human Resources**

Relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers, establishing measures to address cases of lead-poisoned children and providing for a contingency for implementation based upon receipt of federal funding, providing for the regulation of tobacco sales and use by a city or county, consolidating regulation of emergency medical services, establishing income tax credits for certain individuals, establishing certain individual requirements, requiring certain safety equipment to be worn, and providing for penalties, an effective date provision, and an applicability provision.

SSB 22 Ways & Means

Relating to the reduction in the individual income tax rates, providing for surplus moneys to replace the general fund revenue loss as a result, establishing a rate reduction replacement fund, and appropriating moneys to the cash reserve fund, and providing effective and retroactive applicability date provisions.

SSB 23 Ways & Means

Relating to the deduction and credit for amounts paid for tuition and textbooks for elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

SSB 24 Ways & Means

Allowing an individual income tax credit for premiums paid for the renewal of a certified long-term care insurance policy or contract and providing an applicability date provision.

SSB 25 State Government

Requiring that a publication whose standards are incorporated by reference in agency rulemaking be purchased and provided by the agency to the administrative rules coordinator for deposit in the state law library.

SSB 26 State Government

Relating to streamlining government activities.

SUBCOMMITTEE ASSIGNMENTS**Senate File 3**

STATE GOVERNMENT: Giannetto, Chair; Dearden and Lind

Senate File 5

STATE GOVERNMENT: Connolly, Chair; Halvorson and Lundby

Senate File 8

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 10

STATE GOVERNMENT: Kibbie, Chair; Drake and Fink

Senate File 14

STATE GOVERNMENT: Gronstal, Chair; Bisignano and Lundby

Senate File 18

WAYS AND MEANS: Palmer, Chair; Iverson and Murphy

Senate File 19

WAYS AND MEANS: Szymoniak, Chair; Iverson and Murphy

Senate File 20

WAYS AND MEANS: Neuhauser, Chair; McLaren and Priebe

Senate File 23

STATE GOVERNMENT: Bisignano, Chair; Gronstal and Lind

Senate File 34

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 35

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

SSB 13

HUMAN RESOURCES: Hammond, Chair; Boettger and Hansen

SSB 18

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Hansen

SSB 19

JUDICIARY: Vilsack, Chair; Boettger, Giannetto, Halvorson and McKean

SSB 20

JUDICIARY: Szymoniak, Chair; Bisignano, Drake, Maddox and Neuhauser

SSB 21

HUMAN RESOURCES: Szymoniak, Chair; Boettger, Hammond, Tinsman and Vilsack

SSB 22

WAYS AND MEANS: Palmer, Chair; Connolly and Drake

SSB 23

WAYS AND MEANS: Murphy, Chair; Hedge and Vilsack

SSB 24

WAYS AND MEANS: Murphy, Chair; Deluhery and Freeman

SSB 25

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 26

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

INTRODUCTION OF BILL

Senate File 40, by Bisignano, a bill for an act relating to exempting employees of the state fair authority from the state merit personnel system.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	38	Appropriations
S. F.	39	Natural Resources
S. F.	40	State Government

AMENDMENT FILED

S—3011	S. R.	1	Wally E. Horn
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ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 11:15 a.m., until 9:00 a.m., Wednesday, January 18, 1995.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 18, 1995

The Senate met in regular session at 9:19 a.m., President Boswell presiding.

Prayer was offered by the Reverend Ed Phillips, pastor of the Riverside United Methodist Church, Fort Dodge, Iowa.

The Journal of Tuesday, January 17, 1995, was approved.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 5

On motion of Senator Bisignano, Senate Concurrent Resolution 5, a concurrent resolution to request that Congress propose a Constitutional amendment, for ratification by the states, which would specify that the Congress and the states have the power to prohibit the physical desecration of the American flag, was taken up for consideration.

Senator Bisignano moved the adoption of Senate Concurrent Resolution 5.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.C.R. 5) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Flynn	Fraise	Freeman	Gettings
Giannetto	Halvorson	Hansen	Hedge
Horn	Husak	Iverson	Jensen

Judge	Kibbie	Kramer	Lundby
Maddox	McKean	McLaren	Murphy
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, 8:

Connolly	Dvorsky	Fink	Gronstal
Hammond	Lind	Neuhauser	Szymoniak

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 32

On motion of Senator Deluhery, Senate File 32, a bill for an act relating to the inclusion of school nurses and area education agency professionals in the educational excellence program and providing effective and retroactive applicability dates, 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. 32) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Jensen

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 5** and **Senate File 32** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 10:18 a.m., until 1:30 p.m.

APPENDIX

COMMUNICATIONS

The following communications have been received and placed on file in the office of the Secretary of the Senate during the 1994 legislative interim:

IOWA CITIZENS' AIDE/OMBUDSMAN

1993 Annual Report.

OFFICE OF AUDITOR OF STATE

The audit of the State of Iowa covering the fiscal year ended June 30, 1993, performed in accordance with generally accepted auditing standards, the Single Audit Act of 1984, and OMB Circular A-128, Audits of State and Local Governments.

IOWA DEPARTMENT OF TRANSPORTATION

A publication of the annual sufficiency rating report showing the relative conditions of the primary roads as required by Iowa Code Section 307A.2(12).

IOWA DEPARTMENT OF PUBLIC SAFETY

Iowa Hate/Bias Crime Report for Iowa. It provides information about crimes reported to Iowa law enforcement agencies from 1991 through 1993 which were motivated by bias based on victims' race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age and those persons associated with individuals in these groupings.

DEPARTMENT OF NATURAL RESOURCES

The biennial report on the floodplain mapping plan for the 1993-1994 biennium.

CITIZENS' AIDE OMBUDSMAN

A copy of Critical Report 94-2, "Investigation of the response by officials of the Roland-Story Community School district to reports of alleged abuse of students by and employee".

OFFICE OF AUDITOR OF STATE

A copy of the Audit Report of the Lottery Division, Iowa Department of Revenue & Finance dated June 30, 1994.

LEGISLATIVE FISCAL BUREAU

Legislative Intent Language Summary Report FY 1994.

IOWA DEPARTMENT OF NATURAL RESOURCES

1993 Annual Report
1994 Hunting and Trapping regs
1993 "Quickie Facts and Figures"
Iowa Fish and Wildlife News

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Progress Report of SoyDiesel Demonstration Projects October 1, 1994.

DEPARTMENT OF HUMAN RIGHTS

The Annual Report of the Commission of Persons with Disabilities in accordance with Chapter 216A of the Iowa Code.

DEPARTMENT OF JUSTICE

A report on the operation of the Iowa Prosecutor Intern Program during the 1994 state fiscal year submitted in accordance with Iowa Code section 13.2(12).

IOWA DEPARTMENT OF PUBLIC HEALTH

Fiscal Year 1993 Annual Report Pursuant to: Iowa Code, Chapter 135.11, Iowa Dept. of Public Health.

IOWA UTILITIES BOARD

The 1993 annual report of the Iowa Utilities Board required by Iowa Code 7A.1, 7A.10 and 476.16.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

The Annual Report of the Drug Enforcement and Abuse Prevention Coordinator submitted to the Governor and General Assembly pursuant to Iowa Code Section 80E 1(2)(b).

DEPARTMENT OF HUMAN SERVICES

A report including the program design and funding plan recommendations for the implementation of the Personal Assistance Services portion of HF 2302.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report on the Microbusiness Rural Enterprise Demonstration Project. House File 2337, Section 34.

STATE BOARD OF REGENTS

Pursuant to Section 7, chapter 1201 "Appropriation-Economic Development", Acts and Joint Resolutions-1994 Regular Session of the Seventy-Fifth General Assembly of the State of Iowa, the Board of Regents is submitting a report on the progress of Regents institutions in meeting the Strategic Plan for Technology Transfer and Economic Development.

IOWA DEPARTMENT OF PUBLIC SAFETY

Summary Report. Crime in Iowa - 1993.

IOWA DEPARTMENT OF NATURAL RESOURCES

The report from the 1994 Resource Enhancement and Protection (REAP) Congress held on Saturday, July 16, 1994, in Des Moines. This report describes action taken by the 1994 Congress after review and discussion of several REAP-related issues.

DEPARTMENT OF PERSONNEL

A copy of the "1994 Affirmative Action In Iowa" report submitted to the Department of Management in accordance with Section 19B.5 of the Iowa Code.

IOWA DEPARTMENT OF PUBLIC SAFETY

Domestic Abuse in Iowa - 1993. Data from this report is based on incidents submitted by the law enforcement agencies throughout Iowa to the Iowa Department of Public Safety.

DEPARTMENT OF HUMAN SERVICES

House File 2430, passed by the 1994 session of the 75th General Assembly established the State-County Management Committee. Part of the committee's responsibilities was to submit a report "making recommendations for joint state and county planning, implementation, and funding of mental health, mental retardation and developmental disability services, including but not limited to developing and implementing fiscal and accountability controls, establishing management plans, and ensuring that eligible persons have access to appropriate and cost - effective services."

IOWA UTILITIES BOARD

Department of Commerce

A report filed pursuant to IOWA CODE Section 476.2(6) which requires the Iowa Utilities Board to provide on or before December 1, 1994, a report on the results of energy efficiency plans implemented by Iowa's nonrate-regulated electric and gas utilities.

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS

Fiscal Year 1994 Annual Report pursuant to Iowa Code Section 7E.3(4).

**IOWA STATE UNIVERSITY
of Science and Technology**

A copy of the Ethanol Production and Livestock Feeding Project outlined in the Iowa Acts Chapter 1119.

IOWA DEPARTMENT OF TRANSPORTATION

Annual Report of Highway Research and Development of Iowa published in accordance with Sections 310.36 and 312.3A of the Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

The Iowa Department of Public Safety Annual Report for fiscal year 1994, pursuant to Section 100.33, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

As required by Section 305 (b) of the Federal Clean Water Act, copies of "Water quality in Iowa During 1992 and 1993" and Water Quality in Iowa During 1992 and 1993: Assessment Results.

IOWA DEPARTMENT OF CORRECTIONS

An analysis of Iowa Department of Corrections programs in response to the legislative directive found in the 1994 Acts, Chapter 1196, Section 4, subsection 1h. This subsection requires the Department to analyze and compare policies and programming between male and female inmates.

STATE BOARD OF REGENTS

Student Financial Aid Study in Accordance with Chapter 1193, HF 2411, Appropriations - Education.

IOWA DEPARTMENT OF CULTURAL AFFAIRS

Annual Report for Fiscal Year 1994.

IOWA HIGHER EDUCATION LOAN AUTHORITY

Annual Report for 1994 of Iowa Higher Education Loan Authority as created by the State Legislature in 1982 under the provisions of Chapter 261A.

DEPARTMENT OF PUBLIC HEALTH

Health Data Commission Legislative Report December 1, 1994, as required by HF 2376.

IOWA DEPARTMENT OF NATURAL RESOURCES

This is the annual report to the General Assembly to meet the requirements of Section 455B.427. It describes the condition of the Hazardous Waste Remedial Fund.

IOWA DEPARTMENT OF TRANSPORTATION

A copy of the 1995-1999 Transportation Improvement Program approved by the State Transportation Commission on December 13, 1994, as required by Section 307A.2(12) of the Code of Iowa. This is a part of the Department's annual report required by Section 7A.9 of the Code.

IOWA DEPARTMENT OF AGRICULTURE

Office of Renewable Fuels and Co-Products. This report summarizes the activities of the office since the passage of House File 2337.

**DEPARTMENT OF HUMAN RIGHTS
DIVISION OF COMMUNITY ACTION AGENCIES**

In accordance with Senate File 2091, Section 4, a copy of the report "An Evaluation of Weatherization/Rehabilitation Funding Options".

DEPARTMENT OF NATURAL RESOURCES

A report regarding the results of the Toxic Cleanup Days conducted in the 1994 calendar year. The report has been prepared to meet the requirement of Iowa Code Section 455F.8.

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

Pursuant to Section 23, Senate File 2089, an organizational plan is submitted by the Iowa Telecommunications and Technology Commission for approval.

DEPARTMENT OF PUBLIC HEALTH

The 1993 Final Report from the behavioral risk factor surveillance system. The report present both 1993 trend data on health risk factors including general health status, diet and weight, tobacco use, alcohol use, seat belt use, high cholesterol, high blood pressure, mammography screening, pap smears, AIDS health insurance coverage and access to health care.

DEPARTMENT OF HUMAN SERVICES
Division of Mental Health and Developmental Disabilities

An annual report prepared per the requirements of Iowa Code 225C.6 (i).

DEPARTMENT OF NATURAL RESOURCES

Pursuant to 258A., Code of Iowa, a summary of activities for the 1994 certification programs.

IOWA BUSINESS INVESTMENT CORPORATION

HR 2415, Section 29(e), enacted by the 1994 session of the Iowa General Assembly and approved by the Governor, directed the Iowa Business Investment Corporation to develop a proposal for a venture capital company to facilitate development of Iowa small businesses. The report contains this proposal and recommendations.

IOWA DEPARTMENT OF REVENUE AND FINANCE

An Annual Report detailing the Department's activities and accomplishments while administering Iowa's tax laws and Iowa's financial management operations during the fiscal year ending June 30, 1994.

INTERNATIONAL NETWORK ON TRADE, INC.

The Annual Report for 1994.

REPORT TO THE GOVERNOR AND THE GENERAL
ASSEMBLY ON A BUSINESS DEVELOPMENT
INITIATIVE FOR ENTREPRENEURS WITH DISABILITIES.

A report as required by HR 2403, 75 General Assembly.

STATE OF IOWA 750 BED MEDIUM SECURITY
CORRECTIONAL FACILITY FOR MEN — NEWTON, IOWA

A report submitted in response to HF 2350. The department of corrections shall issue a request for the construction of additional medium security correctional beds for men to be located at the Newton correctional facility, which would only be constructed if the proposal is accepted.

IOWA DEPARTMENT OF TRANSPORTATION

Government services card system. Plan for the development and implementation of a statewide governmental services card system. Final report pursuant to Chapter 1193, Acts and Joint Resolutions enacted at the 1992 Regular Session of the 74th General Assembly of the State of Iowa. Code Section 18.138.

FARM FLOOD RESPONSE WORKSHOP
Implications for Agricultural Safety and Health

This resource guide was established in response to a recommendation identified during the Farm Flood Response workshop; Implications for Agricultural Safety and Health.

IOWA PRODUCT DEVELOPMENT CORPORATION

The 1994 Annual Report.

IOWA DEPARTMENT OF PUBLIC HEALTH

Pursuant to HR 2376, a report on the Nutritional Risk Survey Conducted on Clients of Home Care Aide and the Iowa Senior Health Programs.

DEPARTMENT OF MANAGEMENT

In accordance with Iowa Code 19B.7, the Department of Management is submitting the Contract Compliance Report for FY 1994.

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Senate File 2314 directed the Iowa Department of Agriculture and Land Stewardship to conduct a study of "...its licensing fee structure for the inspection of commercial weighing and measuring devices..." and to "...examine the relationship between fees and costs incurred in administration, regulation, and enforcement..."

DEPARTMENT OF CORRECTIONS

The Literacy Project Report from the Department of Corrections in compliance with the legislative mandate established in Chapter 1196, Section 4, Subsection 4, Acts of the 1994 General Assembly.

STATE BOARD OF REGENTS

In accordance with Section 262A.3 of the Code of Iowa, the Board of Regents FY 1996-FY 2000 Five Year Building Program.

REPORTS OF COMMITTEE MEETINGS

**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND
REGULATION**
(CORRECTED FROM JANUARY 12 JOURNAL)

Convened: January 11, 1995, 9:38 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn.

Committee Business: Adopted committee rules and tentative schedule.

Adjourned: 9:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 17, 1995, 3:10 p.m.

Members Present: Judge, Chair; Bartz, Ranking Member and Lundby.

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

Committee Business: Overview of departments and budgets by the legislative fiscal bureau.

Adjourned: 4:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 17, 1995, 3:05 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Overview of FY 1996 budget requests by the department of agriculture and land stewardship and the department of natural resources; and the governor's recommendations by the legislative fiscal bureau.

Adjourned: 3:47 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 17, 1995, 3:05 p.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: Bisignano (excused).

Committee Business: Presentation by the Public Employment Relations Board.

Adjourned: 3:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 17, 1995, 3:10 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Fink and Freeman.

Members Absent: Kramer, Ranking Member (excused).

Committee Business: Budget presentation by the department of cultural affairs.

Adjourned: 4:26 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 17, 1995, 3:10 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Budget presentation by the director of the department of human services.

Adjourned: 4:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 17, 1995, 3:10 p.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Budget presentations by the attorney general, public defender and the board of parole.

Adjourned: 5:00 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE AND CAPITALS**

Convened: January 17, 1995, 3:00 p.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Jensen.

Members Absent: Palmer, Vice Chair and Murphy.

Committee Business: Detail of road use tax fund by the legislative fiscal bureau and overview of the governor's recommendations.

Adjourned: 4:25 p.m.

HUMAN RESOURCES

Convened: January 17, 1995, 11:00 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:08 a.m.

WAYS AND MEANS

Convened: January 17, 1995, 2:25 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

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

Adjourned: 3:05 p.m.

COMMITTEE REPORT

JUDICIARY

Final Bill Action: SENATE FILE 7, a bill for an act relating to the knowing transmission of the human immunodeficiency virus and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Fraise and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3012 S.F. 37 Berl E. Priebe

AFTERNOON SESSION

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Jensen.

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.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 6

On motion of Senator McLaren, Senate Concurrent Resolution 6, a concurrent resolution objecting to a plan proposed by the United States Corps of Engineers to dramatically alter the operation of the Missouri River, and to request that the current operation of the river be maintained or that an alternative plan be considered that does not negatively impact upon the effective operation of the river, was taken up for consideration.

Senator McLaren moved the adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 33

On motion of Senator Kibbie, Senate File 33, a bill for an act relating to the expulsion of a student for bringing a weapon to school, 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. 33) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Kramer

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

INTRODUCTION OF BILLS

Senate Joint Resolution 2, by Zieman, Hedge, Bartz, McLaren, and Banks, a joint resolution requesting the proposal of an amendment to the Constitution of the United States to limit the years of service of members of Congress.

Read first time and passed on file.

Senate Joint Resolution 3, by Zieman, Hedge, and Bartz, a joint resolution requesting the proposal of an amendment to the Constitution of the United States to change the term of office of members of the House of Representatives.

Read first time and passed on file.

Senate File 41, by Iverson, a bill for an act extending for additional budget years the regular program district cost guarantee for school districts.

Read first time and passed on file.

Senate File 42, by Halvorson, a bill for an act providing for voluntary limitation of campaign expenditures and contributions for certain elective officers, providing for disclosure for candidates who do not elect to voluntarily limit campaign expenditures and contributions, and providing penalties and an effective date.

Read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 6** and **Senate File 33** be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 37

On motion of Senator Priebe, **Senate File 37**, a bill for an act relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the department of natural resources, was taken up for consideration.

Senator Priebe offered amendment S—3012 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3012 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. 37) the vote was:

Ayes, 48:

Banks

Bartz

Bennett

Bisignano

Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer 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 **Senate File 37** be immediately messaged to the House.

APPENDIX**ANNOUNCEMENT OF APPOINTMENTS
BY THE PRESIDENT OF THE SENATE**

The President announced the following appointments:

**CAPITOL PLANNING COMMISSION
(Code 18A.2)**

Senator Bill Palmer, 1/12/95 - 4/30/99

**WALLACE TECHNOLOGY TRANSFER FOUNDATION
(Code 15E.154)**

Senator Bill Palmer — Term expires with the convening of the 77th General Assembly.

**IPERS ADVISORY BOARD
(Code 97B.8)**

Senator Jack Kibbie — Term expires with the convening of the 77th General Assembly.

**RURAL HEALTH ADVISORY BOARD
(Code 135.13)**

Senator Patty Judge — Term expires with the convening of the 77th General Assembly.

**RENEWABLE FUEL ADVISORY COMMITTEE
(Code 159A.4)**

Senator Al Sorensen, 1/12/95 - 4/30/98.

**COMMUNICATIONS REVIEW COMMITTEE
(Code 2.35)**

Senator Steve Hansen — Term expires with the convening of the 77th General Assembly.

**FUNCTIONAL CLASSIFICATION BOARD
(Code 306.6)**

Senator Eugene Fraise — Term expires with the convening of the 77th General Assembly.

EDUCATIONAL TECHNOLOGY CONSORTIUM
(Code 301A.2)

Senator Bob Dvorsky — Term expires with the convening of the 77th General Assembly.

RURAL DEVELOPMENT COUNCIL
(Request of DED)

Senator Eugene Fraise — Term expires with the convening of the 77th General Assembly.

LIBRARY PLANNING TEAM
(Request of state librarian)

Senator Bill Fink — Term expires with the convening of the 77th General Assembly.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 17, 1995, 3:07 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Guest speakers were present.

Adjourned: 4:30 p.m.

STUDY BILLS RECEIVED

SSB 27 Local Government

Relating to the classes of property in a county revitalization area.

SSB 28 Human Resources

Relating to public health issues, including certain birth certificates and licensing of athletic trainers.

SUBCOMMITTEE ASSIGNMENTS

Senate File 1

LOCAL GOVERNMENT: Fraise, Chair; Judge and Rittmer

Senate File 9

LOCAL GOVERNMENT: Fink, Chair; Judge and Rittmer

Senate File 11

LOCAL GOVERNMENT: Fraise, Chair; Judge and Rittmer

Senate File 40

STATE GOVERNMENT: Dearden, Chair; Bisignano and McLaren

SSB 14

AGRICULTURE: Priebe, Chair; Hedge and Zieman

SSB 16

AGRICULTURE: Priebe, Chair; Husak and McLaren

SSB 27

LOCAL GOVERNMENT: Sorensen, Chair; Black and Zieman

SSB 28

HUMAN RESOURCES: Hansen, Chair; Bartz and Hammond

BILLS ASSIGNED TO COMMITTEE

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

S. F.	41	Education
S. F.	42	State Government
S. J. R.	2	State Government
S. J. R.	3	State Government

INTRODUCTION OF BILLS

Senate Joint Resolution 4, by Zieman, Bartz, and Hedge, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives.

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

Senate Joint Resolution 5, by Zieman, Hedge, McLaren, and Banks, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the years of service for members of the Senate and the House of Representatives, and to limit the years of service for Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

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

Senate File 43, by Boswell, a bill for an act relating to the establishment of a pharmaceutical assistance program for the elderly, and providing a penalty.

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

AMENDMENT FILED

S—3013	S. R.	1	Johnie Hammond Tom Flynn
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ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:46 p.m., until 9:00 a.m., Thursday, January 19, 1995.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 19, 1995

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

Prayer was offered by the Reverend Larry Reigle, pastor of the Fort Des Moines United Methodist Church, Des Moines, Iowa.

The Journal of Wednesday, January 18, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer for the day on request of Senator Lind.

RECESS

On motion of Senator Horn, the Senate recessed at 9:10 a.m., until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:33 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 49 present, 1 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 44, by Black and Iverson, a bill for an act relating to public water supply system fees.

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

CONSIDERATION OF RESOLUTION (Appropriations Calendar)

Senate Joint Resolution 1

On motion of Senator Murphy, Senate Joint Resolution 1, a joint resolution proposing an amendment to the constitution of the State of Iowa requiring the maintenance of a cash reserve, with report of committee recommending passage, was taken up for consideration.

Senator Iverson offered amendment S—3014 filed by him from the floor to pages 1 and 2 of the resolution.

Senator Murphy raised the point of order that amendment S—3014 was not germane to the resolution.

The Chair ruled the point well taken and amendment S—3014 out of order.

Senator Bennett offered amendment S—3015 filed by him from the floor to pages 1 and 2 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3015 be adopted?" (S.J.R. 1) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 1:

Kramer

Amendment S—3015 lost.

Senator Murphy moved that the resolution be read the last time now and placed upon its passage, which motion prevailed, and the resolution was read the last time.

Senate Joint Resolution 1, a joint resolution proposing an amendment to the constitution of the State of Iowa requiring the maintenance of a cash reserve.

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, Constitution of the State of Iowa, is amended by adding the following new section:

MAINTENANCE OF CASH RESERVE. SEC. 9. A cash reserve shall be maintained by the state and moneys in the cash reserve shall be separate from the general fund of the state and shall not be considered part of the general fund of the state except in determining the cash position of the state. Moneys in the cash reserve may be used for cash flow purposes provided that any moneys so allocated during a fiscal year are returned to the cash reserve by the end of that fiscal year.

The target for the amount of moneys to be maintained in the cash reserve shall be five percent of the revenue estimate for the general fund of the state for that fiscal year. The revenue estimate shall be adjusted by subtracting estimated tax refunds payable from the estimated revenue and by adding any new revenue which may be considered to be eligible for deposit in the general fund

of the state. However, the target identified by this paragraph shall not be construed to require more than one percent of the adjusted revenue estimate for the general fund of the state to be set aside for these purposes in any one fiscal year.

Moneys in the cash reserve may be appropriated by the General Assembly only for use in the fiscal year in which the appropriation is made. The moneys shall only be appropriated in a bill or joint resolution in which the appropriation is the only subject matter of the bill or joint resolution and which contains a statement of the reasons why the appropriation is necessary. In addition, moneys shall not be appropriated from the cash reserve such that the balance in the cash reserve would be less than three percent of the adjusted revenue estimate for the fiscal year in which the appropriation is made unless the bill or joint resolution making the appropriation is approved by a vote of at least three-fifths of the members of each chamber of the General Assembly and approved by the Governor.

This section applies to fiscal years commencing on or after July 1, 1999.

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

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

Yeas, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Jensen	Judge
Kibbie	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Connolly

Iverson

Rife

Absent or not voting, 1:

Kramer

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 7.

Senate File 7

On motion of Senator Vilsack, Senate File 7, a bill for an act relating to the knowing transmission of the human immunodeficiency virus and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Vilsack asked and received unanimous consent that action on Senate File 7 be deferred.

IMMEDIATELY MESSAGED

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 18, 1995, 3:10 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member; Horn and Lundby.

Members Absent: none.

Committee Business: Budget presentation by the department of revenue and finance.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 18, 1995, 3:07 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Budget presentation by the director of the department of natural resources.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 18, 1995, 3:05 p.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: none.

Committee Business: Presentation by the director of the department of employment services.

Adjourned: 3:55 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 1995, 3:07 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Committee Business: Budget presentations by the college student aid commission, department of management and board of regents.

Adjourned: 5:08 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 17, 1995, 3:10 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: The director of the department for the blind presented an overview of the agency and conducted a tour of the facilities.

Adjourned: 4:28 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 18, 1995, 3:02 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Budget presentations by the department of elder affairs and governor's alliance on substance abuse.

Adjourned: 4:28 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 18, 1995, 3:10 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Budget presentation by the department of human services.

Adjourned: 4:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 18, 1995, 3:00 p.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Budget presentations by the Iowa law enforcement academy council, department of public safety and department of public defense.

Adjourned: 4:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 18, 1995, 3:25 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by the director of the legislative fiscal bureau.

Adjourned: 4:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 18, 1995, 3:04 p.m.

Members Present: Halvorson, Chair; Palmer, Vice Chair; Douglas, Ranking Member; Jensen and Murphy.

Members Absent: none.

Committee Business: Overview of the governor's recommendations by the legislative fiscal bureau.

Adjourned: 4:18 p.m.

AGRICULTURE

Convened: January 18, 1995, 8:37 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Ziemann.

Members Absent: Boswell (excused).

Committee Business: Discussed future committee business.

Adjourned: 8:55 a.m.

HUMAN RESOURCES

Convened: January 18, 1995, 11:24 a.m.

Members Present: Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: Szymoniak, Chair (excused).

Committee Business: Assigned bill to subcommittee.

Adjourned: 11:59 a.m.

JUDICIARY

Convened: January 18, 1995, 10:30 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern.

Members Absent: Fraise and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees and recommended passage of Senate File 7.

Adjourned: 10:45 a.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: January 18, 1995, 10:35 a.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: none.

Committee Business: Presentation by the director of the department of natural resources.

Adjourned: 11:17 a.m.

STATE GOVERNMENT

Convened: January 18, 1995, 11:22 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen.

Members Absent: Bisignano and McLaren (both excused).

Committee Business: Announced standing subcommittees on election laws, IPERS, government reform, and gambling and liquor issues; assigned bills to subcommittees.

Adjourned: 11:37 a.m.

**ANNOUNCEMENT OF APPOINTMENTS
BY THE PRESIDENT OF THE SENATE**

The President announced the following appointments:

**WALLACE TECHNOLOGY TRANSFER FOUNDATION
(Code 15E.154)**

Senator Brad Banks — term expires with the convening of the 77th General Assembly.

**RURAL HEALTH ADVISORY BOARD
(Code 135.107)**

Senator Wilmer Rensink — term expires with the convening of the 77th General Assembly.

RENEWABLE FUEL ADVISORY COMMITTEE
(Code 159A.4)

Senator JoAnn Douglas — 1/12/95 - 4/30/98.

COMMUNICATIONS REVIEW COMMITTEE
(Code 2.35)

Senator Bob Dvorsky and Senator Derryl McLaren — term expires with the convening of the 77th General Assembly.

RURAL DEVELOPMENT COUNCIL
(Request of DED)

Senator Wayne Bennett — Term expires with the convening of the 77th General Assembly.

LIBRARY PLANNING TEAM
(Request of state librarian)

Senator Sheldon Rittmer — term expires with the convening of the 77th General Assembly.

**TRUSTEE OF POLICE AND
FIRE RETIREMENT SYSTEM**
(Code 411.36)

Senator Mary Lundy — 1/8/95 - 4/30/96.

COMMISSION ON CHILDREN, YOUTH AND FAMILIES
(Code 217.9A)

Senator Merlin Bartz and Senator Johnie Hammond — 1/18/95 - 1/1/97.

EDUCATION COMMISSION OF THE STATES
(Code 272B.2)

Senator Mary Kramer — no set term.

ENERGY FUND DISBURSEMENT
(Code 473.11)

Senator Mike Gronstal and Senator Mary Lou Freeman — term expires with the convening of the 77th General Assembly.

CHILD SUPPORT ADVISORY BOARD
(Code 252B.18)

Senator Mary Neuhauser and Senator Nancy Boettger — 1/18/95 - 1/1/97.

TERRACE HILL SOCIETY
(Request of the group)

Senator Dennis Black — 1/18/95 - 6/30/96.

STUDY BILLS RECEIVED

SSB 29 Judiciary

Relating to the duration of dispositional orders entered by the juvenile court.

SSB 30 Judiciary

Relating to closing hearing regarding waiving a juvenile to adult court and to hearing-related publicity.

SSB 31 Judiciary

Relating to restitution in certain traffic offenses which are simple misdemeanors.

SSB 32 Commerce

A Senate Resolution paying tribute to the memory of Dennis J. Nagel.

SSB 33 Judiciary

Relating to appointment and election of state judicial nominating commissioners and providing effective and applicability dates and transition provisions.

SSB 34 Judiciary

Relating to nonsubstantive Code corrections, and providing effective and applicability date provisions.

SSB 35 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.

SUBCOMMITTEE ASSIGNMENTS

Senate File 29

JUDICIARY: Halvorson, Chair; Boettger, Giannetto, McKean and Vilsack

Senate File 30

JUDICIARY: Fraise, Chair; Bartz, Drake, Giannetto and Vilsack

SSB 29

JUDICIARY: Hansen, Chair; Bisignano, Giannetto, McKean and Redfern

SSB 30

JUDICIARY: Neuhauser, Chair; Boettger, Drake, Giannetto and Hammond.

SSB 31

JUDICIARY: Redfern, Chair; Giannetto, Maddox, Neuhauser and Vilsack

SSB 32

COMMERCE: Deluhery, Chair; Hansen and Jensen

BILLS ASSIGNED TO COMMITTEE

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

S. F.	43	Human Resources
S. F.	44	Natural Resources
S. J. R.	4	State Government
S. J. R.	5	State Government

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE RESOLUTION 2 (SSB 32), a resolution paying tribute to the memory of Dennis J. Nagel.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 45 (SSB 4), a bill for an act changing the name of the league of Iowa municipalities to the Iowa league of cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Resolution 2, by committee on Commerce, a senate resolution paying tribute to the memory of Dennis J. Nagel.

Read first time under Rule 28 and placed on calendar.

INTRODUCTION OF BILLS

Senate File 45, by committee on Local Government, a bill for an act changing the name of the league of Iowa municipalities to the Iowa league of cities.

Read first time under Rule 28 and placed on calendar.

Senate File 46, by Halvorson, a bill for an act creating multidisciplinary social services teams and providing a penalty.

Read first time under Rule 28 and passed on file.

AMENDMENTS FILED

S-3014	S. J. R.	1	Stewart Iverson, Jr.
S-3015	S. J. R.	1	Wayne Bennett

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:21 p.m., until 10:00 a.m., Monday, January 23, 1995.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 23, 1995

The Senate met in regular session at 9:13 a.m., President pro tempore Bisignano presiding.

Prayer was offered by Father Gordon Gittins, pastor of St. Clare's Catholic Church, Clarinda, Iowa.

The Journal of Thursday, January 19, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boswell, Neuhauser and Szymoniak 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 46 present, 4 absent and a quorum present.

UNFINISHED BUSINESS (Deferred January 19, 1995)

Senate File 7

The Senate resumed consideration of Senate File 7, a bill for an act relating to the knowing transmission of the human immunodeficiency virus and providing penalties, deferred January 19, 1995.

Senator Boettger offered amendment S—3016 filed by Senators Boettger, McKean and Vilsack from the floor to page 1 of the bill and moved its adoption.

Amendment S—3016 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. 7) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Boswell	Neuhauser	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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 45.

Senate File 45

On motion of Senator Halvorson, Senate File 45, a bill for an act changing the name of the league of Iowa municipalities to the Iowa league of cities, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 45) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Boswell	Neuhauser	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 Senate Files 7 and 45 be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 47, by Connolly, a bill for an act relating to distance restrictions on residency for municipal employees.

Read first time and passed on file.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: January 19, 1995, 11:10 a.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern.

Members Absent: Bisignano and Palmer.

Committee Business: Approved SSB 32 as a committee resolution.

Adjourned: 11:15 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 19, 1995, 9:35 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: none.

Committee Business: Representatives from IPTV and ICN were present.

Adjourned: 10:24 a.m.

LOCAL GOVERNMENT

Convened: January 19, 1995, 11:11 a.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: none.

Committee Business: Approved SSB 4 as a committee bill.

Adjourned: 11:56 a.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: January 19, 1995, 10:23 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Presentation by the Iowa finance authority on the Iowa housing authority.

Adjourned: 11:07 a.m.

TRANSPORTATION

Convened: January 19, 1995, 10:25 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business; Assigned bill to subcommittee.

Adjourned: 10:32 a.m.

PRESENTATION OF VISITORS

The following guests were present in the Senate gallery as the guests of Senator McKean:

Nine guests from Albania, seven national officers of the Albanian Farmers Union and two interpreters.

STUDY BILLS RECEIVED**SSB 36 Judiciary**

Relating to compensation for victims of crimes, by providing for compensation to secondary victims of crimes and increasing the maximum amount that may be recovered for loss of work income due to injuries received by victims.

SSB 37 Natural Resources

A Senate Resolution providing special recognition and support to the seventy-fifth anniversary of Iowa's state parks system.

SSB 38 Transportation

Relating to certain exemptions from federal motor carrier safety regulations.

SSB 39 State Government

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

SSB 40 State Government

Relating to the regulation of games of skill, games of chance, and amusement devices, and subjecting violators to penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 22**

APPROPRIATIONS: Neuhauser, Chair; Bartz and Hammond

Senate File 38

APPROPRIATIONS: Murphy, Chair; Douglas and Halvorson

SSB 34

JUDICIARY: Bartz, Chair; Fraise, Giannetto, Maddox and Vilsack

SSB 35

JUDICIARY: McKean, Chair; Bartz, Fraise, Giannetto and Vilsack

SSB 36

JUDICIARY: Szymoniak Chair; Boettger, Giannetto, Hammond and Maddox

SSB 37

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair;
Black and Lundby

SSB 38

TRANSPORTATION: Gettings, Chair; Connolly and Rittmer

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 8, by Bisignano, Palmer, Judge, Dearden, Szymoniak, Fink, Dvorsky, Vilsack, Giannetto, Kibbie, Gettings, Connolly, Flynn, Halvorson, Sorensen, Neuhauser, Fraise, Husak, Horn, Boswell, Hansen, Gronstal, Priebe, Murphy, Hammond, and Lundby, a concurrent resolution urging support of the striking workers at Bridgestone/Firestone in Des Moines through legislation and other means.

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

INTRODUCTION OF BILLS

Senate File 48, by Halvorson, a bill for an act relating to special trucks.

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

Senate File 49, by Hansen, a bill for an act relating to the granting of visitation rights to grandparents.

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

Senate File 50, by Zieman, Hedge, Bartz, and Banks, a bill for an act limiting the number of terms and years of service a person may serve as Iowa secretary of agriculture and providing an applicability date.

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

Senate File 51, by Lind, a bill for an act relating to limiting the use and sale of customer lists by telecommunications companies.

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

Senate File 52, by Bartz, a bill for an act providing for the use and control of quack grass and its seeds.

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

Senate File 53, by Bisignano, a bill for an act relating to the qualifications of an applicant for a license to sell real estate in this state.

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

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	8	Business and Labor
S. F.	46	Human Resources
S. F.	47	Local Government
S. F.	48	Transportation
S. F.	49	Human Resources
S. F.	50	State Government
S. F.	51	Commerce
S. F.	52	Agriculture
S. F.	53	Commerce

AMENDMENT FILED

S-3016	S. F.	7	Nancy Boettger Andy McKean Tom Vilsack
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ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 11:07 a.m., until 9:00 a.m., Tuesday, January 24, 1995.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 24, 1995

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

Prayer was offered by Father Raymond Higgins, pastor of St. Anthony's Church, Des Moines, Iowa.

The Journal of Monday, January 23, 1995, was approved.

INTRODUCTION OF BILL

Senate File 54, by Priebe, a bill for an act relating to the disclosure of marketing, advertising, and lobbying costs in hospital billing statements.

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

DISTINGUISHED VISITOR

Senator Neuhauser presented Sumitra Gandhi Kulkarni, granddaughter and biographer of Mahatma Gandhi, who was a member of the Indian Parliament from 1972-1978, an elected member of the Congress Parliamentary Party Executive Committee, and a delegate from India to the United Nations General Assembly.

Mrs. Kulkarni thanked the Senate for their hospitality during her visit.

APPENDIX

STUDY BILLS RECEIVED

SSB 41 Judiciary

Relating to property exempt from criminal forfeiture.

SSB 42 Judiciary

Relating to providing for a five-year minimum prison term for a person who uses a knife in the commission of a forcible felony.

SSB 43 Judiciary

Related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties.

SSB 44 Judiciary

Requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, and excluding the revocation from application of certain motor vehicle financial responsibility requirements.

SSB 45 Education

Extending for additional budget years the regular program district cost guarantee for school districts.

SSB 46 Ethics

A Resolution to provide the senate rules governing lobbyists.

SSB 47 Ethics

A Resolution to provide for the Senate Code of Ethics.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 23, 1995, 3:15 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member; Horn and Lundby.

Members Absent: none.

Committee Business: Presentation by the department of general services.

Adjourned: 3:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 23, 1995, 3:03 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Presentation by the legislative fiscal bureau on trust funds; distribution of list of sub-subcommittee topics for assignment preferences by subcommittee members.

Adjourned: 3:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 23, 1995, 3:05 p.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Zieman.

Members Absent: Bisignano, Vice Chair (excused).

Committee Business: Presentations by the department of employment services, industrial services and labor services divisions.

Adjourned: 4:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 1995, 3:08 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Fink and Freeman.

Members Absent: Kramer, Ranking Member (excused).

Committee Business: Presentations by the department of management, state librarian, and vocational rehabilitation.

Adjourned: 5:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 23, 1995, 3:04 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Presentation by the department of public health.

Adjourned: 4:48 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 23, 1995, 3:10 p.m.

Members Present: Hammond, Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: Szymoniak, Vice Chair (excused).

Committee Business: Presentation by the department of human services on medical assistance and nursing home care.

Adjourned: 5:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 23, 1995, 3:09 p.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Budget presentation by the department of corrections.

Adjourned: 5:16 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 23, 1995, 3:10 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by the state auditor.

Adjourned: 4:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 23, 1995, 3:00 p.m.

Members Present: Halvorson, Chair; Palmer, Vice Chair; Douglas, Ranking Member; Jensen and Murphy.

Members Absent: none.

Committee Business: Presentations by the director and staff of the department of transportation.

Adjourned: 5:00 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate Joint Resolution 3

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate Joint Resolution 4

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate Joint Resolution 5

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 39

NATURAL RESOURCES: Gronstal, Chair; Banks and Black

Senate File 42

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 48

TRANSPORTATION: Rittmer, Chair; Dearden and Halvorson

Senate File 50

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 52

AGRICULTURE: Douglas, Chair; Fraise and Hedge

SSB 39

STATE GOVERNMENT: Fink, Chair; Kibbie and Rittmer

SSB 40

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

SSB 41

JUDICIARY: Giannetto, Chair; Hammond, McKean, Redfern and Vilsack

SSB 42

JUDICIARY: Boettger, Chair; Giannetto, Maddox, Neuhauser and Vilsack

SSB 43

JUDICIARY: Bisignano, Chair; Boettger, Fraise, Maddox and Vilsack

SSB 44

JUDICIARY: Giannetto, Chair; Boettger, Fraise, McKeán and Vilsack

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 58 (SSB 16), a bill for an act relating to procedures and criteria for recovery by private property owners due to inverse condemnation of real property by state government action and providing an applicabiity date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 6 (SSB 39), a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 2: Bisignano and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 9, by Bartz, a concurrent resolution requesting Interstate Power Company to refund certain farm customer charges.

Read first time under Rule 28 and passed on file.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by committee on State Government, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

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

Senate File 55, by Sorensen, a bill for an act regulating manure spraying devices, and providing for penalties.

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

Senate File 56, by Jensen, a bill for an act requiring reflective devices on railroad cars and providing a penalty.

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

Senate File 57, by Freeman, a bill for an act relating to the amending of the state medical assistance plan.

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

Senate File 58, by committee on Agriculture, a bill for an act relating to procedures and criteria for recovery by private property owners due to inverse condemnation of real property by state government action and providing an applicability date.

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

Senate File 59, by Black, a bill for an act relating to the levying of property taxes and the rate of the tax levy for all taxing districts and providing an applicability date provision.

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

Senate File 60, by Black, a bill for an act relating to establishing a linked investment program for speculative building development.

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

Senate File 61, by Priebe, a bill for an act relating to required disclosure of cost information by alternative operator services companies.

Read first time under Rule 28 and passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	54	Human Resources
S.F.	56	Transportation
S.F.	57	Human Resources
S. C.R.	9	Commerce

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:10 a.m., until 9:00 a.m., Wednesday, January 25, 1995.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 25, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Scott Hibben, pastor of the Oakwood United Methodist Church, Des Moines, Iowa.

The Journal of Tuesday, January 24, 1995, was approved.

INTRODUCTION OF BILL

Senate File 62, by Fraise and Jensen, a bill for an act relating to finance charges upon refinancing and consolidation of debts involving consumer credit transactions.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	55	Natural Resources
S. F.	59	Ways and Means
S. F.	60	Small Business, Economic Development, and Tourism
S. F.	61	Commerce

The Senate stood at ease at 9:19 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:07 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 January 23, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 10, a concurrent resolution calling for the convening of a Conference of the States and providing for Iowa's participation in the Conference.

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

ALSO: That the House has on January 23, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 3, a bill for an act relating to the state banner.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 36** be referred from the Regular Calendar to the committee on **Judiciary**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 24, 1995, 3:05 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member; Horn and Lundby.

Committee Business: Presentations by the auditor of state, secretary of state and treasurer of state.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 24, 1995, 3:05 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Budget presentation by the secretary of agriculture for the department of agriculture and land stewardship.

Adjourned: 4:27 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 24, 1995, 3:10 p.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Zieman.

Members Absent: Bisignano, Vice Chair (excused).

Committee Business: Presentations by the DES.

Adjourned: 4:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 24, 1995, 3:05 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentations by the Iowa school for the deaf, Iowa braille and sight saving school, and presidents of the university of Iowa and university of northern Iowa.

Adjourned: 5:03 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 24, 1995, 3:10 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member and Dearden.

Members Absent: Boettger (excused).

Committee Business: Presentations by the Iowa civil rights commission and the department of human rights.

Adjourned: 5:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 24, 1995, 3:08 p.m.

Members Present: Hammond, Chair; Tinsman, Ranking Member and Rittmer.

Members Absent: Szymoniak, Vice Chair (excused) and Deluhery.

Committee Business: Presentations by adult, children and family services division of the department of human services and juvenile court representative.

Adjourned: 5:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 1995, 3:10 p.m.

Members Present: Fraise, Chair; Dvorksy, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Budget presentation by the judicial branch.

Adjourned: 4:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 24, 1995, 3:07 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by the director of the department of management.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 24, 1995, 3:00 p.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Jensen.

Members Absent: Palmer, Vice Chair and Murphy.

Committee Business: Presentation by the planning and programming division, and the project development division of the department of transportation.

Adjourned: 3:50 p.m.

AGRICULTURE

Convened: January 24, 1995, 8:01 a.m.

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

Members Absent: Palmer (excused).

Committee Business: Approved SSB 16 as a committee bill.

Adjourned: 8:30 a.m.

EDUCATION

Convened: January 24, 1995, 1:37 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser and Tinsman.

Members Absent: Rensink and Szymoniak (both excused).

Committee Business: Assigned bill to subcommittee; assigned standing subcommittees on computers and technology, early childhood education, and school-to-work.

Adjourned: 2:17 p.m.

STATE GOVERNMENT

Convened: January 24, 1995, 11:04 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen.

Members Absent: Bisignano and McLaren.

Committee Business: Assigned bills to subcommittees and approved SSB 39 as a committee bill.

Adjourned: 11:08 a.m.

WAYS AND MEANS

Convened: January 24, 1995, 2:28 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Vilsack.

Members Absent: Szymoniak (excused).

Committee Business: Presentation by the Iowa department of revenue and finance on legislative priorities.

Adjourned: 3:06 p.m.

STUDY BILLS RECEIVED**SSB 48 Human Resources**

Requiring protective headgear for bicyclists and creating a penalty.

SSB 49 Human Resources

Relating to termination of parental rights involving abuse or neglect of a child by the child's parent.

SSB 50 Human Resources

Relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability.

SSB 51 Human Resources

Providing for notification of certain persons receiving public assistance of tax suspension provisions.

SSB 52 Human Resources

Adopting a new uniform anatomical gift Act and providing a penalty.

SSB 53 Human Resources

Relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers, establishing income tax credits for certain individuals, establishing certain individual requirements, and providing for penalties, an effective date provision, and an applicability provision.

SSB 54 Human Resources

Requiring protective headgear for motorcyclists and providing penalties.

SSB 55 Human Resources

Relating to emergency medical services.

SSB 56 Transportation

Relating to issuance of motor vehicle licenses by county treasurers and providing moneys to the counties for implementation of the Act.

SSB 57 Transportation

A Concurrent Resolution declaring support for Amtrak.

SSB 58 Commerce

Relating to authorization of price regulation for utilities providing communications services.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 8**

BUSINESS AND LABOR: Dearden, Chair; Gettings and Iverson

Senate Concurrent Resolution 9

COMMERCE: Priebe, Chair; Flynn and Hedge

Senate File 36

JUDICIARY: Vilsack, Chair; Bartz, Drake, Fraise and Giannetto

Senate File 43

HUMAN RESOURCES: Szymoniak, Chair; Hansen and Tinsman

Senate File 46

HUMAN RESOURCES: Szymoniak, Chair; Hammond and Tinsman

Senate File 47

LOCAL GOVERNMENT: Sorensen, Chair; Fink and McKean

Senate File 49

HUMAN RESOURCES: Hansen, Chair; Bartz and Szymoniak

Senate File 51

COMMERCE: Palmer, Chair; Deluhery and Redfern

Senate File 56

TRANSPORTATION: Drake, Chair; Fink and Lind

Senate File 60

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM:
Sorensen, Chair; Boettger and Flynn

Senate File 61

COMMERCE: Gronstal, Chair; Douglas and Priebe

SSB 45

EDUCATION: Connolly, Chair; Kibbie and Redfern

SSB 46

ETHICS: Hedge, Chair; Husak, Drake, Gettings, McKean and Neuhauser

SSB 47

ETHICS: Hedge, Chair; Husak, Drake, Gettings, McKean and Neuhauser

SSB 48

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

SSB 49

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Tinsman

SSB 50

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Neuhauser

SSB 51

HUMAN RESOURCES: Hammond, Chair; Szymoniak and Tinsman

SSB 52

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Kramer

SSB 53

HUMAN RESOURCES: Vilsack, Chair; Kramer and Szymoniak

SSB 54

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Tinsman

SSB 55

HUMAN RESOURCES: Hammond, Chair; Boettger and Szymoniak

SSB 58

COMMERCE: Deluhery, Chair; Husak and Lundby

BILLS ASSIGNED TO COMMITTEE

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

S. F.	53	Reassigned to State Government
S. F.	62	Commerce
S. F.	63	Human Resources
S. F.	64	State Government
S. F.	65	State Government
H. F.	3	State Government
H. C. R.	10	State Government

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 21, a bill for an act eliminating the twenty-four hour notice to students prior to a periodic search of students' lockers.

Recommendation: DO PASS.

Final Vote: Ayes, 8: McKean, Bartz, Boettger, Drake, Fraise, Halvorson, Maddox and Redfern. Nays, 6: Giannetto, Vilsack, Bisignano, Hammond, Hansen and Neuhauser. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 66 (SSB 6), a bill for an act relating to cruelty to police service dogs and providing for enhanced penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 1: Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 66 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 9, a bill for an act relating to the performance of duties of the office of recorder on abolition of the office and the filing of documents and providing an effective date and for retroactive applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3017.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE RESOLUTION 3 (SSB 37), a senate resolution providing special recognition and support to the seventy-fifth anniversary of Iowa's state parks system.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Fink, Black, Lundby, Borlaug, Dearden, Freeman, Hedge, Judge, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 4: Banks, Deluhery, Gronstal and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Resolution 3, by committee on Natural Resources, Environment and Energy, a senate resolution providing special recognition and support to the seventy-fifth anniversary of Iowa's state parks system.

Read first time under Rule 28 and placed on calendar.

INTRODUCTION OF BILLS

Senate File 63, by Priebe, a bill for an act relating to the performance of certain HIV-related tests, including tests performed on newly born infants.

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

Senate File 64, by Bisignano, Lind, Gettings, Murphy, Jensen, Dearden, McLaren, Freeman, Lundby, Bartz, McKean, Kibbie, Fraise, Giannetto, Priebe, Fink, and Borlaug, a bill for an act relating to the sale price of alcoholic liquor by a class "E" liquor control licensee, and subjecting violators to criminal and civil penalties.

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

Senate File 65, by Halvorson, a bill for an act relating to the governor's power to suspend or modify provisions of a statute, order, or rule during disaster emergencies.

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

Senate File 66, by committee on Judiciary, a bill for an act relating to cruelty to police service dogs and providing for enhanced penalties.

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

AMENDMENT FILED

S-3017

S.F.

9

Local Government

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:12 a.m., until 9:00 a.m., Thursday, January 26, 1995.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 26, 1995

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Bill Douthwaite, pastor of the Gloria Dei Lutheran Church, Urbandale, Iowa.

The Journal of Wednesday, January 25, 1995, was approved.

INTRODUCTION OF BILL

Senate File 67, by Kibbie, a bill for an act relating to requiring regulated utilities to maintain an office within the state.

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.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Resolution 2

On motion of Senator Deluhery, Senate Resolution 2, a senate resolution paying tribute to the memory of Dennis J. Nagel, was taken up for consideration.

Senator Deluhery moved the adoption of Senate Resolution 2, which motion prevailed by a voice vote.

The Senate stood at ease at 9:25 a.m. until the fall of the gavel for the purpose of party caucuses and committee meetings.

The Senate resumed session at 2:19 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 68, by committee on Appropriations, a bill for an act relating to state financial provisions by making an appropriation for the fiscal year beginning July 1, 1994, by establishing a property tax relief fund, providing for the ending balance in the general fund of the state, and providing an effective date.

Read first time and placed on Appropriations 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 January 25, 1995, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, a concurrent resolution to request that Congress propose a Constitutional amendment, for ratification by the states, which would specify that the Congress and the states have the power to prohibit the physical desecration of the American flag.

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.

SPECIAL GUEST

Senator Hammond introduced Lia Pierson, an Iowa State University student and one of 32 Americans selected this year

to be a Rhodes Scholar. This distinguished scholarship will enable her to attend Oxford University in England this fall.

The Senate stood at ease at 2:30 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.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 4, by committee on Ethics, a resolution to provide the senate rules governing lobbyists.

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

Senate Resolution 5, by committee on Ethics, a resolution to provide for the Senate Code of Ethics.

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

INTRODUCTION OF BILL

Senate File 69, by committee on Ways and Means, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date.

Read first time and **placed on Ways and Means Calendar**.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 68 (SSB 59), a bill for an act relating to state financial provisions by making an appropriation for the fiscal year beginning July 1, 1994, by establishing a property tax relief fund, providing for the ending balance in the general fund of the state, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Boswell, Bisignano, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Neuhauser and Vilsack. Nays, none. Pass, 9: Lind, Banks, Bartz, Borlaug, Douglas, Iverson, McLaren, Rensink and Tinsman. Absent, 1: Kramer.

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 68 and they were attached to the committee report.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 69 (LSB 1610), a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak 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 Ways and Means Committee on Senate File 69 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 68.

Senate File 68

On motion of Senator Murphy, Senate File 68, a bill for an act relating to state financial provisions by making an appropriation for the fiscal year beginning July 1, 1994, by establishing a property tax relief fund, providing for the ending balance in the general fund of the state, and providing an effective date, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 68** be deferred.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 69.

Senate File 69

On motion of Senator Vilsack, Senate File 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date, was taken up for consideration.

Senator Horn asked and received unanimous consent that **Senate File 69** be referred to the committee on **Appropriations** under Senate Rule 38 and returned to the Calendar no later than 4:30 p.m., January 26, 1995.

The Senate stood at ease at 4:11 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 4:22 p.m., President Boswell presiding.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 69

The Senate resumed consideration of Senate File 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date, with report of committee on Appropriations recommending passage.

Senator Lind asked and received unanimous consent that action on **Senate File 69** be deferred.

The Senate stood at ease at 4:30 p.m. until the fall of the gavel.

The Senate resumed session at 5:00 p.m., President Boswell presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Lind.

BUSINESS PENDING

Senate File 68

The Senate resumed consideration of Senate File 68, a bill for an act relating to state financial provisions by making an appropriation for the fiscal year beginning July 1, 1994, by establishing a property tax relief fund, providing for the ending balance in the general fund of the state, and providing an effective date, previously deferred.

Senator Bartz offered amendment S—3019 filed by Senators Bartz, et al., from the floor to page 1 of the bill; moved its adoption and requested a record roll call.

On the question "Shall amendment S—3019 be adopted?" (S.F. 68) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 1:

Jensen

Amendment S—3019 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. 68) the vote was:

Ayes, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Absent or not voting, 1:

Jensen

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

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 Fink, Senate Resolution 3, a senate resolution providing special recognition and support to the seventy-fifth anniversary of Iowa's state parks system, was taken up for consideration.

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

BUSINESS PENDING

Senate File 69

The Senate resumed consideration of Senate File 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date, previously deferred.

Senator Lind offered amendment S—3020 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—3020 be adopted?" (S.F. 69) the vote was:

Ayes, 21:

Banks
Borlaug
Hedge

Bartz
Douglas
Iverson

Bennett
Drake
Kramer

Boettger
Freeman
Lind

Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Zieman			

Nays, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Tinsman	Vilsack

Absent or not voting, 1:

Jensen

Amendment S—3020 lost.

The Senate stood at ease at 5:35 p.m. until the fall of the gavel.

The Senate resumed session at 5:42 p.m., President Boswell presiding.

Senator Bennett offered amendment S—3021 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—3021 be adopted?" (S.F. 69) the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie

Murphy
Sorensen

Neuhauser
Szymoniak

Palmer
Vilsack

Priebe

Absent or not voting, 1:

Jensen

Amendment S—3021 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. 69) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Jensen

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

INTRODUCTION OF BILL

Senate File 70, by Maddox, a bill for an act relating to severe storm shelters in mobile home parks and recreational mobile home parks, providing a penalty for a violation, and specifying applicability.

Read first time and passed on file.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 68 and 69 be immediately messaged to the House.

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Mrs. Frances Kuennen, Fayette — In celebration of her 100th birthday. Senator Murphy (1-24-95).

Lia Pierson, Ames — For attaining the honor of a Rhodes Scholarship. Senator Hammond (1-26-95).

Lindsey Luscri, Melcher — For receiving the Girl Scout Gold Award. Senator Szymoniak (1-15-95).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 25, 1995, 3:10 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn.

Committee Business: Presentation by ethics and campaign disclosure board.

Adjourned: 4:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 25, 1995, 3:04 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Budget presentation by the state fair.

Adjourned: 3:56 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 25, 1995, 3:05 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentation by the president of Iowa state university and representatives of united students of Iowa.

Adjourned: 5:09 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 25, 1995, 4:15 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Budget presentation by the commandant of the Iowa veterans home and tour of the home.

Adjourned: 7:43 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 25, 1995, 3:19 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Presentation by adult, children and family services division and an adoption panel discussion.

Adjourned: 5:23 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 25, 1995, 3:05 p.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member and Husak.

Members Absent: Redfern (excused).

Committee Business: Presentation by the department of corrections on the Newton prison proposal.

Adjourned: 4:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 25, 1995, 3:10 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by Joe Royce of the Administration Rules Review Committee.

Adjourned: 4:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 25, 1995, 3:07 p.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Jensen.

Members Present: Palmer, Vice Chair and Murphy.

Committee Business: Presentations by the department of transportation on the operations division and motor vehicle division.

Adjourned: 4:35 p.m.

COMMERCE

Convened: January 25, 1995, 1:40 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Lundby and Priebe.

Members Absent: Husak (excused), Palmer and Redfern (excused).

Committee Business: Assigned bills to subcommittees; presentation by the utilities board.

Adjourned: 2:17 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: January 25, 1995, 10:17 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen and Redfern.

Members Absent: Jensen (excused).

Committee Business: Presentation by IPTV.

Adjourned: 11:05 a.m.

HUMAN RESOURCES

Convened: January 25, 1995, 10:10 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Kramer and Tinsman.

Members Absent: Dvorsky, Hansen, Neuhauser and Vilsack.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:12 a.m.

JUDICIARY

Convened: January 25, 1995, 11:09 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser and Redfern.

Members Absent: Szymoniak (excused).

Committee Business: Approved SSB 6 as a committee bill and recommended passage of Senate File 21.

Adjourned: 11:40 a.m.

LOCAL GOVERNMENT

Convened: January 25, 1995, 1:31 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, McKean, Rittmer and Zieman.

Members Absent: Judge.

Committee Business: Recommended passage of Senate File 9 as amended and assigned a bill to subcommittee.

Adjourned: 2:25 p.m.

NATURAL RESOURCES

Convened: January 25, 1995, 11:05 a.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Priebe, Rensink and Sorensen.

Members Absent: Banks and Kibbie (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 37 as a committee bill.

Adjourned: 12:02 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: January 25, 1995, 2:25 p.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Sorensen and Szymoniak.

Members Absent: Palmer and Vilsack.

Committee Business: Assigned bill to subcommittee; presentation by the director of the department of economic development.

Adjourned: 2:58 p.m.

TRANSPORTATION

Convened: January 25, 1995, 2:30 p.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: Black (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:35 p.m.

STUDY BILLS RECEIVED

SSB 59 Appropriations

Relating to state financial provisions by making an appropriation for the fiscal year beginning July 1, 1994, by establishing a property tax relief fund, providing for the ending balance in the general fund of the state, and providing an effective date.

SSB 60 Human Resources

Relating to public health by regulating tobacco sales and use, providing for measures related to lead inspection and abatement, and providing a penalty.

SSB 61 Human Resources

Relating to smoking in a public place, establishing penalties, and providing an effective date.

SSB 62 Human Resources

Authorizing certain persons to access dependent adult abuse information.

SSB 63 Human Resources

Relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance.

SSB 64 Natural Resources, Environment & Energy

Relating to solid waste by eliminating the polystyrene ban and providing an effective date.

SSB 65 Business & Labor

Relating to the payment of wages to a suspended or terminated employee under the Iowa wage payment collection law.

SSB 66 State Government

Relating to the definition of the practice of engineering and the suspension or revocation of the certificate of registration of a professional engineer or land surveyor.

SSB 67 State Government

Relating to the exemption of certain dentists and dental hygienists from state licensing requirements.

SUBCOMMITTEE ASSIGNMENTS**Senate File 44**

NATURAL RESOURCES: Gronstal, Chair; Freeman and Judge

Senate File 54

HUMAN RESOURCES: Dvorsky, Chair; Kramer and Neuhauser

Senate File 63

HUMAN RESOURCES: Hammond, Chair; Kramer and Neuhauser

Senate File 69

APPROPRIATIONS: Vilsack, Chair; Borlaug and Husak

SSB 56

TRANSPORTATION: Fraise, Chair; Black and Jensen

SSB 57

TRANSPORTATION: Gettings, Chair; Connolly and Drake

SSB 59

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

SSB 60

HUMAN RESOURCES: Hammond, Chair; Boettger and Neuhauser

SSB 61

HUMAN RESOURCES: Hammond, Chair; Boettger and Neuhauser

SSB 62

HUMAN RESOURCES: Neuhauser, Chair; Tinsman and Vilsack

SSB 63

HUMAN RESOURCES: Hammond, Chair; Bartz and Neuhauser

SSB 64

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair;
Lundby and Sorensen

SSB 65

BUSINESS AND LABOR: Giannetto, Chair; Dearden and Freeman

LSB 1610

WAYS AND MEANS: Vilsack, Chair; Bennett, Hedge, Palmer and Priebe

COMMITTEE REPORTS**ETHICS**

Final Bill Action: SENATE RESOLUTION 4 (SSB 46), a resolution to provide the senate rules governing lobbyists.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Husak, Neuhauser, Hedge, Drake, Gettings and McKean.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 5 (SSB 47), a resolution to provide for the Senate Code of Ethics.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Husak, Neuhauser, Hedge, Drake, Gettings and McKean.
Nays, none.

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. 67 Commerce

AMENDMENTS FILED

S-3018	S.R.	1	Wally E. Horn
S-3019	S.F.	68	Merlin E. Bartz
			Allen Borlaug
			Derryl McLaren
			Mary Lou Freeman
			Stewart E. Iverson, Jr.
S-3020	S.F.	69	Jim Lind
S-3021	S.F.	69	Wayne Bennett

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:27 p.m., until 1:00 p.m., Monday, January 30, 1995.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 30, 1995

The Senate met in regular session at 1:17 p.m., President Boswell presiding.

Prayer was offered by the Reverend DeLane Wright, pastor of the First United Methodist Church, Woodbine, Iowa.

The Journal of Thursday, January 26, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 71, by Halvorson, a bill for an act relating to the required participation of parents of minor children in a seminar prior to the granting of a dissolution of marriage decree.

Read first time and passed on file.

Senate File 72, by Boswell, a bill for an act creating a public pilot project for senior citizens.

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:

Senators Szymoniak and Deluhery until they arrive on request of Senator Horn.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 9

On motion of Senator Fink, Senate File 9, a bill for an act relating to the performance of duties of the office of recorder on abolition of the office and the filing of documents and providing an effective date and for retroactive applicability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fink offered amendment S—3017 filed by the committee on Local Government on January 25, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3017 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?" (S.F. 9) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Szymoniak

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

APPENDIX**ANNOUNCEMENT OF APPOINTMENTS
BY THE MAJORITY LEADER****(January 27, 1995)**

The Majority Leader announced the following statutory legislator appointments:

IOWA LEGISLATIVE COUNCIL (Code 2.41)

Terms expire with the convening of the 77th General Assembly:

Senator Wally E. Horn*
Senator Leonard L. Boswell*
Senator Tony Bisignano*
Senator Larry Murphy*
Senator Emil J. Husak
Senator Eugene Fraise
Senator Michael E. Gronstal
Senator Jack Rife*
Senator Jim Lind*
Senator Derryl McLaren
Senator John W. Jensen
Senator Maggie Tinsman

*Statutory mandated appointments

IOWA LEGISLATIVE COUNCIL STATUTORY COMMITTEES

ADMINISTRATION: Bisignano, Fraise and Tinsman
CAPITAL PROJECTS: Husak, Judge, Murphy, McLaren and Jensen
FISCAL: Murphy, Palmer, Boswell, Lind and Bennett
SERVICE: Gronstal, Horn and Rife

IOWA LEGISLATIVE COUNCIL NON-STATUTORY COMMITTEE

STUDIES: Horn, Boswell, Husak, Rife and Lind

PETITIONS

The following petitions opposing legislation legalizing the death penalty were presented and placed on file by:

Senator Giannetto from 77 residents of Polk County.
Senator Vilsack from 84 residents of Polk County.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 25, 1995, 3:10 p.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Borlaug, Ranking Member; Hansen and Ziemer

Members Absent: none.

Committee Business: Presentation by the department of economic development.

Adjourned: 3:50 p.m.

APPROPRIATIONS

Convened: January 26, 1995, 11:25 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Kramer.

Committee Business: Approved SSB 59 as a committee bill.

Recessed: 12:51 p.m.

Reconvened: January 26, 1995, 4:15 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of Senate File 69.

Adjourned: 4:18 p.m.

ETHICS

Convened: January 26, 1995, 10:25 a.m.

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

Members Absent: none.

Committee Business: Approved SSBs 46 and 47 as committee bills.

Adjourned: 11:10 a.m.

WAYS AND MEANS

Convened: January 26, 1995, 1:06 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Amended LSB 1610 and ordered redrafted for final approval as a committee bill.

Recessed: 1:47 p.m.

Reconvened: January 26, 1995, 2:06 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Approved LSB 1610 as amended as a committee bill.

Adjourned: 2:20 p.m.

STUDY BILLS RECEIVED

SSB 68 Judiciary

Relating to the judicial department, including jurisdiction of district associate judges in domestic abuse cases, retirement annuities for senior judges, eliminating restitution in traffic violation cases, and providing effective and retroactive applicability dates.

SSB 69 Ways & Means

Relating to the state sales tax on replacement and auxiliary parts for self-propelled and non-self-propelled farm machinery and equipment.

SSB 70 Ways & Means

Relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions.

SSB 71 Ways & Means

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

SSB 72 Natural Resources - Environment & Energy

Relating to plastic garbage can liners with recycled content.

SUBCOMMITTEE ASSIGNMENTS**Senate File 53**

STATE GOVERNMENT: Bisignano, Chair; Kibbie and McLaren

House Concurrent Resolution 10

STATE GOVERNMENT: Gronstal, Chair; Fink and Lind

House File 3

STATE GOVERNMENT: Bennett, Chair; Bisignano and Lind

Senate File 65

STATE GOVERNMENT: Sorensen, Chair; Halvorson and McLaren

SSB 66

STATE GOVERNMENT: Giannetto, Chair; Bennett and Halvorson

SSB 67

STATE GOVERNMENT: Dearden, Chair; Giannetto and McLaren

SSB 68

JUDICIARY: Redfern, Chair; Giannetto, McKean, Neuhauser and Vilsack

SSB 72

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Black and Lundby

INTRODUCTION OF BILLS

Senate File 73, by Gronstal and Tinsman, a bill for an act requiring licensure of certain social workers, providing an effective date, imposing fees, and making penalties applicable.

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

Senate File 74, by Gronstal and Judge, a bill for an act relating to the period of time for abandonment of money orders under the uniform disposition of unclaimed property Act.

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

Senate File 75, by Priebe and Kibbie, a bill for an act exempting from regulation certain homeowners' association swimming pools.

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

Senate File 76, by Bartz and Lind, a bill for an act authorizing the issuance of lifetime fishing and combined fishing and hunting licenses for residents who are sixty-five years of age or older or are disabled.

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

Senate File 77, by Fink, a bill for an act relating to the disposition of property located on real property condemned under eminent domain.

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

Senate File 78, by Bisignano, a bill for an act relating to the Iowa state fair authority by eliminating merit system provisions pertaining to employees.

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

BILLS ASSIGNED TO COMMITTEE

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

S.F.	70	Local Government
S.F.	71	Judiciary
S.F.	72	Transportation
S.F.	73	State Government
S.F.	74	Commerce
S.F.	75	Human Resources
S.F.	76	Natural Resources
S.F.	77	Local Government
S.F.	78	State Government

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:37 p.m., until 9:00 a.m., Tuesday, January 31, 1995.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 31, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Mark Sherwood, pastor of the Berean Baptist Church, Perry, Iowa.

The Journal of Monday, January 30, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Palmer until he arrives on request of Senator Horn and Senator Kramer until she arrives on request of Senator Rife.

INTRODUCTION OF BILLS

Senate File 79, by Bartz, a bill for an act relating to the transfer of dogs to educational and scientific institutions by pounds.

Read first time and passed on file.

Senate File 80, by Szymoniak, a bill for an act increasing for a limited time period the maximum property tax levy for certain county hospitals.

Read first time and passed on file.

Senate File 81, by Banks, a bill for an act relating to underground storage tanks by creating a marketability fund and increasing the maximum environmental protection charge allocated to the underground storage tank fund.

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 RESOLUTION (Regular Calendar)

Senate Joint Resolution 6

On motion of Senator Fink, Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes, 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.

Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish 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 WILDLIFE PROTECTION FUNDS. Sec. 9. All revenue derived from state license fees for hunting, fishing, and trapping, and all state funds appropriated for, and federal or private funds received by the state for, the regulation or advancement of hunting, fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or

wildlife, shall be used exclusively for the performance and administration of activities related to those purposes.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Seventy-fifth General Assembly, 1993 Session, thereafter duly published, and now adopted and agreed to by the Seventy-sixth 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-six in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question "Shall the resolution pass?" (S.J.R. 6) the vote was:

Yeas, 41:

Bartz	Bennett	Bisignano	Black
Borlaug	Boswell	Connolly	Dearden
Deluhery	Drake	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hansen	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 7:

Banks	Boettger	Douglas	Dvorsky
Hammond	Hedge	Neuhauser	

Absent or not voting, 2:

Kramer	Palmer
--------	--------

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

Senator Horn asked and received unanimous consent that Senate Joint Resolution 6 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 January 26, 1995, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 3, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-sixth general assembly (S—3022).

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 30, 1995, 3:15 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn.

Committee Business: Presentation by the department of inspections and appeals.

Adjourned: 5:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 30, 1995, 3:06 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Presentation by the soil conservation division administrator of the department of agriculture and land stewardship on cost-share programs.

Adjourned: 4:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 30, 1995, 3:05 p.m.

Members Present: Vilsack, Chair; Hansen and Zieman.

Members Absent: Bisignano, Vice Chair and Borlaug, Ranking Member (both excused).

Committee Business: Presentation by the department of economic development.

Adjourned: 4:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 30, 1995, 3:12 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentations by representatives of IPTV and FINE foundation.

Adjourned: 5:06 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 30, 1995, 3:04 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Budget presentation by the director of the department of public health.

Adjourned: 4:53 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 30, 1995, 3:15 p.m.

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

Members Absent: Deluhery.

Committee Business: Presentations by the director of economic assistance division of the department of human services and program directors for emergency assistance.

Adjourned: 5:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 30, 1995, 3:10 p.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Budget presentation by the legislative fiscal bureau on the department's and governor's requests.

Adjourned: 5:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 30, 1995, 3:06 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair and Maddox.

Members Absent: McLaren, Ranking Member and Boswell (both excused).

Committee Business: Presentation by the organizational change and quality improvement personnel.

Adjourned: 5:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 30, 1995, 3:00 p.m.

Members Present: Halvorson, Chair; Palmer, Vice Chair; Douglas, Ranking Member and Jensen.

Members Absent: Murphy (excused).

Committee Business: Presentation by the department of management on overview of sources and expenditures of the infrastructure fund; budget presentation by the department of general services, and detail on capitol restoration project.

Adjourned: 4:15 p.m.

BUSINESS AND LABOR

Convened: January 30, 1995, 2:19 p.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Banks, Connolly, Dvorsky, Hammond, Iverson and Maddox.

Members Absent: Giannetto.

Committee Business: Assigned bills to subcommittees; presentation by the actuary for the DES.

Adjourned: 2:40 p.m.

STUDY BILLS RECEIVED

SSB 69.1 Ways & Means

Relating to the state sales tax on auxiliary attachments for self-propelled and non-self-propelled farm machinery and equipment.

SSB 73 Judiciary

Relating to the criminal history check requirement for noncitizens seeking to obtain a permit to acquire pistols or revolvers.

SSB 74 Communications & Information Policy

Providing that certain personnel and payroll records of employees of a government body are public records subject to examination.

SSB 75 Commerce

Relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

SSB 76 Commerce

Relating to the authorization of a bank office where a state bank may maintain its management and bookkeeping functions.

SSB 77 Commerce

Relating to permissible banking activities by an out-of-state bank in this state.

SSB 78 Judiciary

Relating to access to certain adoption records by the subject of the record.

SSB 79 Judiciary

Establishing minimum penalties for the commission of a felony with a firearm.

SUBCOMMITTEE ASSIGNMENTS**Senate File 41**

EDUCATION: Kibbie, Chair; Iverson and Murphy

Senate File 55

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair; Judge and Rensink

Senate File 59

WAYS AND MEANS: Connolly, Chair; Freeman and Neuhauser

Senate File 62

COMMERCE: Husak, Chair; Gettings and Jensen

Senate File 64

STATE GOVERNMENT: Bisignano, Chair; Lind and McLaren

Senate File 67

COMMERCE: Hansen, Chair; Deluhery and Lundby

Senate File 71

JUDICIARY: Hammond, Chair; Maddox, Neuhauser, Redfern and Vilsack

Senate File 72

TRANSPORTATION: Halvorson, Chair; Gettings and Jensen

Senate File 73

STATE GOVERNMENT: Halvorson, Chair; Fink and Rittmer

Senate File 74

COMMERCE: Hansen, Chair; Douglas and Gronstal

Senate File 75**HUMAN RESOURCES: Neuhauser, Chair; Boettger and Hansen****Senate File 78****STATE GOVERNMENT: Dearden, Chair; Bisignano and McLaren****SSB 70****WAYS AND MEANS: Deluhery, Chair; Connolly and Iverson****SSB 71****WAYS AND MEANS: Neuhauser, Chair; Husak and McLaren****SSB 73****JUDICIARY: Drake, Chair; Fraise, Giannetto, Hammond and Maddox****SSB 75****COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Palmer, Jensen and Redfern****SSB 76****COMMERCE: Husak, Chair; Freeman and Hansen****SSB 77****COMMERCE: Husak, Chair; Freeman and Hansen****SSB 78****JUDICIARY: Vilsack, Chair; Bartz, Maddox, Neuhauser and Szymoniak****SSB 79****JUDICIARY: Fraise, Chair; Giannetto, Hammond, McKean and Redfern****LSB 1618****AGRICULTURE: Black, Chair; Douglas and Ziemann**

**ANNOUNCEMENT OF APPOINTMENTS
BY THE MAJORITY LEADER
(January 31, 1995)**

The Majority Leader announced the following non-statutory legislator appointments:

IOWA LEGISLATIVE COUNCIL COMMITTEE

INTERNATIONAL RELATIONS: Szymoniak, Fink, Neuhauser, McLaren and Rife

BILLS ASSIGNED TO COMMITTEE

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

S.F.	79	Agriculture
S.F.	80	Local Government
S.F.	81	Appropriations

INTRODUCTION OF BILLS

Senate File 82, by committee on Human Resources, a bill for an act relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance.

Read first time under Rule 28 and placed on calendar.

Senate File 83, by committee on Education, a bill for an act extending for an additional budget year the regular program district cost guarantee for school districts.

Read first time under Rule 28 and placed on calendar.

Senate File 84, by committee on Human Resources, a bill relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers.

Read first time under Rule 28 and placed on calendar.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: *SENATE FILE 83 (SSB 45), a bill for an act extending for an additional budget year the regular program district cost guarantee for school districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Kramer.

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 83 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 82 (SSB 63), a bill for an act relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorsky, Hansen, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 84 (SSB 53), a bill relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorsky, Hansen, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Kramer.

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 84 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 53, a bill for an act relating to the qualifications of an applicant or a license to sell real estate in this state.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 10, a concurrent resolution calling for the convening of a Conference of the States and providing for Iowa's participation in the Conference.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3023.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 3, a bill for an act relating to the state banner.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2, a bill for an act relating to the filing of claims for credit or refund by retired federal employees as a result of the unconstitutional taxation of federal pensions under the state individual income tax.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3024.

Final Vote: Ayes, 10: Husak, Connolly, Deluhery, Drake, Freeman, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 3: Hedge, Iverson and McLaren. Pass, 1: Bennett. Absent or not voting, 1: Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 19, a bill for an act relating to the production and processing exemption of flowering, ornamental, or vegetable plants for purposes of the state sales, services, and use taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 1: Connolly. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3022	S. C. R.	3	House amendment
S-3023	H. C. R.	10	State Government
S-3024	S. F.	2	Ways and Means

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:40 a.m., until 9:00 a.m., Wednesday, February 1, 1995.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 1, 1995

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

Prayer was offered by the Reverend Dave Boucherd, pastor of the Church of Christ, Rising Sun, Iowa.

The Journal of Tuesday, January 31, 1995, was approved.

INTRODUCTION OF BILL

Senate File 85, by committee on Agriculture, a bill for an act providing for the regulation of domestic deer and making penalties applicable.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Neuhauser and Judge 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 48 present, 2 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 84** be referred from the Regular Calendar to the committee on Commerce.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 31, 1995, 3:10 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn.

Committee Business: Presentation by the department of management.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 31, 1995, 3:10 p.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Zieman.

Members Absent: Bisignano, Vice Chair (excused).

Committee Business: Presentation by community and rural development division of the department of economic development.

Adjourned: 4:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 31, 1995, 3:20 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentation by the director of the department of education.

Adjourned: 4:52 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 31, 1995, 3:15 p.m.

Members Present: Flynn, Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: Giannetto, Vice Chair (excused).

Committee Business: Budget presentations by the department for the blind, Iowa civil rights committee and department of public health.

Adjourned: 4:07 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 31, 1995, 3:17 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Presentation by the division of fiscal management and field operations of the department of human services.

Adjourned: 5:06 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: January 31, 1995, 3:06 p.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by David Fisher.

Adjourned: 4:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: January 31, 1995, 3:05 p.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Jensen.

Members Absent: Palmer, Vice Chair and Murphy (both excused).

Committee Business: Overview by the department of human services on the X-PERT automated systems.

Adjourned: 3:55 p.m.

AGRICULTURE

Convened: January 31, 1995, 8:03 a.m.

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

Members Absent: Palmer (excused).

Committee Business: Approved SSB 14 as a committee bill.

Adjourned: 8:17 a.m.

COMMERCE

Convened: January 31, 1995, 2:19 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the commissioner of insurance.

Adjourned: 2:58 p.m.

EDUCATION

Convened: January 31, 1995, 1:34 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Kramer (excused).

Committee Business: Assigned a bill to subcommittee; amended and approved SSB 45 as a committee bill; presentation on alternative education centers.

Adjourned: 2:16 p.m.

HUMAN RESOURCES

Convened: January 31, 1995, 11:07 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Neuhauser, Tinsman and Vilsack.

Members Absent: Kramer (excused).

Committee Business: Amended and approved SSB 53 as a committee bill and approved SSB 63 as a committee bill.

Adjourned: 12:02 p.m.

STATE GOVERNMENT

Convened: January 31, 1995, 11:07 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Concurrent Resolution 10 as amended; recommended passage of House File 3 and Senate File 53.

Adjourned: 11:27 a.m.

WAYS AND MEANS

Convened: January 31, 1995, 10:07 a.m.

Members Present: Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: Palmer, Chair (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2 as amended; recommended passage of Senate File 19.

Adjourned: 11:12 a.m.

STUDY BILLS RECEIVED

SSB 80 Local Government

Relating to the determination of the annual salary of a deputy sheriff.

SSB 81 Local Government

Relating to the delegation of authority to an administrative agency of a city.

SSB 82 Local Government

Relating to the statewide notification center by providing that the center is subject to the open meetings and public records law, requiring certain financial information to be reported, establishing an audit requirement, and providing a penalty.

SSB 83 Transportation

To provide conformity to the definition of travel trailers.

SSB 84 Education

Relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds by providing a property tax credit, and providing for the Act's applicability.

SSB 85 Agriculture

To support renovation and capital projects relating to the Iowa state fairgrounds by providing an appropriation.

SSB 86 Communications & Information Policy

A Concurrent Resolution requesting that the Congress of the United States direct the Health Care Financing Administration to establish a national policy no later than July 1, 1995, for Medicare reimbursement of telemedicine services.

SSB 87 Judiciary

Relating to marriage dissolution actions, including automatic imposition of temporary restraining orders and filing of grandparent visitation petitions.

SSB 88 Ways & Means

Creating the motor vehicle lease tax Act and providing applicability and effective dates.

SSB 89 Human Resources

Relating to procedures applicable to civil commitment, by providing that the county attorney present evidence in support of an application for commitment of a chronic substance abuser, by permitting appointment of the patient advocate from the county of commitment, by extending the time for appeal from a referee's finding, and by deleting language relating to the appointment of a conservator for mentally ill persons.

SUBCOMMITTEE ASSIGNMENTS**Senate File 70**

LOCAL GOVERNMENT: Fraise, Chair; Fink and Zieman

Senate File 77

LOCAL GOVERNMENT: Fink, Chair; Halvorson and Maddox

Senate File 84

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

SSB 69.1

WAYS AND MEANS: Priebe, Chair; Husak and McLaren

SSB 74

COMMUNICATIONS AND INFORMATION POLICY: Deluhery, Chair; Flynn and Jensen

SSB 80

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

SSB 81

LOCAL GOVERNMENT: Black, Chair; Fink and Maddox

SSB 82

LOCAL GOVERNMENT: Black, Chair; Halvorson and McKean

SSB 83

TRANSPORTATION: Gettings, Chair; Fraise and Jensen

SSB 86

COMMUNICATIONS AND INFORMATION POLICY: Flynn, Chair; Hansen and Redfern

SSB 87

JUDICIARY: McKean, Chair; Giannetto, Neuhauser, Redfern and Vilsack

SSB 88

WAYS AND MEANS: Palmer, Chair; Bennett, Connolly, Freeman and Priebe

SSB 89

HUMAN RESOURCES: Vilsack, Chair; Kramer and Neuhauser

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: *SENATE FILE 85 (SSB 14), a bill for an act providing for the regulation of domestic deer and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Judge, Bartz, Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Sorensen and Zieman. Nays, 1: Black. Absent or not voting, 1: 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 85 and they were attached to the committee report.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE FILE 60, a bill for an act relating to establishing a linked investment program for speculative building development.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Hansen, Zieman, Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen and Vilsack. Nays, none. Absent or not voting, 2: Judge and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 10, by Banks and Hansen, a concurrent resolution relating to border city trucking agreements.

Read first time under Rule 28 and passed on file.

INTRODUCTION OF BILL

Senate File 86, by Redfern, Banks, Giannetto, Lind, Maddox, McKean, and Vilsack, a bill for an act to prohibit assaults upon peace officers and fire fighters by providing penalties and enhancing penalties for resisting or obstructing peace officers and fire fighters who are performing their duties.

Read first time under Rule 28 and passed on file.

AMENDMENT FILED

S-3025 S. C. R. 3 Tony Bisignano

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:20 a.m., until 9:00 a.m., Thursday, February 2, 1995.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 2, 1995

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

Prayer was offered by the Reverend Howard Innis, pastor of the First Church of the Nazarene, Fairfield, Iowa.

The Journal of Wednesday, February 1, 1995, 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 1, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 17, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions (S—3026).

ALSO: That the House has on February 1, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 120, a bill for an act establishing a schools making advances through technology program, creating a fund, making appropriations, and providing for related matters.

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

ALSO: That the House has on January 30, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 30, a bill for an act relating to the fee for a combined hunting and fishing license and providing an effective date and applicability provision.

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

INTRODUCTION OF BILLS

Senate File 87, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections, and providing effective and applicability date provisions.

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

Senate File 88, by committee on Judiciary, 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.

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

DISTINGUISHED VISITOR

Senator Tinsman presented the Honorable Eugene Kuznetsov, governor of Stravropol Krai, and a senator in the Russian Parliament.

Governor Kuznetsov addressed the Senate with brief remarks with the aid of his interpreter, Olga Vassiluvia. He expressed his gratitude for exchanges between Iowa and his sister state, Stavropol, and said he was looking forward to a cooperation between legislatures in 1995-1996.

President Boswell extended a welcome to the governor on behalf of the Senate and the state of Iowa.

The Senate stood at ease at 9:13 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 9:42 a.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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hammond until she arrives on request of Senator Neuhauser.

The Senate stood at ease at 9:47 a.m. until the fall of the gavel for the purpose of committee meetings.

The Senate resumed session at 11:07 a.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.

ADOPTION OF RESOLUTION (Regular Calendar)

House Concurrent Resolution 10

On motion of Senator Gronstal, House Concurrent Resolution 10, a concurrent resolution calling for the convening of a Conference of the States and providing for Iowa's participation in the Conference, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3023 filed by the committee on State Government on January 31, 1995, to pages 2-4 of the resolution and moved its adoption.

Amendment S—3023 was adopted by a voice vote.

Senator Gronstal moved the adoption of House Concurrent Resolution 10 as amended, which motion prevailed by a voice vote.

COMMITTEE REPORT

COMMERCE

Final Bill Action: SENATE FILE 84, a bill for an act relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe. Nays, none. Absent or not voting, 1: Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 84

On motion of Senator Vilsack, Senate File 84, a bill for an act relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers, with report of committee on Commerce recommending passage, was taken up for consideration.

Senator Vilsack offered amendment S—3027 filed by him from the floor to pages 2, 3-6, 13-17 and the title page of the bill and moved its adoption.

Amendment S—3027 was adopted by a voice vote.

Senator Priebe offered amendment S—3028 filed by Senators Priebe, et al., from the floor to pages 1, 17 and the title page of the bill.

Senator Murphy raised the point of order that amendment S—3028 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3028 in order.

Senator Murphy raised the point of order that a fiscal note should be required on amendment S—3028 under Senate Rule 26.

The Chair ruled the point not well taken because the amendment had not yet been adopted.

Senator Priebe moved the adoption of amendment S—3028 and requested a record roll call.

On the question "Shall amendment S—3028 be adopted?" (S.F. 84) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Priebe	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, 5:

Dearden	Hammond	Murphy	Neuhauser
Szymoniak			

Absent or not voting, 3:

Gettings	Palmer	Redfern
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Amendment S—3028 was adopted.

Senator Horn asked and received unanimous consent that **Senate File 84** be referred to the committee on **Ways and Means** under Senate rule 38 and returned to the Senate Calendar no later than 12:25 p.m., February 2, 1995.

The Senate stood at ease at 12:11 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 12:31 p.m., President Boswell presiding.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 84, a bill for an act relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

Senate File 84

The Senate resumed consideration of Senate File 84, a bill for an act relating to health care reform and health care costs by providing for the regulation of insurance and health care plan providers, with report of committee on Ways and Means recommending passage.

Senator Connolly asked unanimous consent that action on Senate File 84 be deferred.

Senator Connolly withdrew his request to defer.

Senator Rittmer asked and received unanimous consent to withdraw amendment S—3029 filed by Senators Rittmer, et al., from the floor to page 17 of the bill.

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. 84) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Neuhauser
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Connolly	Murphy	Palmer
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Absent or not voting, 1:

Gettings

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the remainder of the day on request of Senator Horn.

HOUSE AMENDMENT CONSIDERED

Senate File 17

Senator Connolly called up for consideration Senate File 17, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions, amended by the House, and moved that the Senate concur in House amendment S-3026 filed February 2, 1995.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that House Concurrent Resolution 10 and Senate Files 17 and 84 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 February 1, 1995 passed the following bills in which the concurrence of the Senate is asked:

House File 15, a bill for an act relating to the juror source list by providing that the motor vehicle operators list and voter registration list shall be updated yearly, and deleting the reference to public utility customers lists as available comprehensive source lists.

This bill was read first time and passed on file.

House File 29, a bill for an act to provide a presumption that kidnapping has occurred within the state when the body of a kidnapping victim is found within the state.

This bill was read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 11, by committee on Transportation, a concurrent resolution declaring support for Amtrak.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate Joint Resolution 7, by Priebe, Borlaug, Hedge, Kibbie, Palmer, and Rittmer, a joint resolution to nullify an administrative

rule of the department of human services relating to the definition of persons with mental retardation, and providing an effective date.

Read first time and passed on file.

Senate File 89, by Priebe, a bill for an act requiring the department of human services to apply for federal waivers involving the family investment program and related human services programs and providing an effective date.

Read first time and passed on file.

Senate File 90, by Hansen, a bill for an act relating to the detention of juveniles held as material witnesses or for contempt of court.

Read first time and passed on file.

Senate File 91, by Bennett, a bill for an act relating to the imposition and computation of the state franchise tax on financial institutions and providing an effective and applicability date provision.

Read first time and passed on file.

Senate File 92, by Vilsack, Szymoniak, and Bartz, a bill for an act relating to an individual income tax deduction for amounts paid for health benefits coverage or insurance and providing an effective date provision.

Read first time and passed on file.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 1, 1995, 3:05 p.m.

Members Present: Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Judge, Chair (excused) and Horn.

Committee Business: Presentation by the department of commerce.

Adjourned: 4:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 1, 1995, 3:10 p.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: Bisignano, Vice Chair.

Committee Business: Presentation by the business development division of the department of economic development.

Adjourned: 4:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 1, 1995, 3:14 p.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentation by the board of regents.

Adjourned: 4:34 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 1, 1995, 3:08 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Budget presentation by the department of elder affairs.

Adjourned: 4:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 1, 1995, 3:20 p.m.

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

Members Absent: Deluhery.

Committee Business: Presentations by the mental health and developmental disabilities division and personal assistance services of the department of human services and MEDCO behavioral care.

Adjourned: 4:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 31, 1995, 3:10 p.m.

Members Present: Fraise, Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: Dvorsky, Vice Chair (excused).

Committee Business: Toured the DCI offices.

Adjourned: 4:32 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 1, 1995, 3:22 p.m.

Members Present: Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Neuhauser, Chair and Boswell (both excused).

Committee Business: Presentation by the department of corrections.

Adjourned: 4:32 p.m.

— APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 1, 1995, 3:25 p.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Jensen.

Members Absent: Palmer, Vice Chair and Murphy (both excused).

Committee Business: Presentation by the DOT on the duties of the highway commission, planning and implementation of highway projects and five-year plans.

Adjourned: 4:17 p.m.

COMMERCE

Convened: February 1, 1995, 1:37 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: none.

Committee Business: Assigned a bill to a subcommittee; presentation on the availability of bank services in small towns.

Adjourned: 2:02 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 1, 1995, 10:05 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Hansen, Jensen and Redfern.

Members Absent: Flynn (excused).

Committee Business: Assigned bills to subcommittees; presentation by the chair and a representative of ITTC.

Adjourned: 11:10 a.m.

JUDICIARY

Convened: February 1, 1995, 11:10 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Redfern and Szymoniak.

Members Absent: Neuhauser (excused).

Committee Business: Amended and approved SSBs 34, 35 and 43 as committee bills.

Adjourned: 12:15 p.m.

LOCAL GOVERNMENT

Convened: February 1, 1995, 1:35 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, McKean, Rittmer and Ziemann.

Members Absent: Judge (excused).

Committee Business: Senate File 47 failed recommendation for passage; deferred action on SSB 27; assigned bills to subcommittees.

Adjourned: 2:07 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 1, 1995, 11:07 a.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Hedge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Gronstal and Judge (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 12:02 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

Convened: February 1, 1995, 2:22 p.m.

Members Present: Hansen, Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Giannetto, Kibbie, Maddox, McKean, Palmer, Sorensen and Vilsack.

Members Absent: Judge, Vice Chair and Szymoniak.

Committee Business: Recommended passage of Senate File 60.

Adjourned: 2:44 p.m.

TRANSPORTATION

Convened: February 1, 1995, 2:20 p.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business: Amended and approved SSB 57 as a committee resolution; presentation by motor vehicle enforcement.

Adjourned: 3:30 p.m.

**ANNOUNCEMENT BY THE MAJORITY LEADER
STATUTORY LEGISLATIVE APPOINTMENTS
(February 2, 1995)**

**INTERSTATE COOPERATION COMMISSION
(Code Chapter 28B)**

Senator Steve Hansen
Senator Tom Flynn
Senator Dick Dearden
Senator Allen Borlaug
Senator Mary Lundby

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	10	Transportation
S. F.	86	Judiciary
S. F.	89	Human Resources
S. F.	90	Judiciary
S. F.	91	Ways and Means
S. F.	92	Ways and Means
S. J. R.	7	Human Resources
H. F.	30	Natural Resources
H. F.	120	Education

STUDY BILLS RECEIVED

SSB 90 Business & Labor

Relating to employment services by eliminating wage credit liability transfers and allowing all employers relief from charges when an unemployment compensation overpayment is made and providing an applicability date.

SSB 91 Judiciary

Relating to the access of a child to parents under custody and support orders following a dissolution of marriage.

SSB 92 Judiciary

Relating to the awarding of joint custody of children resulting from a dissolution of marriage.

SUBCOMMITTEE ASSIGNMENTS

Senate File 86

JUDICIARY: Redfern, Chair; Fraise, Giannetto, McKean and Vilsack

SSB 90

BUSINESS AND LABOR: Dvorsky, Chair; Freeman and Hammond

SSB 91

JUDICIARY: Vilsack, Chair; Giannetto, Maddox, Neuhauser and Redfern

SSB 92

JUDICIARY: Vilsack, Chair; Giannetto, Maddox, Neuhauser and Redfern

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 87 (SSB 34), a bill for an act relating to nonsubstantive Code corrections, and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond and Maddox. Nays, none. Absent or not voting, 5: Halvorson, Hansen, Neuhauser, Redfern and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 88 (SSB 35), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 93 (SSB 43), a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Giannetto, Vilsack, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox and Redfern. Nays, none. Absent or not voting, 4: McKean, Bartz, Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

***TRANSPORTATION**

Final Bill Action: SENATE CONCURRENT RESOLUTION 11 (SSB 57), a concurrent resolution declaring support for Amtrak.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Gettings, Fraise, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none. Pass, 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 11 and they were attached to the committee report.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 12, by Halvorson, a concurrent resolution urging the Federal Trade Commission to amend a consent agreement that would require the divestiture of the Fort Dodge Friskies Pet Care Plant.

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

INTRODUCTION OF BILL

Senate File 93, by committee on Judiciary, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties.

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

AMENDMENTS FILED

S—3026	S.F.	17	House amendment
S—3027	S.F.	84	Tom Vilsack
S—3028	S.F.	84	Berl E. Priebe
			Emil J. Husak
			H. Kay Hedge
			Sheldon Rittmer
			John P. Kibbie

S-3029	S.F.	84	Tony Bisignano Sheldon Rittmer H. Kay Hedge Berl E. Priebe John P. Kibbie
S-3030	S.F.	87	Judiciary
S-3031	S.F.	88	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 1:40 p.m., until 1:30 p.m., Monday, February 6, 1995.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 6, 1995

The Senate met in regular session at 1:47 p.m., President Boswell presiding.

Prayer was offered by Monsignor James K. Lafferty, Diocesan Director of Pro-Life Activities for Sioux City Diocese and pastor of the St. John's Church, Arcadia, Iowa.

The Journal of Thursday, February 2, 1995, was approved.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 8, by Rensink, a joint resolution proposing an amendment to the Constitution of the State of Iowa to establish the right of parents to direct the upbringing and education of their children.

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 Drake until he arrives on request of Senator Rife and Senator Vilsack until he arrives on request of Senator Bisignano.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 66

On motion of Senator Fraise, Senate File 66, a bill for an act relating to cruelty to police service dogs and providing for enhanced penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 66) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Zieman	

Nays, 1:

Hammond

Absent or not voting, 2:

Drake Vilsack

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

House File 3

On motion of Senator Bennett, House File 3, a bill for an act relating to the state banner, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 3) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Drake 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 to take up for consideration Senate Concurrent Resolution 11.

Senator Concurrent Resolution 11

On motion of Senator Gettings, Senate Concurrent Resolution 11, a concurrent resolution declaring support for Amtrack, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 11, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate File 66, House File 3 and Senate Concurrent Resolution 11 be immediately messaged to the House.

INTRODUCTION OF BILL

Senate File 94, by Banks, Hansen, and Gronstal, a bill for an act relating to reciprocal license fees for nonresident real estate brokers and salespersons.

Read first time and passed on file.

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 1995 Code of Iowa sections:

For appointment as members of the Athletic Trainer Advisory Board pursuant to Section 152D.7:

Alan J. Beste, Boone, Boone County, for a term beginning July 1, 1994, and ending April 30, 1995; Dr. Kenneth W. Caldwell, Cedar Falls, Black Hawk County, for a term beginning July 1, 1994, and ending April 30, 1996; Danny T. Foster, Iowa City, Johnson County, for a term beginning July 1, 1994, and ending April 30, 1995; Denise A. Harklau, Ames, Story County, for a term beginning July 1, 1994, and ending April 30, 1995; Dr. Mary A. Khowassah, Iowa City, Johnson County, for a term beginning July 1, 1994, and ending April 30, 1996, and Dr. Rick D. Wilkerson, Spencer, Clay County, for a term beginning July 1, 1994, and ending April 30, 1996.

Dr. Teresa A. Mock, Mason City, Cerro Gordo County, for appointment as a member of the Board of Medical Examiners pursuant to Section 147.14(2) for a term beginning May 26, 1994, and ending April 30, 1995.

Elizabeth R. Walker, Davenport, Scott County, for appointment as a member of the Board of Parole pursuant to Section 904A.3, for a term beginning November 9, 1994, and ending April 30, 1996.

Dr. Therese M. Vaughan, Des Moines, Polk County, for appointment as Commissioner of Insurance pursuant to Section 505.2 for a term beginning August 1, 1994, and ending April 30, 1995.

For reappointment as members of the Commission of Veterans Affairs pursuant to Section 35A.2 for terms beginning July 1, 1994, and ending April 30, 1998:

Muriel E. Allan, Maquoketa, Jackson County; Dorothy E. Andrews, Cedar Rapids, Linn County, and Gail K. Danilson, Woodward, Boone County.

For appointment as members of the Commission on the Status of African-Americans pursuant to Section 216A.142:

Dr. Scharron A. Clayton, Waterloo, Black Hawk County, for a term beginning December 20, 1994, and ending April 30, 1998, and Myrtila Levin, Des Moines, Polk County, for a term beginning November 29, 1994, and ending April 30, 1996.

Judge Brown, Jr., Fort Dodge, Webster County, for appointment as a member of the Commission on the Status of Women pursuant to Sections 216A.52-53, for a term beginning September 1, 1994, and ending April 30, 1996.

For appointment as members of the Community Health Management Information System Governing Board pursuant to Section 144C.4:

Dr. Dale J. Andringa, Mitchellville, Polk County, for a term beginning July 1, 1994, and ending April 30, 1997; Dennis L. Billings, Johnston, Polk County, for a term beginning July 1, 1994, and ending April 30, 1995; Kraig A. Boysen, West Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1997; Dr. Beth K. Bruening, Sioux City, Woodbury County, for a term beginning July 1, 1994, and ending April 30, 1996; John M. Comstock, Clarion, Wright County, for a term beginning July 1, 1994, and ending April 30, 1995; Ann E. Kaven, Urbandale, Polk County, for a term beginning July 1, 1994, and ending April 30, 1995; John A. Kolosky, West Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1996; Marabeth K. Soneson, Cedar Falls, Black Hawk County, for a term beginning July 1, 1994, and ending April 30, 1996; Marcia J. Stark, West Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1997; F. Walter Tomenga, Johnston, Polk County, for a term beginning July 1, 1994, and ending April 30, 1997, and Pamela W. Vap, Manchester, Delaware County, for a term beginning July 1, 1994, and ending April 30, 1996.

David J. Lyons, Des Moines, Polk County, for appointment as Director of the Department of Economic Development pursuant to Section 15.105 for a term beginning May 10, 1994, and to serve at the pleasure of the governor.

Janet E. Phipps, Adel, Dallas County, as Director of the Department of General Services pursuant to Section 18.2 for a term beginning July 1, 1994, and to serve at the pleasure of the governor.

Derald L. Judson, Jr., Altoona, Polk County, for appointment as a member of the Employment Appeal Board pursuant to Section 10A.601 for a term beginning September 8, 1994, and ending April 30, 1998.

Terrance G. Townsend, Newton, Jasper County, for appointment as a member of the Environmental Protection Commission pursuant to Section 455A.6 for a term beginning August 11, 1994, and ending April 30, 1997.

Randy G. Brown, Osceola, Clark County, for appointment as Executive Director of the Commission of Veterans Affairs pursuant to Section 35A.8 for a term beginning June 16, 1994, and to serve at the pleasure of the governor.

Dr. Bruce W. Van Zee, Oakland, Pottawattamie County, for appointment as a member of the Iowa Board of Veterinary Medicine pursuant to Section 169.5 for a term beginning June 1, 1994, and ending April 30, 1997.

For appointment as members of the Iowa Telecommunications and Technology Commission pursuant to Section 8D.3:

Joan U. Axel, Muscatine, Muscatine County, for a term beginning July 1, 1994, and ending April 30, 2000; Robert F. Baur, Van Meter, Dallas County, for a term beginning July 1, 1994, and ending April 30, 1996, and Richard A. Westcott, Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1998.

Kathryn A. Murphy, Waverly, Bremer County, for appointment as a member of the Job Service Advisory Council pursuant to Section 96.11(5) for a term beginning November 23, 1994, and ending April 30, 1999.

For appointment as members of the Mental Health and Developmental Disabilities Commission pursuant to Section 225C.5:

Mary Anne Anderson, Red Oak, Montgomery County, for a term beginning July 1, 1994, and ending April 30, 1997; Sharon Blair, Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1995; Robert J. DeSmidt, Sioux City, Woodbury County, for a term beginning July 1, 1994, and ending April 30, 1997; Dr. Marilee Fredericks, Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1996; Gary L. Gansemer, Dubuque, Dubuque County, for a term beginning July 1, 1994, and ending April 30, 1997; Frank H. Hermsen, Carroll, Carroll County, for a term beginning July 1, 1994, and ending April 30, 1996; Gilbert C. Hoogendoorn, George, Lyon County, for a term beginning July 1, 1994, and ending April 30, 1997; Clark A. Lane, Humboldt, Humboldt County, for a term beginning July 1, 1994, and ending April 30, 1997; Barbara J. Lips, Fayette, Fayette County, for a term beginning July 1, 1994, and ending April 30, 1995; Jean E. Oxley, Marion, Linn County, for a term beginning July 1, 1994, and ending April 30, 1995; Robert E. Petersen, Walcott, Scott County, for a term beginning July 1, 1994, and ending April 30, 1997; Linda W. Rouse, Leon, Decatur County, for a term beginning July 1, 1994, and ending April 30, 1995, and Beverly A. Sanderson, Winterset, Madison County, for a term beginning July 1, 1994, and ending April 30, 1996.

Joan C. Schneider, Okoboji, Dickinson County, for appointment as a member of the Natural Resource Commission pursuant to Section 455A.5 for a term beginning July 1, 1994, and ending April 30, 1995.

Yvonne M. Wentz, Waverly, Bremer County, for appointment as a member of the Renewable Fuel and Coproducts Advisory Committee pursuant to Section 159A.4 for a term beginning July 1, 1994, and ending April 30, 1997.

Wayne F. Drexler, Dyersville, Dubuque County, for appointment as a member of the School Budget Review Committee pursuant to Section 257.30 for a term beginning May 4, 1994, and ending April 30, 1997.

For appointment as members of the Iowa Seed Capital Corporation pursuant to Section 15E.83:

Carol A. Garrett, Bettendorf, Scott County, for a term beginning July 1, 1994, and ending April 30, 1997; Doris A. Hansen, Sioux City, Woodbury County, for a term beginning July 1, 1994, and ending April 30, 1997; Thomas G. Kunz, Waterloo, Black Hawk County, for a term beginning July 1, 1994, and ending April 30, 1997; John B. Parks, Ames, Story County, for a term beginning July 1, 1994, and ending April 30, 1996; L. Jeanne Partlow, Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1996; Randolph P. Steig, West Des Moines, Polk County, for a term beginning July 1, 1994, and ending April 30, 1996; and Bruce Tamisiea, Spencer, Clay County, for a term beginning July 1, 1994, and ending April 30, 1998.

Paul J. Leinen, Jr., Harlan, Shelby County, for appointment as a member of the State Judicial Nominating Commission pursuant to Section 46.1 for a term beginning April 21, 1994, and ending April 30, 1999.

Kenneth W. McNichols, Bondurant, Polk County, for appointment as a member of the State Soil Conservation Committee pursuant to Section 161A.4 for a term beginning September 14, 1994, and ending April 30, 1997.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were referred to the committee on **Rules and Administration**.

COMMUNICATIONS RECEIVED

The following communications were received and are on file in the office of the Secretary of the Senate.

January 9, 1995

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

The purpose of the memorandum is to convey the (WECIP) report, as called for in Section 19 of Senate File 2314, enacted during the 1994 session of the Iowa General Assembly.

January 13, 1995

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

As required by state law, a report concerning Youthful Offender Programs located in Judicial Districts 1,6, and 8.

January 17, 1995

STATE BOARD OF REGENTS

A report regarding the BFC in accordance with House File 2411, Sec. 22,266.39D on pages 22 and 23.

January 17, 1995

STATE BOARD OF REGENTS

Fiscal Years 1996 and 1997 Budget Requests and Statistical Information.

January 17, 1995

STATE PRESERVES ADVISORY BOARD

1993-1994 Biennial Report.

January 17, 1995

THE STATE PSEUDORABIES ADVISORY COMMITTEE

The Official 1995 Report on Calendar Year 1994 Activities as required by Chapter 166D.3, Code of Iowa.

January 17, 1995

DEPARTMENT OF EDUCATION

A Report to the Iowa General Assembly on the Community College Formula in response to CH. 101, Sec. 208 of the 1993 legislative session.

January 17, 1995

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

Pursuant to Section 5.3.f, Senate File 2089, the draft five-year financial plan is submitted for format review.

January 17, 1995

IOWA DEPARTMENT OF CORRECTIONS

This report on elderly and infirm inmates is in response to the reporting requirements of the 1994 Acts of the Iowa General Assembly, Chapter 1196, Section 12.

Literacy Project Report. This report is in response to the legislative mandate established in Chapter 1196, Section 4, Subsection 4, Acts of the 1994 General Assembly.

January 18, 1995

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

Iowa's Drug and Violent Crime Control Strategy, 1995. A copy of the state's application as prepared by the Governor's Alliance on Substance Abuse.

January 18, 1995

IOWA DEPARTMENT OF CORRECTIONS

A report submitted by the Department of Corrections to comply with the requirements of the 1994 Acts of the Iowa General Assembly, chapter 1196, Section 3, subsection 2, and Section 4, subsection 5. This report, commonly known as the "Toborg Report" researched the practices and procedures of the corrections system and recommended policy changes that would reduce the future need for prison beds.

January 19, 1995

STATE BOARD OF REGENTS

In accordance with Chapter 262A. 6A of the Code of Iowa, this report regarding the sale of capital appreciation bonds is submitted to the General Assembly.

January 19, 1995

IOWA DEPARTMENT OF TRANSPORTATION

A study, as required by Section 328.12(11) of the Code of Iowa, rates each of the 114 municipally owned airport facilities open to the public.

January 19, 1995

DIVISION OF DEPARTMENT OF CORRECTIONS

The 1994 Acts of the Iowa General Assembly, Chapter 1196, section 13 requires Iowa Prison Industries to report on the steps that have been taken to implement the recommendations of the 1994 report to the legislature on Vocational/Technical education.

January 23, 1995

STATE LIBRARY OF IOWA

The 1993-94 Iowa Public Library Statistics. This edition is information on income,

expenditures, acquisitions, holdings, circulation, personnel, output measures, and a county-by-county study.

January 23, 1995

CITIZENS' AID/OMBUDSMAN

Quarterly Report of the period ending January 15, 1995.

January 23, 1995

IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT

Annual Report to the Governor and Members of the General Assembly for state fiscal year 1994. (July 1, 1993 - June 30, 1994)

January 23, 1995

WALLACE TECHNOLOGY TRANSFER FOUNDATION OF IOWA

The fifth annual report, according to the requirement of Iowa Code Chapter 55E.155, Section 15.

January 23, 1995

DEPARTMENT OF ECONOMIC DEVELOPMENT

As required in the Code of Iowa, Section 7.B, Subsection 10, an Annual Report of the Job Training Partnership Act.

January 24, 1995

IOWA DEPARTMENT OF TRANSPORTATION

A copy of Iowa in Motion: Part 1. It discusses current state transportation policies and summarizes issues and public opinion about Iowa's transportation future. It provides a base for identifying options to develop Iowa's transportation systems over the next 25 years.

January 24, 1995

IOWA COLLEGE STUDENT AID COMMISSION

Iowa Chiropractic Students Outlook for Practitioners and Need for State-Funded Assistance Report.

January 24, 1995

IOWA DEPARTMENT OF TRANSPORTATION

The 1995 "Transportation System Fact Book" which is part of the Iowa Department of Transportation's annual report as required by Code Section 7A.9.

January 25, 1995

DEPARTMENT OF MANAGEMENT

The Statement of Standing Appropriations report for the fiscal year ending June 30, 1994, in accordance with Chapter 8.6(2) of the Code of Iowa.

January 25, 1995

IOWA COMMUNITY HEALTH MANAGEMENT INFORMATION SYSTEM

The (CHMIS) Report to the General Assembly pursuant to requirements specified in Chapter 144C.

January 26, 1995

IOWA CIVIL RIGHTS COMMISSION

A copy of the Fiscal Year 1994 annual report for the Civil Rights Commission, pursuant to Chapter 17, Code of Iowa.

January 26, 1995

STATE BOARD OF REGENTS

Pursuant to Section 262.9, Code of Iowa 1993, the Board of Regents is submitting the report which provides the current status on purchase and use of soybean-based inks, purchase of starch-based plastic garbage can liners, and purchase of plastic products for which starch-based alternatives are available.

January 30, 1995

CITIZENS' AID OMBUDSMAN

1995 Citizens' Aide/Ombudsman Legislative Recommendations.

January 30, 1995

IOWA DEPARTMENT OF PUBLIC HEALTH

Pursuant to HF 2376, The Home Care Aide/Chore Program. A Report to the Governor and General Assembly administered by Iowa Dept. of Public Health, January 1995.

Pursuant to Iowa Code Chapter 235.C.3 (7). Council on Chemically Exposed Infants and Children Executive Summary and Annual Report.

Pursuant to HF 2376, Iowa Healthy Family Program, Report on FY94 Activities.

Pursuant to HF 2376, Public Health Nursing Annual Report, January 1995.

Pursuant to: Iowa Code, Ch. 144.5(5)Vital Statistics of Iowa.

January 31, 1995

DEPARTMENT OF HUMAN SERVICES

A report on the Outcome-Based Performance Standards pursuant to House File 2311, Section 56.

January 31, 1995

IOWA DEPARTMENT FOR THE BLIND

The 1994 Annual Report for the Iowa Department for the Blind, pursuant to Chapter 216B.7, Code of Iowa.

February 1, 1995

DEPARTMENT OF HUMAN RIGHTS

The 23rd Annual Report of Iowa Commission on the Status of Women.

February 1, 1995

TREASURER OF THE STATE OF IOWA

The Linked Investments For Tomorrow Annual Report in accordance with Iowa Code chapter 12.38. This report sets forth the linked investments made by the state treasury for the year 1994 for: horticulture and alternative crops, targeted small business, main street preservation, and rural small business transfers.

PETITIONS

The following petitions were presented and placed on file by:

Senator Black from 82,000 residents of Jasper and Poweshiek Counties and other areas of Iowa favoring legislation reinstating the death penalty for those convicted of abduction and the resultant death of the person(s) abducted.

President Boswell from 400 residents of Decatur County to allow a Missouri bank to open a branch office in Decatur County to serve their Iowa customers (43% of bank's customers).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 2, 1995, 9:50 a.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe.

Members Absent: Redfern (excused).

Committee Business: Recommended passage of Senate File 84.

Adjourned: 10:02 a.m.

ETHICS

Convened: February 2, 1995, 10:14 a.m.

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

Members Absent: none.

Committee Business: Presentation by the executive director of the Iowa Ethics and Campaign Disclosure Board.

Adjourned: 11:03 a.m.

WAYS AND MEANS

Convened: February 2, 1995, 12:15 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of Senate File 84.

Adjourned: 12:25 p.m.

STUDY BILLS RECEIVED

SSB 93 Agriculture

A Joint Resolution to nullify portions of an administrative rule relating to open burning of certain agricultural and other wastes and providing an effective date.

SSB 94 State Government

Relating to the name of those persons who engage in the practice of podiatry.

SSB 95 Education

Striking Code language that conflicts with federal work-study program requirements and language relating to unfunded programs administered by the college student aid commission, and repealing from the Code certain unfunded programs administered by the college student aid commission.

INTRODUCTION OF BILLS

Senate File 95, by Dvorsky, a bill for an act relating to the imposition of a county real estate transfer tax for purposes of a local housing trust fund.

Read first time under Rule 28 and passed on file.

Senate File 96, by Iverson, 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 under Rule 28 and passed on file.

Senate File 97, by Iverson, a bill for an act authorizing a political subdivision to impose an income surtax to partially fund certain bonds and providing for the Act's applicability.

Read first time under Rule 28 and passed on file.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:20 p.m., until 9:00 a.m., Tuesday, February 7, 1995.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 7, 1995

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

Prayer was offered by the Reverend Steven Kruse, pastor of the Faith Lutheran Church, Clive, Iowa.

The Journal of Monday, February 6, 1995, was approved.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 13, by Hammond, Lundby, Neuhauser, Boettger, Freeman, Szymoniak, Judge, Douglas, Tinsman, and Kramer, a concurrent resolution recognizing the seventh-fifth anniversary of the founding of the League of Women Voters of Iowa.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 98, by Jensen, Bisignano, and Palmer, a bill for an act relating to the preservation of the Iowa state capitol.

Read first time and passed on file.

Senate File 99, 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 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 60

On motion of Senator Sorensen, Senate File 60, a bill for an act relating to establishing a linked investment program for speculative building development, with report of committee recommending passage, 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. 60) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 60** be immediately messaged to the House.

APPENDIX

ANNOUNCEMENT OF VISITOR

Senator Szymoniak announced that Sergei Khrushchev, son of former Soviet premier, Nikita Khrushchev, was visiting the Statehouse and would be present in the rotunda today for senators to meet him.

Sergei accompanied his father and mother in an historic visit to Iowa in 1959, and is now a researcher at the Watson Institute's Center for Foreign Policy Development at Brown University.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 6, 1995, 3:05 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn.

Committee Business: Presentation by the department of general services.

Adjourned: 3:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 6, 1995, 3:05 p.m.

Members Present: Bisignano, Vice Chair; Borlaug, Ranking Member; Hansen and Zieman.

Members Absent: Vilsack, Chair (excused).

Committee Business: Presentation by the tourism and international divisions of the department of economic development.

Adjourned: 4:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 6, 1995, 3:05 p.m.

Members Present: Kibbie, Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: Connolly, Vice Chair (excused).

Committee Business: Joint meeting with the appropriations subcommittee on transportation, infrastructure and capitals; presentations by presidents of the three universities and a representative of the board of regents.

Adjourned: 4:04 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 6, 1995, 3:10 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Presentation by the legislative fiscal bureau on program performance based budgeting; presentation by the department of public health on performance based budget of department's division of family and community health.

Adjourned: 4:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 6, 1995, 3:15 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Welfare reform discussion with FIP and Fadss of DHS and Dubuque visiting nurses; also discussion with the commission on the status of women.

Adjourned: 5:06 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 6, 1995, 3:06 p.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Presentation by the criminal and juvenile justice planning division and the department of human rights.

Adjourned: 4:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 6, 1995, 3:05 p.m.

Members Present: Neuhauser, Chair; McLaren, Ranking Member and Maddox.

Members Absent: Gronstal, Vice Chair and Boswell (excused).

Committee Business: Presentation by the Scott County director of budget in ICN room.

Adjourned: 3:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 6, 1995, 3:05 p.m.

Members Present: Halvorson, Chair; Palmer, Vice Chair; Douglas, Ranking Member and Jensen.

Members Absent: Murphy (excused).

Committee Business: Board of Regents' budget presentations by the presidents of the three state universities and director of special schools; budget presentation for the department of public defense by the national guard.

Adjourned: 5:30 p.m.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee on February 6, 1995:

S. F.	94	State Government
S. F.	95	Local Government

S. F.	96	Ways and Means
S. F.	97	Local Government
S. J. R.	8	Education
S. C. R.	12	Small Business, Economic Development & Tourism

STUDY BILLS RECEIVED

SSB 96 Human Resources

Relating to child support recovery.

SSB 97 Transportation

Relating to the operation of all-terrain vehicles and snowmobiles on roads and applying penalties.

SSB 98 Transportation

Relating to governmental control of property by allowing governmental entities to enter and test property for condemnation purposes, providing for the interest rates assessed for condemnation damages, providing for right-of-way notice filings, and concerning advertising control laws on scenic highways.

SSB 99 Human Resources

Relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information.

SSB 100 State Government

Relating to the hours for sale of alcoholic beverages on Sundays.

SSB 101 Commerce

Relating to the definition of the federal Truth in Lending Act in the Iowa consumer credit code.

SSB 102 State Government

Relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties.

SSB 103 State Government

Relating to regulation of food establishments and providing for fees and penalties.

SSB 104 State Government

Relating to the sale price of alcoholic liquor by a class "E" liquor control licensee, and subjecting violators to criminal and civil penalties.

SSB 105 Local Government

Relating to the distribution of fines received from the enforcement of county ordinances.

SSB 106 Local Government

Relating to the payment of confinement expenses of felons during presentence investigations.

SSB 107 Commerce

Relating to the validity of a notarial act by an officer, director, or shareholder of a corporation and providing for retroactive application.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 7**

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Dvorsky

Senate Concurrent Resolution 10

TRANSPORTATION: Drake, Chair; Black and Dearden

Senate Concurrent Resolution 12

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Kibbie, Chair; Bennett and Hansen

Senate File 76

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Gronstal, Chair; Deluhery and Lundby

Senate File 79

AGRICULTURE: Bartz, Chair; McLaren and Sorensen

Senate File 80

LOCAL GOVERNMENT: Judge, Chair; Maddox and Sorensen

Senate File 89

HUMAN RESOURCES: Szymoniak, Chair; Tinsman and Vilsack

Senate File 90

JUDICIARY: Hansen, Chair; Bartz, Giannetto, Hammond and Maddox

Senate File 91

WAYS AND MEANS: Palmer, Chair; Bennett and Neuhauser

Senate File 92

WAYS AND MEANS: Murphy, Chair; McLaren and Szymoniak

Senate File 94

STATE GOVERNMENT: Kibbie, Chair; Gronstal and McLaren

Senate File 95

LOCAL GOVERNMENT: Fink, Chair; Sorensen and Zieman

Senate File 97

LOCAL GOVERNMENT: Halvorson, Chair; Sorensen and Zieman

House File 30

NATURAL RESOURCES: Black, Chair; Judge and Rensink

SSB 84

EDUCATION: Fink, Chair; Hammond and Rensink

SSB 85

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

SSB 93

AGRICULTURE: Priebe, Chair; Bartz, Fraise, Giannetto and Hedge

SSB 94

STATE GOVERNMENT: Kibbie, Chair; Bennett and Connolly

SSB 95

EDUCATION: Hammond Chair; Neuhauser and Rensink

SSB 96

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Hansen

SSB 97

TRANSPORTATION: Black, Chair; Douglas and Fink

SSB 98

TRANSPORTATION: Connolly, Chair; Gettings and Rittmer

SSB 99

HUMAN RESOURCES: Dvorsky, Chair; Bartz and Neuhauser

SSB 100

STATE GOVERNMENT: Connolly, Chair; Gronstal and Lind

SSB 101

COMMERCE: Flynn, Chair; Deluhery and Lundby

SSB 102

STATE GOVERNMENT: Sorensen, Chair; Connolly and Lundby

SSB 103

STATE GOVERNMENT: Connolly, Chair; Giannetto and Lind

SSB 104

STATE GOVERNMENT: Bisignano, Chair; Lind and McLaren

SSB 105

LOCAL GOVERNMENT: Halvorson, Chair; Black and McKean

SSB 106

LOCAL GOVERNMENT: Halvorson, Chair; Black and McKean

SSB 107

COMMERCE: Hansen, Chair; Deluhery and Douglas

LSB 2021

AGRICULTURE: Judge, Chair; Douglas and Fraise

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Mindy Crannell and Heather Hansen, Adel — For outstanding service on the 1995 medical mission to the Dominican Republic. Senator Douglas (2-6-95).

Dan Stecker, Pleasantville — For the "Golden Apple" award for outstanding teaching at Indianola High School. Senator Fink (2-6-95).

Jerry Pierce, Roland-Story Middle School — For being named Teacher of the Year by the State Department of Education. Senator Giannetto (2-11-95).

Brian D. Hall, Cedar Rapids — For achieving the rank of Eagle Scout. Senator Lundby (2-21-95).

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by committee on Agriculture, a joint resolution to nullify portions of an administrative rule relating to open burning of certain agricultural and other wastes and providing an effective date.

Read first time under Rule 28 and placed on calendar.

Senate File 100, by Black, a bill for an act exempting rural water districts from membership in the underground facilities notification center.

Read first time under Rule 28 and passed on file.

Senate File 101, by Black, a bill for an act relating to bond issuance elections and authorizing the imposition of an income surtax to partially fund certain bonds issued by a county, city, school district, or community college and providing for the Act's applicability.

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

Senate File 102, by Kibbie, a bill for an act relating to the drug testing of employees involved in workplace accidents and making penalties applicable.

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

Senate File 103, by Maddox, a bill for an act relating to eligibility for receipt of contingent annuitant allowances under the Iowa public employees' retirement system, and providing effective and retroactive applicability dates.

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

Senate File 104, by Maddox, a bill for an act relating to the regulation of motorboats on certain artificial lakes, and providing an effective date.

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

Senate File 105, by Kibbie, a bill for an act relating to the computation of the homestead property tax credit and the extraordinary property tax credit and reimbursement for homesteads and providing effective and applicability date provisions.

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

Senate File 106, by Hammond and Tinsman, a bill for an act to provide disaster leave for certain state employees.

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

Senate File 107, by committee on Agriculture, a bill for an act to support renovation and capital projects relating to the Iowa state fairgrounds by providing an appropriation.

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

Senate File 108, by McKean, a bill for an act to provide for the six-year revocation of licenses for persons who unintentionally cause the death of another while driving recklessly or eluding a police officer.

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

Senate File 109, by Halvorson, a bill for an act to provide for the impoundment or immobilization of motor vehicles driven or owned by persons convicted of operating while intoxicated and being a second or subsequent offender and providing a penalty.

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

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 107 (SSB 85), a bill for an act to support renovation and capital projects relating to the Iowa state fairgrounds by providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 9 (SSB 93), a joint resolution to nullify portions of an administrative rule relating to open burning of certain agricultural and other wastes and providing an effective date.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 14, a bill for an act relating to the commission on compensation, expenses, and salaries for elective state officials and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 40, a bill for an act relating to exempting employees of the state fair authority from the state merit personnel system.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3032	S. F.	82	Johnie Hammond
S—3033	S. R.	5	Emil J. Husak
			H. Kay Hedge
			Andy McKean
			Don Gettings
			Richard F. Drake
			Mary Neuhauser
S—3034	S. R.	4	H. Kay Hedge
			Andy McKean
			Don Gettings
			Richard F. Drake
			Emil J. Husak
			Mary Neuhauser
S—3035	S. F.	21	Randal J. Giannetto

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:56 a.m., until 9:00 a.m., Wednesday, February 8, 1995.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 8, 1995

The Senate met in regular session at 9:04 a. m., President Boswell presiding.

Prayer was offered by the Reverend Robert Boudewyns, pastor of the Unity Lutheran Church, Des Moines, Iowa.

The Journal of Tuesday, February 7, 1995, 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 February 6, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 37, a bill for an act relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the department of natural resources, and providing an effective date (S—3036).

INTRODUCTION OF BILLS

Senate File 110, by Lind, a bill for an act abolishing the racing dog adoption program and eliminating financial support provided to the program.

Read first time and passed on file.

Senate File 111, by Vilsack, Bisignano, and Hansen, a bill for an act relating to corporate, franchise, and insurance premiums tax credits for entities investing in a qualified venture capital company and providing retroactive applicability date provisions.

Read first time and passed on file.

Senate File 112, by Lind, a bill for an act relating to the salary of the executive secretary of the Iowa ethics and campaign disclosure board.

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 BILL (Regular Calendar)

Senate File 93

On motion of Senator Bisignano, Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties, was taken up for consideration.

The Senate stood at ease at 9:30 a.m. until the fall of the gavel for the purpose of party caucuses.

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

Senator Horn asked and received unanimous consent that action on **Senate File 93** be deferred.

INTRODUCTION OF BILL

Senate File 113, by Vilsack, Hansen, Bisignano, and Halvorson, a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 10:13 a.m., until 5:00 p.m.

APPENDIX

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Ray Taylor, former member of the House and Senate from Hardin County, Steamboat Rock, Iowa.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee on February 7, 1995:

S. F.	98	Rules and Administration
S. F.	99	Appropriations
S. F.	100	Natural Resources
S. F.	101	Local Government
S. F.	102	Business and Labor
S. F.	103	State Government
S. F.	104	Natural Resources
S. F.	105	Ways and Means
S. F.	106	State Government
S. C. R.	13	Human Resources

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 7, 1995, 10:35 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member; Horn and Lundby.

Members Absent: none.

Committee Business: Presentation by the department of personnel.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 7, 1995, 10:18 a.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Hansen and Zieman.

Members Absent: Borlaug, Ranking Member (excused).

Committee Business: Presentations by technology transfer, Iowa seed capital corporation; wallace technology foundation and small business investment corporation.

Adjourned: 12:01 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 7, 1995, 10:27 a.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentations by the university of osteopathic medicine and health sciences, and the university of Iowa.

Adjourned: 12:12 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 7, 1995, 10:33 a.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Budget presentations by the department of human rights and governor's alliance on substance abuse.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 7, 1995, 10:30 a.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Explanations of the X-PERT and FACS computer systems of the department of human services.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 7, 1995, 10:28 a.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Presentation by AT&T.

Adjourned: 11:23 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 7, 1995, 10:30 a.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by the department of management on privatization efforts.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 7, 1995, 10:25 a.m.

Members Present: Halvorson, Chair; Douglas, Ranking Member and Jensen.

Members Absent: Palmer, Vice Chair and Murphy (both excused).

Committee Business: Presentation by the department of natural resources on capital projects; LFB distributed materials on revolving funds transferred to general funds and on capital projects summary report (Jan.-June, 1994).

Adjourned: 11:25 a.m.

AGRICULTURE

Convened: February 7, 1995, 8:04 a.m.

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

Members Absent: Black (excused).

Committee Business: Approved SSBs 85 and 93 as committee bills.

Adjourned: 8:39 a.m.

COMMERCE

Convened: February 7, 1995, 3:20 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Palmer, Priebe and Redfern.

Members Absent: Bisignano and Lundby.

Committee Business: Assigned bills to subcommittees; presentation by the superintendent of banking and the credit union superintendent.

Adjourned: 3:56 p.m.

EDUCATION

Convened: February 7, 1995, 2:36 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink and Tinsman.

Members Absent: Murphy and Szymoniak (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:39 p.m.

ETHICS

Convened: February 7, 1995, 2:40 p.m.

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

Members Absent: Neuhauser, Vice Chair (excused).

Committee Business: Discussed amendments to Senate Resolutions 4 and 5.

Adjourned: 3:05 p.m.

HUMAN RESOURCES

Convened: February 7, 1995, 1:34 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSBs 18, 50, 52 and 62.

Adjourned: 2:26 p.m.

STATE GOVERNMENT

Convened: February 7, 1995, 1:35 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen.

Members Absent: McLaren.

Committee Business: Assigned bills to subcommittees and recommended passage of Senate Files 14 and 40.

Adjourned: 1:47 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 8, 1995:

AGRICULTURE

Kenneth W. McNichols — State Soil Conservation Committee.

BUSINESS AND LABOR

Derald L. Judson, Jr. — Employment Appeal Board.

Kathryn A. Murphy — Job Service Advisory Council.

COMMERCE

Dr. Therese M. Vaughan — Commissioner of Insurance.

COMMUNICATIONS AND INFORMATION POLICY

Joan U. Axel, Robert F. Baur and Richard A. Westcott — Iowa Telecommunications and Technology Commission.

EDUCATION

Wayne F. Drexler — School Budget Review Committee.

HUMAN RESOURCES

Alan J. Beste, Dr. Kenneth W. Caldwell, Danny T. Foster, Denise A. Harklau, Dr. Mary A. Khowassah and Dr. Rick D. Wilkerson — Athletic Trainer Advisory Board.

Judge Brown, Jr. — Commission on the Status of Women.

Dr. Dale J. Andringa, Dennis L. Billings, Kraig A. Boysen, Dr. Beth K. Bruening, John M. Comstock, Ann E. Kaven, John A. Kolosky, Marabeth K. Soneson, Marcia J. Stark, F. Walter Tomenga and Pamela W. Vap — Community Health Management Information System Governing Board.

Mary Anne Anderson, Sharon Blair, Robert J. DeSmidt, Dr. Marilee Fredericks, Gary L. Gansemer, Frank H. Hermsen, Gilbert C. Hoogendoorn, Clark A. Lane, Barbara J. Lips, Jean E. Oxley, Robert E. Petersen, Linda W. Rouse and Beverly A. Sanderson — Mental Health and Developmental Disabilities Commission.

JUDICIARY

Elizabeth R. Walker — Board of Parole.

Paul J. Leinen, Jr. — State Judicial Nominating Commission.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Terrence G. Townsend — Environmental Protection Commission.

Joan C. Schneider — Natural Resource Commission.

Yvonne M. Wente — Renewable Fuels and Coproducts Advisory Committee.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

David J. Lyons — Director of the Department of Economic Development.

Carol A. Garrett, Doris A. Hansen, Thomas G. Kunz, John B. Parks, L. Jeanne Partlow, Randolph P. Steig and Bruce Tamisiea — Iowa Seed Capital Corporation.

STATE GOVERNMENT

Dr. Teresa A. Mock — Board of Medical Examiners.

Muriel E. Allan, Dorothy E. Andrews and Gail K. Danilson — Commission of Veterans Affairs.

Dr. Scharron A. Clayton and Myrtilla Levin — Commission on the Status of African-Americans.

Janet E. Phipps — Director of the Department of General Services.

Randy G. Brown — Executive Director of the Commission of Veterans Affairs.

Dr. Bruce W. Van Zee — Iowa Board of Veterinary Medicine.

WALLY E. HORN, Chair

STUDY BILLS RECEIVED

SSB 108 Human Resources

Relating to health facilities under the purview of the department of inspections and appeals.

SSB 109 Transportation

Relating to salvage and wrecked motor vehicles.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 114 (SSB 18), a bill for an act relating to anabolic steroids and the Iowa uniform controlled substances Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 116 (SSB 62), a bill for an act authorizing certain persons to access dependent adult abuse information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 117 (SSB 52), a bill for an act adopting a new uniform anatomical gift Act and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman 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 Human Resources Committee on Senate File 117 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 118 (SSB 50), a bill for an act relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Kramer, Neuhauser and Vilsack. Nays, 1: Hansen. Pass, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 118 and they were attached to the committee report.

AMENDMENTS FILED

S-3036	S. F.	37	House amendment
S-3037	S. F.	21	Eugene Fraise
			Don Gettings
S-3038	S. F.	82	Johnie Hammond
S-3039	S. F.	58	Andy McKean
S-3040	S. R.	5	Rod Halvorson
S-3041	S. R.	5	Rod Halvorson
S-3042	S. F.	93	Tony Bisignano
S-3043	S. F.	93	Randal J. Giannetto
S-3044	S. F.	93	Tony Bisignano
S-3045	S. F.	93	Rod Halvorson
S-3046	S. F.	93	Brad Banks

AFTERNOON SESSION

The Senate reconvened at 5:00 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 7, 1995, passed the following bills in which the concurrence of the Senate is asked:

House-File 41, a bill for an act relating to the establishment of legal settlement for certain blind persons and providing an effective date.

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

House File 94, a bill for an act to permit certain dissolutions of marriage to take place without a hearing.

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

INTRODUCTION OF BILLS

Senate File 114, by committee on Human Resources, a bill for an act relating to anabolic steroids and the Iowa uniform controlled substances Act.

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

Senate File 115, by Lind, a bill for an act relating to department of human services' child day care nutritional standards.

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

Senate File 116, by committee on Human Resources, a bill for an act authorizing certain persons to access dependent adult abuse information.

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

Senate File 117, by committee on Human Resources, a bill for an act adopting a new uniform anatomical gift Act and providing a penalty.

Read first time and placed on calendar.

Senate File 118, by committee on Human Resources, a bill for an act relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability.

Read first time and placed on calendar.

Senate File 119, by Maddox, a bill for an act relating to supplementary weightings for shared administrators by school districts under the state school foundation aid program and providing an effective date.

Read first time and passed on file.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee on February 8:

S.F.	108	Judiciary
S.F.	109	Judiciary
S.F.	110	State Government
S.F.	111	Small Business, Economic Development, & Tourism
S.F.	112	State Government
S.F.	113	Small Business, Economic Development, & Tourism
S.F.	115	Human Resources
S.F.	119	Education
H.F.	15	Judiciary
H.F.	29	Judiciary
H.F.	41	Human Resources
H.F.	94	Judiciary

APPENDIX

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: SENATE CONCURRENT RESOLUTION 8, a concurrent resolution urging support of the striking workers at Bridgestone/Firestone in Des Moines through legislation and other means.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Dearden, Gettings, Connolly, Dvorsky, Giannetto and Hammond. Nays, 4: Freeman, Banks, Iverson and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: SENATE CONCURRENT RESOLUTION 12, a concurrent resolution urging the Federal Trade Commission to amend a consent agreement that would require the divestiture of the Fort Dodge Friskies PetCare Plant.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hansen, Judge, Zieman, Bennett, Boettger, Borlaug, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 3: Flynn, Giannetto and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3047	S. F.	83	Stewart Iverson, Jr.
S—3048	S. C. R.	8	Stewart Iverson, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Thursday, February 9, 1995.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 9, 1995

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

Prayer was offered by the Reverend Jeff Nelsen, pastor of the First Baptist Church, Harlan, Iowa.

The Journal of Wednesday, February 8, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 120, by Tinsman, Borlaug, Bartz, Maddox, Freeman, Judge, and Szymoniak, a bill for an act requiring that prison inmates obtain a general equivalency diploma prior to the granting of parole or work release, and providing exceptions.

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

Senate File 121, by Tinsman, Rittmer, Lind, Rife, Neuhauser, Deluhery, 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 122, by McKean, a bill for an act relating to the date of the primary election.

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

Senate File 123, by Boswell, a bill for an act relating to the establishment of area long-term care resident's advocates in each of the area agencies on aging, providing for an appropriation, 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 50 present, 0 absent and a quorum present.

SPECIAL GUEST

Senator Horn introduced Lisa Switzer, one of the American Heart Association's 1995 Heart Ambassadors from Cedar Rapids, Iowa.

Lisa is an active volunteer for the American Heart Association and is a member of one of the AHA's Jump Rope for Heart Demonstration Teams which travel to schools all over eastern Iowa.

Lisa's medical record adds up to more than four open heart surgeries and three pacemakers.

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 8, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 17, a concurrent resolution urging the Federal Trade Commission to amend a consent agreement that would require the divestiture of the Fort Dodge Friskies PetCare Plant.

This resolution was read first time and passed on file.

UNFINISHED BUSINESS (Deferred February 8, 1995)

Senate File 93

The Senate resumed consideration of Senate File 93, a bill for

an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties, deferred February 8, 1995.

Senator Halvorson offered amendment S—3045 filed by him on February 8, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3045 was adopted by a voice vote.

Senator Bisignano offered amendment S—3042 filed by him on February 8, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3042 was adopted by a voice vote.

Senator Giannetto offered amendment S—3043 filed by him on February 8, 1995, to pages 4-7, 9-11 and the title page of the bill.

Senator Banks offered amendment S—3046 filed by him on February 8, 1995, to amendment S—3043 and moved its adoption.

Amendment S—3046 was adopted by a voice vote.

Senator Giannetto offered amendment S—3050 filed by Senators Giannetto and Halvorson from the floor to amendment S—3043 and moved its adoption.

Amendment S—3050 was adopted by a voice vote.

Senator Bisignano called for a division of amendment S—3043 as amended:

Page 1, lines 2-50; and page 2, lines 1-19 and 29-41 as division S—3043A; page 2, lines 20-28 as division S—3043B.

Senator Giannetto moved the adoption of division S—3043A as amended, which motion prevailed by a voice vote.

Senator Giannetto moved the adoption of division S—3043B as amended, which motion prevailed by a voice vote.

Senator Bisignano offered amendment S—3044 filed by him on February 8, 1995, to page 10 of the bill.

Senator Neuhauser raised the point of order that amendment S—3044 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3044 out of order.

Senator Bisignano asked and received unanimous consent that action on Senate File 93 be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 37

Senator Priebe called up for consideration Senate File 37, a bill for an act relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the department of natural resources, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3036 filed February 8, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Priebe moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 37) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 BILL (Regular Calendar)

Senate File 14

On motion of Senator Gronstal, Senate File 14, a bill for an act relating to the commission on compensation, expenses, and salaries for elective state officials and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 14) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gfannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 12.

Senate Concurrent Resolution 12

On motion of Senator Kibbie, Senate Concurrent Resolution 12, a concurrent resolution urging the Federal Trade Commission to amend a consent agreement that would require the divestiture of the Fort Dodge Friskies PetCare Plant, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that House Concurrent Resolution 17 be substituted for Senate Concurrent Resolution 12.

House Concurrent Resolution 17

On motion of Senator Kibbie, House Concurrent Resolution 17, a concurrent resolution urging the Federal Trade Commission to amend a consent agreement that would require the divestiture of the Fort Dodge Friskies PetCare Plant, was taken up for consideration.

Senator Kibbie moved the adoption of House Concurrent Resolution 17, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 88

On motion of Senator McKean, Senate File 88, 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, was taken up for consideration.

Senator McKean offered amendment S—3031 filed by the committee on Judiciary on February 2, 1995, to pages 6 and 7 of the bill and moved its adoption.

Amendment S—3031 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 88) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hansen

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

Senate File 87

On motion of Senator Bartz, Senate File 87, a bill for an act relating to nonsubstantive Code corrections, and providing effective and applicability date provisions, was taken up for consideration.

Senator Bartz offered amendment S—3030 filed by the committee on Judiciary on February 2, 1995, to pages 3, 4 and 12 of the bill and moved its adoption.

Amendment S—3030 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 87) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhausser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 Resolution 4

On motion of Senator Hedge, Senate Resolution 4, a senate resolution to provide the senate rules governing lobbyists, was taken up for consideration.

Senator Hedge offered amendment S—3034 filed by Senators Hedge, et al., on February 7, 1995, to page 3 of the resolution and moved its adoption.

Amendment S—3034 was adopted by a voice vote.

Senator Hedge moved the adoption of Senate Resolution 4 as amended, which motion prevailed by a voice vote.

BUSINESS PENDING

Senate File 93

The Senate resumed consideration of Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties, previously deferred.

Senator Neuhauser offered amendment S—3052 filed by Senators Neuhauser, Bisignano and Giannetto from the floor to page 10 of the bill and moved its adoption.

Amendment S—3052 was adopted by a voice vote.

Senator Boettger offered amendment S—3049 filed by Senators Boettger, et al., from the floor to pages 2, 7 and 10 of the bill.

Senator Lind offered amendment S—3051 filed by him from the floor to amendment S—3049.

Senator Giannetto raised the point of order that amendment S—3051 to amendment S—3049 was not germane.

The Chair ruled the point well taken and amendment S—3051 out of order.

Senator Boettger moved the adoption of amendment S—3049, which motion prevailed 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. 93) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen

Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Tinsman	Vilsack
Zieman			

Nays, 1:

Szymoniak

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

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Resolution 5

On motion of Senator Husak, Senate Resolution 5, a senate resolution to provide for the Senate Code of Ethics, was taken up for consideration.

Senator Halvorson offered amendment S—3040 filed by him on February 8, 1995, to page 5 of the resolution.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby for the remainder of the day on request of Senator Rife.

BUSINESS PENDING

Senate Resolution 5

The Senate resumed consideration of Senate Resolution 5 and amendment S—3040.

Senator Halvorson moved the adoption of amendment S—3040.

A record roll call was requested.

On the question "Shall amendment S—3040 be adopted?" (S.R. 5) the vote was:

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

Ayes, 3:

Flynn	Halvorson	Hammond
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Nays, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Absent or not voting, 1:

Lundby

Amendment S—3040 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 February 9, 1995, insisted on its amendment to Senate File 17, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions, and that the members of the Conference Committee on part of the House are: The Representative from Scott, Mr. Grubbs, Chair; the Representative from Winneshiek, Mr. Gipp; the Representative from Crawford, Mr. Gries; the Representative from Clinton, Mr. Ollie; the Representative from Lee, Mr. Wise.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 17** on the part of the Senate: Senators Connolly, Chair; Kibbie, Murphy, Lind and Kramer.

BUSINESS PENDING

Senate Resolution 5

The Senate resumed consideration of Senate Resolution 5.

Senator Halvorson withdrew amendment S—3041 filed by him on February 8, 1995, to page 6 of the resolution.

Senator Husak offered amendment S—3033 filed by Senators Husak, et al., on February 7, 1995, to pages 10, 12 and 13 of the resolution and moved its adoption.

Amendment S—3033 was adopted by a voice vote.

Senator Husak moved the adoption of Senate Resolution 5 as amended, which motion prevailed by a voice vote and the resolution as amended was adopted.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 14, by committee on Rules and Administration, a senate concurrent resolution relating to a Biennial Memorial Session.

Read first time and placed on calendar.

Senate Concurrent Resolution 15, by committee on Communications and Information Policy, a concurrent resolution requesting that the Congress of the United States direct the Health Care Financing Administration to establish a national policy no later than July 1, 1995, for Medicare reimbursement of telemedicine services.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate Joint Resolution 10, by Bartz, Lind, Szymoniak, Priebe, and Kibbie, a joint resolution supporting the use of marijuana for medical purposes in the state of Iowa.

Read first time and passed on file.

Senate File 124, by committee on Judiciary, a bill for an act relating to access to certain adoption records by the subject of the record.

Read first time and placed on calendar.

Senate File 125, by Giannetto, a bill for an act relating to no-contact orders in domestic abuse cases, extending an existing penalty to certain persons and providing a conditional effective date.

Read first time and passed on file.

Senate File 126, by Priebe, Kibbie, Hedge, Palmer, Rittmer, and Borlaug, a bill for an act relating to state participation in the funding of mental health, mental retardation, and developmental disabilities services and providing property tax relief.

Read first time and passed on file.

Senate File 127, by Jensen and Palmer, a bill for an act relating to the preservation of and restoration work on the physical facilities of the capitol complex.

Read first time and passed on file.

Senate File 128, by Hansen, a bill for an act to shorten the time frame preceding an election during which political yard signs may be placed on property adjoining city, county, or state roadways.

Read first time and passed on file.

Senate File 129, by Lind and McKean, a bill for an act relating to requiring the county name on motor vehicle registration plates and providing an applicability date.

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

Senate File 130, by Vilsack, a bill for an act relating to limiting the manner in which an order appointing a guardian or conservator is subject to attack by third parties.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 107** be referred from the Regular Calendar to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 14, 37, 87, 88 and 93** and **House Concurrent Resolution 17** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 12:50 p.m., until 2:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

Convened: February 8, 1995, 10:25 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Horn.

Members Absent: Lundby (excused).

Committee Business: Budget presentation by the office of the governor; discussed legislative intent language.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 8, 1995, 10:19 a.m.

Members Present: Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: Black (excused).

Committee Business: Presentation on the Five Island Lake by the lake board; presentation by the administrator of the DNR on the fish and wildlife division.

Adjourned: 11:16 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 8, 1995, 10:20 a.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: none.

Committee Business: Presentations by partner state program, peace institute, international development foundation and the Iowa finance authority.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 8, 1995, 10:21 a.m.

Members Present: Kibbie, Chair; Connolly, Vice Chair; Kramer, Ranking Member; Fink and Freeman.

Members Absent: none.

Committee Business: Presentation by the department of management.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 8, 1995, 10:24 a.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Budget presentations by the executive director of the commission of veterans affairs and the commandant of the Iowa veterans home.

Adjourned: 11:46 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 8, 1995, 10:25 a.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Presentations regarding adolescent pregnancy prevention and foster and adoptive parents association.

Adjourned: 12:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 8, 1995, 10:25 a.m.

Members Present: Fraise, Chair; Dvorsky, Vice Chair; Iverson, Ranking Member; Husak and Redfern.

Members Absent: none.

Committee Business: Presentations for alternative prison sites by Sioux City, Eldora, Newton, Fort Madison and Anamosa.

Adjourned: 12:14 p.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 8, 1995, 10:42 a.m.

Members Present: Neuhauser, Chair; Gronstal, Vice Chair; McLaren, Ranking Member and Maddox.

Members Absent: Boswell (excused).

Committee Business: Presentation by the department of transportation.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Convened: February 8, 1995, 10:25 a.m.

Members Present: Halvorson, Chair; Palmer, Vice Chair and Douglas, Ranking Member.

Members Absent: Jensen and Murphy (both excused).

Committee Business: Presentation by county treasurers on the county drivers license pilot project; presentation by the DOT and Des Moines and Davenport police officers on MARS computer interface and the digitalized/bar-coded drivers license.

Adjourned: 12:25 p.m.

BUSINESS AND LABOR

Convened: February 8, 1995, 2:37 p.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Banks, Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 8; presentation by the industrial commissioner.

Adjourned: 3:17 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 8, 1995, 4:08 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: none.

Committee Business: Speakers from Drake university, Kirkwood community college and Charles City high school; approved SSB 86 as a committee bill.

Adjourned: 5:28 p.m.

JUDICIARY

Convened: February 8, 1995, 1:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Approved SSBs 36 and 78 as committee bills; deferred action on Senate File 86.

Adjourned: 2:04 p.m.

LOCAL GOVERNMENT

Convened: February 8, 1995, 2:35 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Fraise, Halvorson, McKean, Rittmer and Zieman.

Members Absent: Black and Judge (both excused).-

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:36 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 8, 1995, 1:42 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Freeman, Hedge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Deluhery, Gronstal (excused) and Judge (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:31 p.m.

RULES AND ADMINISTRATION

Convened: February 8, 1995, 4:10 p.m.

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

Members Absent: none.

Committee Business: Approved proposed committee resolution providing for a biennial memorial session; referred governor's appointees to standing committees; approved senate chamber access requests for political party and representatives of the governor's staff.

Adjourned: 4:55 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPEMENT, AND TOURISM

Convened: February 8, 1995, 3:27 p.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Flynn, Kibbie, Maddox, Palmer, Sorensen, Szymoniak and Vilsack.

Members Absent: Giannetto and McKean.

Committee Business: Recommended passage of Senate Concurrent Resolution 12; presentation on linked investments by the state treasurer's office.

Adjourned: 3:47 p.m.

TRANSPORTATION

Convened: February 8, 1995, 3:22 p.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the Cass county treasurer.

Adjourned: 4:10 p.m.

COMMITTEE REPORTS**COMMUNICATIONS AND INFORMATION POLICY**

Final Bill Action: SENATE CONCURRENT RESOLUTION 15 (SSB 86), a concurrent resolution requesting that the Congress of the United States direct the Health Care Financing Administration to establish a national policy no later than July 1, 1995, for Medicare reimbursement of telemedicine services.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Dvorsky, Deluhery, Flynn, Hansen, Jensen and Redfern. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 124 (SSB 78), a bill for an act relating to access to certain adoption records by the subject of the record.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 14, a senate concurrent resolution relating to a Biennial Memorial Session.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

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

Members of the senior high school government class from East Marshall senior high school, State Center, Iowa. Senator Giannetto.

AMENDMENTS FILED

S—3049	S.F.	93	Nancy Boettger Andy McKean Tony Bisignano Maggie Tinsman
S—3050	S.F.	93	Randal J. Giannetto Rod Halvorson
S—3051	S.F.	93	Jim Lind
S—3052	S.F.	93	Mary Neuhauser Tony Bisignano Randal J. Giannetto

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 6, by Giannetto, a senate resolution relating to the provision of laptop computers for each senator's desk.

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 82

On motion of Senator Hammond, Senate File 82, a bill for an act relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance, was taken up for consideration.

Senator Hammond withdrew amendment S—3032, filed by her on February 7, 1995, to page 1 of the bill.

Senator Hammond offered amendment S—3038 filed by her on February 8, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3038 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 82) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Jensen Lundby

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 to take up for consideration Senate File 114.

Senate File 114

On motion of Senator Boettger, Senate File 114, a bill for an act relating to anabolic steroids and the Iowa uniform controlled substances act, was taken up for consideration.

Senator Bartz offered amendment S—3054 filed by Senators Bartz, Lind and Redfern from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 8, nays 18, voting present 18.

Amendment S—3054 lost.

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

On the question "Shall the bill pass?" (S.F. 114) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kramer	Lind	Maddox
McKean	McLaren	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 14.

Senate Concurrent Resolution 14

On motion of Senator Husak, Senate Concurrent Resolution 14, a senate concurrent resolution relating to a Biennial Memorial Session, was taken up for consideration.

Senator Husak moved the adoption of Senate Concurrent Resolution 14, which motion prevailed by a voice vote.

The Senate stood at ease at 3:55 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:30 p.m., President pro tempore Bisignano presiding.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: February 7, 1995, 4:05 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by the Iowa superintendent of banking.

Adjourned: 4:45 p.m.

STUDY BILLS RECEIVED

SSB 110 Judiciary

Relating to the civil rights commission concerning the enforcement of civil rights laws, and the promotion and transfer of employed disabled persons.

SSB 111 Judiciary

Relating to the enforcement of civil rights laws by the civil rights commission by changing the definition of a public accommodation and by granting the commission subpoena power.

SSB 112 Judiciary

Relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status.

SSB 113 Judiciary

Relating to underage consumption of alcoholic beverages on private property.

SSB 114 Judiciary

Relating to the establishment of surrogacy procedures and providing for the Act's applicability.

SSB 115 Judiciary

Providing for the modification of no-contact orders in domestic abuse cases in certain circumstances.

SSB 116 Judiciary

Prohibiting a person who is represented by counsel in a pending dissolution of marriage proceeding from proceeding pro se in a domestic abuse action.

SSB 117 Agriculture

Providing for a livestock health initiative and providing an appropriation.

SSB 118 Transportation

Relating to the suspension and revocation of driver's licenses and providing penalties for violations of out-of-service orders.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Kelifola Dabo, Jalall Reed, Johari Reed and Edward Rhodes, Des Moines — For Boy Scout Month. Senator Szymoniak (2-13-95).

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 13**

HUMAN RESOURCES: Hammond, Chair; Boettger and Neuhauser

Senate File 98

RULES AND ADMINISTRATION: Bisignano, Chair; Horn and Kramer

Senate File 108

JUDICIARY: McKean, Chair; Fraise, Giannetto, Redfern and Vilsack

Senate File 109

JUDICIARY: Halvorson, Chair; Boettger, Giannetto, McKean and Vilsack

Senate File 111

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Vilsack, Chair; Flynn, Maddox, McKean and Palmer

Senate File 113

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Hansen, Chair; Boettger, Borlaug, Flynn and Vilsack

Senate File 115

HUMAN RESOURCES: Kramer, Chair; Dvorsky and Hammond

House File 15

JUDICIARY: Hansen, Chair; Bartz, Drake, Giannetto and Vilsack

House File 29

JUDICIARY: Bartz, Chair; Bisignano, Drake, Giannetto and Vilsack

House File 41

HUMAN RESOURCES: Bartz, Chair; Dvorsky and Hansen

House File 94

JUDICIARY: Hammond, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 108

HUMAN RESOURCES: Dvorsky, Chair; Boettger and Neuhauser

SSB 109

TRANSPORTATION: Fraise, Chair; Fink and Lind

SSB 110

JUDICIARY: Giannetto, Chair; Bartz, Fraise, Maddox and Vilsack

SSB 111

JUDICIARY: Giannetto, Chair; Bartz, Fraise, Maddox and Vilsack

SSB 112

JUDICIARY: McKean, Chair; Giannetto, Hansen, Redfern and Vilsack

SSB 113

JUDICIARY: Maddox, Chair; Fraise, Giannetto, McKean and Vilsack

SSB 114

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Redfern and Szymoniak

SSB 115

JUDICIARY: Redfern, Chair; Giannetto, Hammond, Hansen and Maddox

SSB 116

JUDICIARY: Neuhauser, Chair; Giannetto, Maddox, Redfern and Vilsack

SSB 118

TRANSPORTATION: Drake, Chair; Connolly and Fink

COMMITTEE REPORT**JUDICIARY**

Final Bill Action: SENATE FILE 132 (SSB 36), a bill for an act relating to compensation for victims of crimes, by providing for compensation to secondary victims of crimes and increasing the maximum amount that may be recovered for loss of work income due to injuries received by victims.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. 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. R. 6 Rules and Administration

S. J. R.	10	Human Resources
S. F.	120	Judiciary
S. F.	121	Ways and Means
S. F.	122	State Government
S. F.	123	Human Resources
S. F.	125	Judiciary
S. F.	126	Appropriations
S. F.	127	Rules and Administration
S. F.	128	State Government
S. F.	129	Transportation
S. F.	130	Judiciary

INTRODUCTION OF BILLS

Senate Joint Resolution 11, by Halvorson, a joint resolution proposing an amendment to the Constitution of the State of Iowa changing the legislative branch of state government to a unicameral system.

Read first time and passed on file.

Senate File 131, by Rensink, Borlaug, and Banks, a bill for an act relating to obscenity exemptions for educational institutions, public libraries, and places that display art works.

Read first time and passed on file.

Senate File 132, by committee on Judiciary, a bill for an act relating to compensation for victims of crimes, by providing for compensation to secondary victims of crimes and increasing the maximum amount that may be recovered for loss of work income due to injuries received by victims.

Read first time and placed on calendar.

Senate File 133, by Tinsman, Bartz, Maddox, Kramer, Giannetto, and Bisignano, a bill for an act to prohibit the release of persons convicted of a forcible felony on parole or work release.

Read first time and passed on file.

The Senate stood at ease at 6:35 p.m. until the fall of the gavel.

The Senate resumed session at 11:00 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 43 present, 7 absent and a quorum present.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 82 and 114 and Senate Concurrent Resolution 14** be **immediately messaged** to the House.

The Senate stood at ease at 11:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:01 a.m., President Boswell presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House on February 9, 1995:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 9, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 13, a bill for an act relating to the establishment of a decision-making process for prospective minor parents, providing penalties, and providing effective dates (S—3055).

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee on February 9, 1995:

S. J. R.	11	State Government
S. F.	131	Education
S. F.	133	Judiciary

AMENDMENTS FILED

(February 9, 1995)

S—3053	S. F.	118	Steven D. Hansen
S—3054	S. F.	114	Merlin E. Bartz Jim Lind Donald D. Redfern
S—3055	S. F.	13	House amendment

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 12:03 a.m., until 9:00 a.m., Friday, February 10, 1995.

JOURNAL OF THE SENATE

THIRTY-THIRD CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 10, 1995

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

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

The Journal of Thursday, February 9, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Rensink and Borlaug for the day on request of Senator Jensen and Senator Lundby until she arrives on request of Senator Bartz.

NEW APPOINTMENT TO CONFERENCE COMMITTEE

President Boswell announced that Senator Neuhauser would be replacing Senator Murphy as a member of the conference committee appointed February 9, 1995, on Senate File 17.

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.

The Senate stood at ease at 9:28 a.m. until the fall of the gavel.

The Senate resumed session at 10:39 a.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 134, by Maddox, a bill for an act relating to requirements for sponsors of gun shows and providing penalties for failure of gun show sponsors to meet the requirements.

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

Senate File 135, by McKean, a bill for an act relating to travel expenses as a separate line item in the budgets of the institutions of higher learning under the control of the state board of regents.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gettings and Szymoniak for the remainder of the day on request of Senator Sorensen.

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.

INTRODUCTION OF BILL

Senate File 136, by Black and Hansen, a bill for an act relating to the creation of real estate improvement districts, providing for the election of boards of trustees, providing for the powers and duties of the trustees, authorizing the issuance of general obligation bonds and revenue bonds, authorizing the imposition of ad valorem property taxes, special assessments, and fees, and making provisions for other properly related matters.

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

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 February 8, 1995, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 6, a concurrent resolution objecting to a plan proposed by the United States Corps of Engineers to dramatically alter the operation of the Missouri River, and to request that the current operation of the river be maintained or that an alternative plan be considered that does not negatively impact upon the effective operation of the river (S—3056).

ALSO: That the House has on February 8, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 45, a bill for an act changing the name of the league of Iowa municipalities to the Iowa league of cities.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 9, 1995, to investigate the appointment of the following Governor's appointees:

AGRICULTURE

As a member of the State Soil Conservation Committee:

KENNETH W. McNICHOLS: Palmer, Chair; Douglas and Black

BUSINESS AND LABOR

As a member of the Employment Appeal Board:

DERALD L. JUDSON, JR.: Connolly, Chair; Gettings and Banks

As a member of the Job Service Advisory Council:

KATHRYN A. MURPHY: Freeman, Chair; Maddox and Hammond

COMMERCE

As Commissioner of Insurance:

DR. THERESE M. VAUGHAN: Gronstal, Chair; Jensen and Palmer

COMMUNICATIONS AND INFORMATION POLICY

As members of the Iowa Telecommunications and Technology Commission:

JOAN U. AXEL: Redfern, Chair; McLaren and Dvorsky

ROBERT F. BAUR: Dvorsky, Chair; Deluhery and McLaren

RICHARD A. WESTCOTT: Hansen, Chair; Flynn and Jensen

EDUCATION

As a member of the School Budget Review Committee:

WAYNE F. DREXLER: Connolly, Chair; Deluhery and Rensink

HUMAN RESOURCES

As members of the Athletic Trainer Advisory Board:

ALAN J. BESTE: Boettger, Chair; Szymoniak and Hansen
 DR. KENNETH W. CALDWELL: Tinsman, Chair; Hammond and Szymoniak
 DANNY T. FOSTER: Neuhauser, Chair; Tinsman and Hansen
 DENISE A. HARKLAU: Hammond, Chair; Tinsman and Hansen
 DR. MARY A. KHOWASSAH: Dvorsky, Chair; Boettger and Vilsack
 DR. RICK D. WILKERSON: Bartz, Chair; Dvorsky and Szymoniak

As a member of the Commission on the Status of Women:

JUDGE BROWN, JR.: Szymoniak, Chair; Boettger and Vilsack

As members of the Community Health Management Information System Governing Board:

DR. DALE J. ANDRINGA: Szymoniak, Chair; Hammond and Kramer
 DENNIS L. BILLINGS: Vilsack, Chair; Boettger and Neuhauser
 KRAIG A. BOYSEN: Szymoniak, Chair; Tinsman and Hammond
 DR. BETH K. BRUENING: Hansen, Chair; Bartz and Boettger
 JOHN M. COMSTOCK: Tinsman, Chair; Hammond and Dvorsky
 ANN E. KAVEN: Bartz, Chair; Vilsack and Hansen
 JOHN A. KOLOSKY: Kramer, Chair; Neuhauser and Szymoniak
 MARABETH K. SONESON: Dvorsky, Chair; Vilsack and Boettger
 MARCIA J. STARK: Szymoniak, Chair; Kramer and Hansen
 F. WALTER TOMENGA: Szymoniak, Chair; Bartz and Vilsack
 PAMELA W. VAP: Tinsman, Chair; Szymoniak and Vilsack

As members of the Mental Health and Developmental Disabilities Commission:

MARY ANNE ANDERSON: Boettger, Chair; Hansen and Hammond
 SHARON BLAIR: Kramer, Chair; Hammond and Szymoniak
 ROBERT J. DeSMIDT: Hansen Chair; Boettger and Neuhauser
 DR. MARILEE FREDERICKS: Szymoniak, Chair; Bartz and Dvorsky
 GARY L. GANSEMER: Tinsman, Chair; Neuhauser and Vilsack
 FRANK H. HERMSEN: Hansen, Chair; Bartz and Hammond
 GILBERT C. HOOGENDOORN: Bartz, Chair; Neuhauser and Dvorsky
 CLARK A. LANE: Boettger, Chair; Kramer and Neuhauser
 BARBARA J. LIPS: Tinsman, Chair; Szymoniak and Hansen
 JEAN E. OXLEY: Neuhauser, Chair; Bartz and Vilsack
 ROBERT E. PETERSEN: Tinsman, Chair; Szymoniak and Dvorsky
 LINDA W. ROUSE: Boettger, Chair; Hansen and Neuhauser
 BEVERLY A. SANDERSON: Vilsack, Chair; Hammond and Szymoniak

JUDICIARY

As a member of the Board of Parole:

ELIZABETH R. WALKER: Drake, Chair; Fraise and Neuhauser

As a member of the State Judicial Nominating Commission:

PAUL J. LEINEN, JR.: Boettger, Chair; Hansen and Halvorson

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

As a member of the Environmental Protection Commission:

TERRENCE G. TOWNSEND: Black, Chair; Lundby and Sorensen

As a member of the Natural Resource Commission:

JOAN C. SCHNEIDER: Kibbie, Chair; Black and Rensink

As a member of the Renewable Fuels and Coproducts Advisory Committee:

YVONNE M. WENTE: Sorensen, Chair; Black and Lundby

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

As Director of the Department of Economic Development:

DAVID J. LYONS: Hansen, Chair; Judge and Zieman

As members of the Iowa Seed Capital Corporation:

CAROL A. GARRETT: McKean, Chair; Borlaug and Flynn

DORIS A. HANSEN: Hansen, Chair; Kibbie and Bennett

THOMAS G. KUNZ: Giannetto, Chair; Flynn and Borlaug

JOHN B. PARKS: Borlaug, Chair; Maddox and Flynn

L. JEANNE PARTLOW: Palmer, Chair; Szymoniak and Maddox

RANDOLPH P. STEIG: Szymoniak, Chair; Maddox and Palmer

BRUCE TAMISIEA: Kibbie, Chair; Sorensen and Boettger

STATE GOVERNMENT

As a member of the Board of Medical Examiners:

DR. TERESA A. MOCK: Lundby, Chair; Halvorson and Gronstal

As members of the Commission on the Status of African-Americans:

DR. SCHARRON A. CLAYTON: Rittmer, Chair; Kibbie and Dearden

MYRTILLA LEVIN: Connolly, Chair; Gronstal and Rittmer

As members of the Commission of Veterans Affairs:

MURIEL E. ALLAN: Giannetto, Chair; Kibbie and Drake

DOROTHY E. ANDREWS: Kibbie, Chair; Giannetto and Drake
 GAIL K. DANILSON: Giannetto, Chair; Kibbie and Drake

As Director of the Department of General Services:

JANET E. PHIPPS: Lind, Chair; Lundby and Gronstal

As Executive Director of the Commission of Veterans Affairs:

RANDY G. BROWN: Kibbie, Chair; Giannetto and Drake

As a member of the Iowa Board of Veterinary Medicine:

DR. BRUCE W. VAN ZEE: McLaren, Chair; Bisignano and Sorensen

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 82, the following correction was made:

1. Page 3, line 8, the word and number "section 3" were changed to the word and number "Section 5".

JOHN F. DWYER
 Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S.F.	134	Judiciary
S.F.	135	Education
S.F.	136	Local Government

SUBCOMMITTEE ASSIGNMENTS

Senate File 120

JUDICIARY: Szymoniak, Chair; Fraise, Giannetto, Maddox and McKean

Senate File 125

JUDICIARY: Neuhauser, Chair; Bartz, Bisignano, Giannetto and Maddox

Senate File 130

JUDICIARY: Vilsack, Chair; Giannetto, McKean, Neuhauser and Redfern

Senate File 133

JUDICIARY: Giannetto, Chair; Bartz, Fraise, McKean and Vilsack

AMENDMENT FILED

S—3056 S. C. R. 6 House amendment

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate Resolution 4, the following corrections were made:

1. Page 1, line 9, the number "1." was changed to the letter "a".
2. Page 1, line 14, the number "2." was changed to the letter "b".
3. Page 1, line 19, the number "3." was changed to the letter "c".
4. Page 1, line 23, the number "4." was changed to the letter "d".

JOHN F. DWYER
Secretary of the Senate

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 11:36 a.m., until 1:30 p.m., Monday, February 13, 1995.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 13, 1995

The Senate met in regular session at 1:53 p.m., President Boswell presiding.

Prayer was offered by the Reverend Karen Groe Dearchs, pastor of Methodist Churches in Hornick and Smithland, Iowa.

The Journal of Friday, February 10, 1995, was approved.

SPECIAL GUESTS

Senator Szymoniak introduced Kelifola Dabo, Jalall Reed, Johari Reed and Edward Rhodes, members of Boy Scout Troop 48, who led the Senate in the Pledge of Allegiance in honor of Boy Scout month.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lundby and McKean until they arrive on request of Senator Bartz.

INTRODUCTION OF BILLS

Senate File 137, by Freeman, a bill for an act requiring implementation of a single entry point process for delivery of mental health, mental retardation, and developmental disabilities services, and providing an applicability provision.

Read first time and passed on file.

Senate File 138, by Iverson, a bill for an act providing for a call of the senate and house of representatives and requirements relating to the passage of a bill by the general assembly which establishes the state percent of growth for a budget year.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Flynn, Deluhery and Sorenson for the day on request of Senator Horn.

WITHDRAWN

Senator Kibbie asked and received unanimous consent that **Senate Concurrent Resolution 12** be **withdrawn** from further consideration of the Senate.

The Senate stood at ease at 2:02 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:18 p.m., President Boswell presiding.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: We were out of the Senate chamber in a conference committee when the vote was taken on Senate File 114.

Had we been present, we would have voted "aye" on the bill.

JOHN P. KIBBIE
LARRY MURPHY
MIKE CONNOLLY

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Arlene Brown, Osage — For 46 years of service to the people of Mitchell County. Senator Borlaug (2-10-95).

Steven Crawford, Fredericksburg — For achieving 100 wins as coach for the Lady Falcons. Senator Borlaug (2-9-95).

STUDY BILLS RECEIVED

SSB 119 Appropriation

Relating to state aid payments to school districts for the school budget year commencing July 1, 1995, as a result of increasing the budget guarantee and reducing the additional property tax levy, making appropriations, and providing effective and applicability date provisions.

SSB 120 Judiciary

Relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records.

SSB 121 Agriculture

Providing for the issuance of single general permits by the department of natural resources and providing an effective date.

SSB 122 Education

Relating to shared superintendents for purposes of the supplementary weighting plan for public school districts and providing effective and retroactive applicability dates.

SSB 123 State Government

Relating to state government personnel procedures, including job classifications, pay plans, recall from layoff, affirmative action reports, disability programs, deferred compensation, phased retirement, and certain county election officials.

SSB 124 State Government

Relating to certain state purchasing procedures and charges for publications involving the department of general services.

SSB 125 State Government

Relating to the Iowa state fair board, by providing that managers of county and district fairs administered by agricultural societies are not eligible to serve as board members.

SSB 126 State Government

Redesignating the historical resource development program as the resource enhancement and protection historical resource grants and loans program.

SUBCOMMITTEE ASSIGNMENTS**Senate File 129**

TRANSPORTATION: Dearden, Chair; Gettings and Lind

SSB 120

JUDICIARY: Vilsack, Chair; Drake, Giannetto, Maddox and Szymoniak

COMMITTEE REPORT**HUMAN RESOURCES**

Final Bill Action: SENATE CONCURRENT RESOLUTION 13, a concurrent resolution recognizing the seventy-fifth anniversary of the founding of the League of Women Voters of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser and Vilsack. Nays, none. Absent or not voting, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 139, by Boswell, a bill for an act pertaining to aging programs and services administered by the department of elder affairs and making an appropriation.

Read first time under rule 28 and passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	137	Human Resources
S. F.	138	Rules and Administration

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned 3:22 p.m., until 9:00 a.m., Tuesday, February 14, 1995.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 14, 1995

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

Prayer was offered by the Reverend Cathy Young, pastor of the First Presbyterian Church, Waterloo, Iowa.

The Journal of Monday, February 13, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Flynn and Sorenson until they arrive 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 13.

Senate Concurrent Resolution 13

On motion of Senator Hammond, Senate Concurrent Resolution 13, a concurrent resolution recognizing the seventy-fifth anniversary of the founding of the League of Women Voters of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Hammond moved the adoption of Senate Concurrent Resolution 13, which motion prevailed by a voice vote.

RECESS

On motion of Senator Horn, the Senate recessed at 9:22 a.m., until 3:30 p.m.

APPENDIX**BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of February, 1995:

Senate Files 37 and 45.

JOHN F. DWYER
Secretary of the Senate

PROOF OF PUBLICATION

Verified proof of publication of **Senate File 140** in accordance with Section 585.1 of the Code was filed with the secretary of the senate.

REPORT OF COMMITTEE MEETING**HUMAN RESOURCES**

Convened: February 13, 1995, 2:04 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser and Vilsack.

Members Absent: Tinsman.

Committee Business: Recommended passage of Senate Concurrent Resolution 13.

Adjourned: 2:09 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointment, completed its investigation on February 14, 1995, and recommended the appointee be confirmed:

F. Walter Tomenga as a member of the Community Health Management Information System Governing Board.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointment, completed its investigation on February 14, 1995, and recommended the appointee be confirmed:

Elizabeth R. Walker as a member of the Board of Parole.

STUDY BILLS RECEIVED

SSB 127 Business & Labor

Concerning workers' compensation by providing for the computing of gross weekly earnings for volunteer ambulance drivers, emergency medical technician trainees, and seasonal workers, and relating to judicial review of workers' compensation contested cases.

SSB 128 Judiciary

Relating to the fines applicable to the taking and selling of minnows and other bait, by correcting references.

SSB 129 Judiciary

Relating to juvenile justice including the conditions under which a juvenile may consume alcoholic beverages in a home, providing for the automatic waiver of juveniles to adult court in certain circumstances, regarding the notification of schools by law enforcement of the taking into custody of a juvenile, providing that the juvenile court may prohibit a juvenile from driving under certain circumstances, and regarding the detention of juveniles in adult facilities.

SSB 130 Judiciary

Relating to termination of a lease due to a clear and present danger created by a tenant near the rental property and providing an effective date.

SSB 131 Judiciary

To provide for the reciprocal rendition of prisoners as witnesses in criminal proceedings and providing an effective date.

SSB 132 Judiciary

Relating to juvenile justice including notice requirements for certain hearings, the duties of the sheriff regarding transportation of juveniles, and authorizing associate juvenile judges to perform marriage ceremonies.

SSB 133 Judiciary

Relating to the transfer of real estate by exempting certain transfers of real estate from the real estate transfer tax and providing that a lien for a purchase money mortgage has priority over other interests in the property.

SSB 134 Commerce

Relating to the administration of trusts and estates by corporate fiduciaries.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 8**

EDUCATION: Szymoniak, Chair; Murphy and Rensink

Senate Joint Resolution 11

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 81

APPROPRIATIONS: Black, Chair; Banks and Husak

Senate File 99

APPROPRIATIONS: Flynn, Chair; Boswell and Rensink

Senate File 102**BUSINESS AND LABOR: Dearden, Chair; Gettings and Iverson****Senate File 103****STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer****Senate File 106****STATE GOVERNMENT: Sorensen, Chair; Bisignano and Lundby****Senate File 110****STATE GOVERNMENT: Bisignano, Chair; Fink and Lind****Senate File 112****STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer****Senate File 119****EDUCATION: Kibbie, Chair; Hammond and Tinsman****Senate File 122****STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer****Senate File 128****STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer****Senate File 131****EDUCATION: Hammond, Chair; Neuhauser and Rensink****Senate File 134****JUDICIARY: Giannetto, Chair; Bartz, Fraise, Maddox and Vilsack****Senate File 135****EDUCATION: Fink, Chair; Iverson and Szymoniak****SSB 117****AGRICULTURE: Palmer, Chair; Douglas and Sorensen**

SSB 121

AGRICULTURE: Banks, Chair; Fraise and Palmer

SSB 122

EDUCATION: Kibbie, Chair; Connolly and Tinsman

SSB 123

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 124

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 125

STATE GOVERNMENT: Dearden, Chair; Bisignano and McLaren

SSB 126

STATE GOVERNMENT: Connolly, Chair; Fink and Lundby

SSB 127

BUSINESS AND LABOR: Hammond, Chair; Dvorsky and Maddox

SSB 134

COMMERCE: Deluhery, Chair; Hansen and Redfern

House File 120

EDUCATION: Connolly, Chair; Dvorsky and Redfern

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 146 (LSB 2021), a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for breeding and racing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Judge, Bartz, Banks, Boswell, Douglas, Fraise, Hedge, Husak, McLaren and Zieman. Nays, none. Absent or not voting, 4: Black, Giannetto, Palmer and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 147 (SSB 121), a bill for an act providing for the issuance of single general permits by the department of natural resources and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, Bartz, Banks, Black, Douglas, Hedge, Husak and Zieman. Nays, none. Absent or not voting, 7: Judge, Boswell, Fraise, Giannetto, McLaren, Palmer and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3057

S. F.

83

Stewart E. Iverson, Jr.

AFTERNOON SESSION

The Senate reconvened at 3:31 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 14, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 54, a bill for an act relating to the qualifications of an applicant for a license to sell real estate in this state.

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

ALSO: That the House has on February 13, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 132, a bill for an act making supplemental appropriations for the fiscal year beginning July 1, 1994, and providing an effective date.

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

ALSO: That the House has on February 9, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 32, a bill for an act relating to the inclusion of school nurses and area education agency professionals in the educational excellence program and providing effective and retroactive applicability dates.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 16, by Rife, a concurrent resolution honoring Ms. Sugar Macaulay upon her retirement as the Capitol Tour Guide Supervisor.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 12, by Jensen, Kramer, and Palmer, a joint resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a buffet dinner sponsored by the Des Moines Rotary Club and featuring the State Capitol restoration and providing an effective date.

Read first time and passed on file.

Senate File 140, by Horn, a bill for an act to legalize the proceedings taken by the board of directors of the Cedar Rapids Community School District concerning the sale of certain school district property and providing an effective date.

Read first time and passed on file.

Senate File 141, by Giannetto, a bill for an act relating to notice for vacating and closing roads.

Read first time and passed on file.

Senate File 142, by Fink, a bill for an act establishing felonious child endangerment as a nonbailable offense.

Read first time and passed on file.

Senate File 143, by Lind, a bill for an act relating to certain domesticated fowl for purposes of the state sales tax.

Read first time and passed on file.

Senate File 144, by Rensink, a bill for an act exempting from the state sales tax certain devices, parts, or attachments which fit upon farm machinery or equipment used to process or store feed for livestock.

Read first time and passed on file.

Senate File 145, by Hammond, a bill for an act relating to firearms access and use by minors and the penalty for minors having access to ammunition and firearms stored.

Read first time and passed on file.

Senate File 146, by committee on Agriculture, a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for breeding and racing.

Read first time and placed on calendar.

Senate File 147, by committee on Agriculture, a bill for an act providing for the issuance of single general permits by the department of natural resources and providing an effective date.

Read first time and placed on calendar.

Senate File 148, by Maddox, a bill for an act providing for registration of hypnotherapists, imposing a fee, and making penalties applicable.

Read first time and passed on file.

Senate File 149, by committee on Human Resources, a bill for an act relating to child support recovery.

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.	139	Appropriations
S. F.	140	Education
S. F.	141	Transportation
S. F.	143	Ways and Means
S. F.	144	Ways and Means
S. F.	145	Judiciary
S. F.	148	State Government
S. J. R.	12	Rules and Administration
S. C. R.	16	Rules and Administration
H. F.	132	Appropriations

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 149 (SSB 96), a bill for an act relating to child support recovery.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Szymoniak, Hammond, Dvorksy, Hansen, Neuhauser and Vilsack. Nays, none. Absent or not voting, 4: Boettger, Bartz, Kramer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 150 (SSB 99), a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Szymoniak, Hammond, Dvorksy, Hansen, Neuhauser and Vilsack. Nays, none. Absent or not voting, 4: Boettger, Bartz, Kramer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 77, a bill for an act relating to the disposition of property located on real property condemned under eminent domain.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3059.

Final Vote: Ayes, 7: Fink, Maddox, Black, Halvorson, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 3: Sorensen, Fraise and Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 150, by committee on Human Resources, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information.

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

Senate File 151, by McKean, a bill for an act requiring the department of human services to obtain a national criminal records check of personnel of registered or licensed child day care providers.

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

COMPANION BILL

On February 14, 1995, **House File 54** was received and attached to companion **Senate File 53** on the Senate calendar.

AMENDMENTS FILED

S-3058	S.F.	75	John P. Kibbie
S-3059	S.F.	77	Local Government

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:37 p.m., until 9:00 a.m., Wednesday, February 15, 1995.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 15, 1995

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

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

The Journal of Tuesday, February 14, 1995, 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 14, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 133, a bill for an act creating a highway safety patrol fund, allocating use tax receipts, and providing appropriations.

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

SPECIAL GUEST

Senator Judge introduced Miss Teen of Iowa, Rachel Walker from Albia, Iowa. She will represent Iowa at the national competition in San Diego in August.

Miss Walker addressed the Senate with remarks about her activities as Miss Teen of Iowa.

BILL REASSIGNED TO COMMITTEE

President Boswell announced that **Senate File 140** was

reassigned from the committee on **Education** to the committee on **Judiciary**.

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 ASSIGNED TO COMMITTEE

President Boswell announced that **Senate File 142** was assigned to the committee on **Judiciary**.

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:25 a.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 13, by Kibbie, a joint resolution proposing an amendment to the Constitution of the State of Iowa abolishing the perpetual school support fund.

Read first time and passed on file.

RECESS

On motion of Senator Halvorson, the Senate recessed at 10:27 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 14, 1995, 8:01 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren and Ziemann.

Members Absent: Palmer and Sorensen (both excused).

Committee Business: Approved SSB 121 and LSB 2021 as committee bills; presentation by the consolidated farm service agency.

Adjourned: 8:35 a.m.

COMMERCE

Convened: February 14, 1995, 2:36 p.m.

Members Present: Deluhery, Chair; Jensen, Ranking Member; Flynn, Freeman, Gettings, Hedge, Lundby, Priebe and Redfern.

Members Absent: Hansen, Vice Chair (excused); Bisignano (excused), Douglas, Gronstal, Husak (excused) and Palmer (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:38 p.m.

EDUCATION

Convened: February 14, 1995, 1:32 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bill and governor's appointee to subcommittees; Presentation on the Iowa commission on the status of african-americans' education task force.

Adjourned: 2:31 p.m.

HUMAN RESOURCES

Convened: February 14, 1995, 11:13 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Dvorsky, Hansen, Neuhauser and Vilsack.

Members Absent: Boettger, Ranking Member; Bartz, Kramer and Tinsman (all excused).

Committee Business: Recommended confirmation of governor's appointee; approved SSBs 96 and 99 as committee bills.

Adjourned: 11:35 a.m.

JUDICIARY

Convened: February 14, 1995, 10:12 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; Bisignano, Drake, Fraise, Hammond, Hansen, and Szymoniak.

Members Absent: McKean, Ranking Member; Bartz, Boettger, Halvorson, Maddox, Neuhauser and Redfern (all excused).

Committee Business: Recommended confirmation of governor's appointee.

Adjourned: 10:15 a.m.

LOCAL GOVERNMENT

Convened: February 14, 1995, 2:40 p.m.

Members Present: Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean, Rittmer and Ziemann.

Members Absent: Sorensen, Chair (excused).

Committee Business: Recommended passage of Senate File 77 as amended.

Adjourned: 2:50 p.m.

STATE GOVERNMENT

Convened: February 14, 1995, 11:08 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson and Lundby.

Members Absent: Rittmer, Ranking Member; Bennett, Lind, McLaren and Sorensen (all excused).

Committee Business: IPERS presentation by the bureau chief; approved SSB 94 as a committee bill; assigned bills to subcommittees.

Adjourned: 12:05 p.m.

STUDY BILLS RECEIVED

SSB 135 Ways & Means

Relating to state and local taxes including appeals of department of revenue and finance actions, the prohibition of unconstitutional or illegal tax collections, assessment procedures pertaining to amended returns, corporate income tax rates, sales tax on test laboratory services, collection of sales tax by out-of-state retailers, interest accrual on sales and use tax refunds, sales and use tax exemption for machinery and equipment replacement parts, sales tax permit denial for delinquent taxes, bonding provisions for sales tax and environmental protection charge contested case decisions, costs associated with contested case hearing, penalty for underpayment of corporation income and franchise taxes, services subject to use tax, penalty for underpayment of use tax, disclosure of tax return information, the repeal of obsolete property tax provisions, and imposition of the drug excise tax on unprocessed marijuana plants.

SSB 136 Communications & Information Policy

Relating to the Iowa communications network and authorizing the state to own certain part III user connections and providing an appropriation.

SSB 137 Judiciary

To create a criminal offense for violation of domestic abuse orders as an alternative to contempt, establishing a mandatory minimum term of confinement, and providing penalties.

SSB 138 Judiciary

Relating to consumer-related actions.

SSB 139 Judiciary

A Concurrent Resolution requesting the legislative council to establish a committee to study Iowa's domestic abuse law.

SSB 140 Judiciary

Relating to alimony.

SSB 141 Judiciary

Relating to the sentencing of criminal defendants, by requiring an assessment of risk posed by a defendant to the presentence investigations, by permitting the court to waive imposition of mandatory minimum penalties for certain drug offenders, and providing for imposition of alternative sentences within the parameters of the indeterminate term established for an offense.

SSB 142 Ways & Means

Relating to the wagering tax on gambling games at pari-mutuel racetrack enclosures.

SSB 143 Judiciary

Relating to expanded media coverage of judicial proceedings.

SSB 144 Judiciary

Relating to personal service of process on roommates.

SSB 145 Judiciary

Relating to remedies upon the dishonoring of a financial instrument.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 6**

RULES AND ADMINISTRATION: Horn, Chair; Boswell and Kramer

Senate Joint Resolution 10

HUMAN RESOURCES: Bartz, Chair; Hammond and Hansen

Senate File 100

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair; Rensink and Sorensen

Senate File 104

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair; Hedge and Sorensen

Senate File 123

HUMAN RESOURCES: Dvorsky, Chair; Kramer and Vilsack

Senate File 127

RULES AND ADMINISTRATION: Horn, Chair; Bisignano and Kramer

Senate File 137

HUMAN RESOURCES: Szymoniak, Chair; Hammond and Tinsman

Senate File 138

RULES AND ADMINISTRATION: Horn, Chair; Gronstal and Rife

Senate File 140

JUDICIARY: Hansen, Chair; Boettger, Drake, Giannetto and Vilsack

Senate File 142

JUDICIARY: Giannetto, Chair; Bartz, Fraise, Maddox and Vilsack

SSB 128

JUDICIARY: Hansen, Chair; Bartz, Drake, Giannetto and Vilsack

SSB 129

JUDICIARY: Maddox, Chair; Giannetto, Hammond, McKean and Neuhauser

SSB 130

JUDICIARY: Bisignano, Chair; Drake, Giannetto, Redfern and Vilsack

SSB 131

JUDICIARY: McKean, Chair; Fraise, Giannetto, Redfern and Vilsack

SSB 132

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Maddox and Vilsack

SSB 133

JUDICIARY: Redfern, Chair; Fraise, Giannetto, Maddox and Vilsack

SSB 137

JUDICIARY: Neuhauser, Chair; Bartz, Giannetto, Hammond and Maddox

SSB 138

JUDICIARY: Boettger, Chair; Fraise, Giannetto, Maddox and Vilsack

SSB 139

JUDICIARY: Szymoniak, Chair; Boettger, Drake, Giannetto and Vilsack

SSB 140

JUDICIARY: Vilsack, Chair; Bartz, Giannetto, Neuhauser and Redfern

SSB 141

JUDICIARY: Giannetto, Chair; Fraise, Maddox, McKean and Vilsack

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: SENATE FILE 152 (SSB 94), a bill for an act relating to the name of those persons who engage in the practice of podiatry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson and Lundby. Nays, none. Absent or not voting, 6: Rittmer, Bennett, Connolly, Lind, McLaren and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

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

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 152, by committee on State Government, a bill for an act relating to the name of those persons who engage in the practice of podiatry.

Read first time and placed on calendar.

Senate File 153, by McKean, a bill for an act to provide for life imprisonment for persons convicted of certain offenses.

Read first time and passed on file.

Senate File 154, by Neuhauser, a bill for an act relating to the release of patient-identifiable data by health database organizations to researchers under certain conditions.

Read first time and passed on file.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 132

On motion of Senator Szymoniak, Senate File 132, a bill for an act relating to compensation for victims of crimes, by providing for compensation to secondary victims of crimes and increasing the maximum amount that may be recovered for loss of work income due to injuries received by victims, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Maddox for the remainder of the day on request of Senator McKean and Senator Judge until she returns on request of Senator Horn.

BUSINESS PENDING

Senate File 132

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. 132) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hedge	Horn
Husak	Iverson	Jensen	Kibbie
Kramer	Lind	Lundby	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Fraise	Hansen	Judge	Maddox
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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 117

On motion of Senator Szymoniak, Senate File 117, a bill for an act adopting a new uniform anatomical gift act and providing a penalty, 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. 117) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Kibbie	Kramer	Lind	Lundby
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 7, a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 7.

Senate Resolution 7

On motion of Senator Gronstal, Senate Resolution 7, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 117 and 132 be immediately messaged to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	151	Human Resources
S.F.	153	Judiciary
H.F.	133	Appropriations

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

BUSINESS AND LABOR

Pursuant to Senate Rule 59, the committee on Business and Labor assigned to investigate the following governor's appointment, completed its investigation on February 15, 1995, and recommended the appointee be confirmed:

Kathryn A. Murphy as a member of the Job Service Advisory Council.

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

BUSINESS AND LABOR

Pursuant to Senate Rule 59, the committee on Business and Labor assigned to investigate the following governor's appointment, completed its investigation on February 15, 1995, and made no recommendation:

Derald L. Judson, Jr. as a member of the Employment Appeal Board.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 17, by committee on Judiciary, a concurrent resolution requesting the legislative council to establish a committee to study Iowa's domestic abuse law.

Read first time under Rule 28 and placed on calendar.

INTRODUCTION OF BILLS

Senate File 155, by committee on Business and Labor Relations,

a bill for an act relating to employment services by eliminating wage credit liability transfers and allowing all employers relief from charges when an unemployment compensation overpayment is made and providing an applicability date.

Read first time under Rule 28 and placed on calendar.

Senate File 156, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to corporate, franchise, and insurance premiums tax credits for entities investing in a qualified venture capital company and providing applicability provisions.

Read first time under Rule 28 and placed on calendar.

Senate File 157, by committee on Natural Resources, Environment and Energy, a bill for an act relating to solid waste by eliminating the polystyrene ban and providing an effective date.

Read first time under Rule 28 and placed on calendar.

Senate File 158, by committee on Transportation, a bill for an act to provide conformity to the definition of travel trailers.

Read first time under Rule 28 and placed on calendar.

Senate File 159, by committee on Business and Labor Relations, a bill for an act relating to the payment of wages to a suspended or terminated employee under the Iowa wage payment collection law.

Read first time under Rule 28 and placed on calendar.

Senate File 160, by committee on Small Business, Economic Development and Tourism, a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project.

Read first time under Rule 28 and placed on calendar.

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 155 (SSB 90), a bill for an act relating to employment services by eliminating wage credit liability transfers and allowing all employers relief from charges when an unemployment compensation overpayment is made and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dearden, Gettings, Freeman, Connolly, Dvorsky, Giannetto and Hammond. Nays, none. Absent or not voting, 3: Banks, Iverson and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 159 (SSB 65), a bill for an act relating to the payment of wages to a suspended or terminated employee under the Iowa wage payment collection law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dearden, Gettings, Freeman, Connolly, Dvorsky, Giannetto and Hammond. Nays, none. Absent or not voting, 3: Banks, Iverson and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 108, a bill for an act to provide for the six-year revocation of licenses for persons who unintentionally cause the death of another while driving recklessly or eluding a police officer.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Giannetto, McKean, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hammond and Maddox, Redfern and Szymoniak. Nays, 1: Vilsack. Absent or not voting, 3: Drake, Hansen and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 130, a bill for an act relating to limiting the manner in which an order appointing a guardian or conservator is subject to attack by third parties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Fraise, Halvorson, Hammond and Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 3: Drake, Hansen and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 17 (SSB 139), a bill for an act relating to establishing a legislative domestic abuse study committee.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Giannetto, Vilsack, McKean, Bartz, Boettger, Halvorson, Hammond, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 5: Bisignano, Drake, Fraise, Hansen and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 157 (SSB 64), a bill for an act relating to solid waste by eliminating the polystyrene ban and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Fink, Lundby, Banks, Dearden, Freeman, Gronstal, Hedge, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 5: Black, Borlaug, Deluhery, Judge and Kibbie.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Final Bill Action: *SENATE FILE 156 (formerly Senate File 111), a bill for an act relating to corporate, franchise, and insurance premiums tax credits for entities investing in a qualified venture capital company and providing retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hansen, Judge, Boettger, Flynn, Giannetto, Kibbie, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 5: Zieman, Bennett, Borlaug, Maddox and McKean.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Small Business, Economic Development, and Tourism Committee on Senate File 156 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 160 (formerly Senate File 113) a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hansen, Judge, Boettger, Flynn, Giannetto, Kibbie, Palmer, Sorensen, Szymoniak and Vilsack. Nays, none. Absent or not voting, 5: Zieman, Bennett, Borlaug, Maddox and McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 158 (SSB 83), a bill for an act to provide conformity to the definition of travel trailers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gettings, Fraise, Drake, Connolly, Dearden, Fink, Halvorson, Jensen and Lind. Nays, none. Absent or not voting, 3: Black, Douglas and Rittmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3060	S.F.	124	Johnie Hammond
S—3061	S.F.	150	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:54 p.m., until 9:00 a.m., Thursday, February 16, 1995.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 16, 1995

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

Prayer was offered by the Reverend James Clark, pastor of the St. Andrew's Presbyterian Church, Davenport, Iowa.

The Journal of Wednesday, February 15, 1995, 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 15, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 126, a bill for an act relating to certain franchise agreements by amending provisions relating to transfer, termination, and nonrenewal of franchise agreements, and to a civil cause of action for appropriate relief, and repealing certain franchise provisions.

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

ALSO: That the House has on February 14, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 128, a bill for an act relating to administrative procedures of rural water districts.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hansen for the day on request of Senator Horn.

INTRODUCTION OF BILLS

Senate File 161, by Borlaug, a bill for an act expanding the purposes for which the district management levy may be expended.

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

Senate File 162, by Gronstal, a bill for an act eliminating the minimum amount which must be borrowed under a home equity line of credit.

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

RECESS

On motion of Senator Horn, the Senate recessed at 9:53 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 14, 1995, 10:20 a.m.

Members Present: Neuhauser, Chair; McLaren, Ranking Member and Maddox.

Members Absent: Gronstal, Vice Chair and Boswell (both excused).

Committee Business: Presentation by the department of personnel on state employee health insurance.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON OVERSIGHT, AUDIT AND GOVERNMENT REFORM

Convened: February 15, 1995, 10:23 a.m.

Members Present: Neuhauser, Chair and Maddox.

Members Absent: Gronstal, Vice Chair; McLaren, Ranking Member and Boswell (all excused).

Committee Business: Presentation by the department of general services on leasing for state offices.

Adjourned: 11:35 a.m.

BUSINESS AND LABOR

Convened: February 15, 1995, 11:22 a.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Connolly, Dvorsky, Giannetto and Hammond.

Members Absent: Banks, Iverson and Maddox (all excused).

Committee Business: Approved SSBs 65 and 90 as committee bills; placed governor's appointee on individual confirmation calendar without recommendation; placed governor's appointee on en bloc confirmation calendar with recommendation.

Adjourned: 11:31 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 15, 1995, 2:45 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Jensen and Redfern.

Members Absent: Hansen (excused).

Committee Business: Assigned governor's appointees to subcommittees; presentations by: Iowa Cable Television, Cox Cable, Cedar Rapids, and Iowa national guard.

Adjourned: 3:48 p.m.

JUDICIARY

Convened: February 15, 1995, 1:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Redfern and Szymoniak.

Members Absent: Hansen and Neuhauser (both excused).

Committee Business: Recommended passage of Senate Files 108 and 130; approved SSB 139 as a committee bill; deferred action on House File 29.

Adjourned: 2:33 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 15, 1995, 1:33 p.m.

Members Present: Fink, Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Black, Vice Chair and Judge (both excused).

Committee Business: Approved SSB 64 as a committee bill.

Adjourned: 2:30 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: February 15, 1995, 10:33 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Boettger, Flynn, Giannetto, Kibbie, Palmer, Sørensen, Szymoniak and Vilsack.

Members Absent: Zieman, Ranking Member; Bennett, Borlaug, Maddox and McKean (all excused).

Committee Business: Approved Senate Files 113 and 111 as committee bills; placed governor's appointee on en bloc confirmation calendar.

Adjourned: 11:09 a.m.

TRANSPORTATION

Convened: February 15, 1995, 10:30 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Connolly, Dearden, Fink, Halvorson, Jensen and Lind.

Members Absent: Black, Douglas and Rittmer (all excused).

Committee Business: Assigned bills to subcommittees; approved SSB 83 as a committee bill.

Adjourned: 10:50 a.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 16th day of February, 1995:

Senate File 32.

JOHN F. DWYER
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 15, 1995, when the votes were taken on Senate Files 117 and 132.

Had I been present, I would have voted "aye" on the bills.

PATTY JUDGE

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 16

RULES AND ADMINISTRATION: Gronstal, Chair; Boswell and Rife

Senate Joint Resolution 12

RULES AND ADMINISTRATION: Kramer, Chair; Bisignano and Husak

Senate File 96

WAYS AND MEANS: Murphy, Chair; McLaren and Szymoniak

Senate File 105

WAYS AND MEANS: Murphy, Chair; Connolly and Freeman

Senate File 121

WAYS AND MEANS: Palmer, Chair; Bennett and Deluhery

Senate File 141

TRANSPORTATION: Fraise, Chair; Dearden and Douglas

Senate File 145

JUDICIARY: Giannetto, Chair; Fraise, Hammond, McKean and Redfern

Senate File 151

HUMAN RESOURCES: Dvorsky, Chair; Kramer and Vilsack

SSB 119

APPROPRIATIONS: Kibbie, Chair; Kramer and Murphy

SSB 135

WAYS AND MEANS: Deluhery, Chair; Bennett, Drake, Neuhauser and Vilsack

SSB 136

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

SSB 142

WAYS AND MEANS: Szymoniak, Chair; Deluhery and McLaren

SSB 143

JUDICIARY: Redfern, Chair; Boettger, Giannetto, Neuhauser and Vilsack

SSB 144

JUDICIARY: Vilsack, Chair; Bartz, Fraise, Giannetto and Maddox

SSB 145

JUDICIARY: McKean, Chair; Fraise, Giannetto, Redfern and Vilsack

AMENDMENT FILED

S—3062

S.F.

118

Tom Vilsack

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., President Boswell presiding.

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 46 present, 4 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.	21	Education
S.C.R.	17	Rules and Administration

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 124

On motion of Senator Vilsack, Senate File 124, a bill for an act relating to access to certain adoption records by the subject of the record, was taken up for consideration.

Senator Hammond offered amendment S—3060 filed by her on February 15, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3060 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. 124) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Hansen Jensen

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

Senate Concurrent Resolution 15

On motion of Senator Flynn, Senate Concurrent Resolution 15, a concurrent resolution requesting that the Congress of the United States direct the Health Care Financing Administration to establish a national policy no later than July 1, 1995, for Medicare reimbursement of telemedicine services, was taken up for consideration.

Senator Flynn moved the adoption of Senate Concurrent Resolution 15, which motion prevailed by a voice vote.

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 146 and 149.

Senate File 146

On motion of Senator Judge, Senate File 146, a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for breeding and racing, 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. 146) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Hansen Jensen

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

Senate File 149

On motion of Senator Neuhauser, Senate File 149, a bill for an act relating to child support recovery, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 149) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn

Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Hansen Jensen

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

Senate Concurrent Resolution 8

On motion of Senator Deardon, Senate Concurrent Resolution 8, a concurrent resolution urging support of the striking workers at Bridgestone/Firestone in Des Moines through legislation and other means, with report of committee recommending passage, was taken up for consideration.

Senator Iverson offered amendment S—3048 filed by him on February 8, 1995, to pages 1 and 2 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3048 be adopted?" (S.C.R. 8) the vote was:

Ayes, 21:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Kramer	Lind
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink

Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Horn
Husak	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 2:

Hansen Jensen

Amendment S—3048 lost.

Senator Bartz offered amendment S—3064 filed by him from the floor to page 2 of the resolution and moved its adoption.

Amendment S—3064 was adopted by a voice vote.

President pro tempore Bisignano took the chair at 2:33 p.m.

Senator Dearden moved the adoption of Senate Concurrent Resolution 8 as amended, which motion prevailed by a voice vote and the resolution as amended was adopted.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 124, 146 and 149 and Senate Concurrent Resolutions 8 and 15 be immediately messaged to the House.**

The Senate stood at ease at 2:50 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:37 p.m., President Boswell presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House on February 16, 1995:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1995, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 20, a concurrent resolution relating to Pioneer Lawmakers.

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

House Concurrent Resolution 21, a concurrent resolution honoring Ms. Sugar Macaulay upon her retirement as the Capitol Tour Guide Supervisor.

This resolution was read first time and assigned to the committee on **Rules and Administration**.

ALSO: That the House has on February 14, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 13, a concurrent resolution recognizing the seventy-fifth anniversary of the founding of the League of Women Voters of Iowa.

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

INTRODUCTION OF BILLS

Senate File 163, by Boswell, a bill for an act relating to funding industrial retraining programs.

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

Senate File 164, by Tinsman, a bill for an act relating to the meetings of the commission on the status of African-Americans.

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

Senate File 165, by Tinsman, Boettger, Neuhauser, Hammond, Bisignano, Lind, and Bennett, a bill for an act establishing a surcharge on misdemeanors and traffic violations and designating the proceeds for the community grant fund.

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

APPENDIX

PRESENTATION OF VISITORS

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

Four students from the Forest Ridge Youth Center, Emmetsburg, Iowa. Senator Kibbie.

Twenty-two senior high school government students from Lamoni Community School, Lamoni, Iowa, accompanied by Brad Kunecke. Senator Boswell.

STUDY BILLS RECEIVED

SSB 146 Human Resources

Relating to advanced registered nurse practitioners by providing for coverage of services provided by such practitioners under a policy or contract providing for health care coverage.

SSB 147 Human Resources

Relating to public health by providing for measures related to lead inspection and abatement, and providing a penalty.

SSB 148 Ways & Means

Authorizing a city to impose a tax on certain exempt real property subject to a reverse referendum and providing an applicability date provision.

SSB 149 Human Resources

Relating to public health by regulating tobacco sales and use and providing a penalty.

SSB 150 Transportation

Relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements,

leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing an effective date.

SSB 151 State Government

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

SSB 152 State Government

Relating to the certification of plumbers and heat, ventilation, and air conditioning professionals, and establishing fees and penalties, and providing for the use of such fees.

SSB 153 State Government

Relating to authorizing the payment of salaries to senior judges, providing for a maximum retirement annuity amount paid to senior judges, and providing effective and applicability dates.

SSB 154 State Government

Providing for the payment of employee contributions for members of fire and police retirement systems for certain state tax purposes and providing an effective and applicability date.

SSB 155 State Government

Relating to the financing of political campaigns and by adding the changing definitions of commissioner and political committee, changing the providing for the appointment of committee personnel and the maintenance of committee funds, providing for the retention of records, establishing requirements for committee names, specifying requirements for out-of-state committee filings, prohibiting political committees from supporting a single candidate, revising filing deadlines and the contents of disclosure reports, providing for disclaimers on published materials by nonregistered entities, including federal corporations under corporate activity prohibitions, allowing candidates to donate funds to political subdivisions, providing for the establishment of ethics and campaign disclosure board staff salaries, and making other related changes.

SSB 156 Natural Resources, Environment & Energy

Relating to pipelines and underground storage of hazardous liquids, and providing penalties and effective and retroactive applicability date provisions.

SSB 157 Commerce

Relating to the regulation of insurance, including the authority of the insurance division to regulate certain policies and contracts and parties to such policies and contracts, establishing fees, and providing civil penalties.

SSB 158 Local Government

Relating to fees for abandoned motor vehicle disposal and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**SSB 146**

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Neuhauser

SSB 147

HUMAN RESOURCES: Dvorsky, Chair; Hammond and Kramer

SSB 148

WAYS AND MEANS: Szymoniak, Chair; Bennett, Iverson, Neuhauser and Vilsack

SSB 149

HUMAN RESOURCES: Neuhauser, Chair; Boettger and Dvorsky

SSB 150

TRANSPORTATION: Gettings, Chair; Drake and Fraise

SSB 156

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair; Deluhery and Lundby

BILLS ASSIGNED TO COMMITTEE

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

S.F.	154	Human Resources
S.F.	161	Education
S.F.	162	Commerce
S.F.	163	Small Business, Econ. Dev. & Tourism
S.F.	164	State Government
S. J. R.	13	Education
H.F.	126	Commerce
H.F.	128	Local Government.

INTRODUCTION OF BILLS

Senate File 166, by Deluhery, a bill for an act to require that audits of the statewide police and fire retirement system be conducted by the auditor of state.

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

Senate File 167, by committee on Ways and Means, a bill for an act relating to the state sales tax on auxiliary attachments for self-propelled and non-self-propelled farm machinery and equipment.

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

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 167 (SSB 69.1), a bill for an act relating to the state sales tax on auxiliary attachments for self-propelled and non-self-propelled farm machinery and equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, Neuhauser, Priebe and Szymoniak. Nays, none. Absent or not voting, 4: Connolly, McLaren, Murphy and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3063	S. F.	118	Elaine Szymoniak
S—3064	S. C. R.	8	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:40 p.m., until 2:00 p.m., Monday, February 20, 1995.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 20, 1995

The Senate met in regular session at 2:17 p.m., President Boswell presiding.

Prayer was offered by the Reverend Bill Cotton, pastor of the Grace United Methodist Church, Des Moines, Iowa.

The Journal of Thursday, February 16, 1995, was approved.

INTRODUCTION OF BILL

Senate File 168, by Hammond, a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty.

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Freeman, Kramer and Iverson until they arrive on request of Senator Rife.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 147

On motion of Senator Banks, Senate File 147, a bill for an act providing for the issuance of single general permits by the department of natural resources and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 147) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Jensen	Judge
Kibbie	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Freeman	Iverson	Kramer	Neuhauser
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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 130

On motion of Senator Vilsack, Senate File 130, a bill for an act relating to limiting the manner in which an order appointing a guardian or conservator is subject to attack by third parties, 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. 130) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Iverson Kramer

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 Files 152, 157 and 158.

Senate File 152

On motion of Senator Kibbie, Senate File 152, a bill for an act relating to the name of those persons who engage in the practice of podiatry, 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. 152) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen

Hedge	Horn	Husak	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Iverson Kramer

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

Senate File 157

On motion of Senator Fink, Senate File 157, a bill for an act relating to solid waste by eliminating the polystyrene ban and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 157) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Iverson Kramer

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

Senate File 158

On motion of Senator Gettings, Senate File 158, a bill for an act to provide conformity to the definition of travel trailers, 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. 158) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Iverson Kramer

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 147, 130, 152, 157 and 158 be immediately messaged to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 118

On motion of Senator Szymoniak, Senate File 118, a bill for an act relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability, was taken up for consideration.

Senator Vilsack offered amendment S—3062 filed by him on February 16, 1995, to page 7 of the bill and moved its adoption.

Amendment S—3062 was adopted by a voice vote.

With the adoption of amendment S—3062, amendment S—3063 filed by Senator Szymoniak on February 16, 1995, to page 7 of the bill, was ruled out of order.

The Chair announced that action on Senate File 118 was deferred.

Senate File 116

On motion of Senator Neuhauser, Senate File 116, a bill for an act authorizing certain persons to access dependent adult abuse information, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 116) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern

Rensink
Szymoniak

Rife
Tinsman

Rittmer
Vilsack

Sorensen
Zieman

Nays, none.

Absent or not voting, 2:

Hansen

Iverson

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 2

On motion of Senator Vilsack, Senate File 2, a bill for an act relating to the filing of claims for credit or refund by retired federal employees as a result of the unconstitutional taxation of federal pensions under the state individual income tax, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Vilsack offered amendment S—3024 filed by the committee on Ways and Means on January 31, 1995, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3024 be adopted?" (S.F. 2) the vote was:

Ayes, 16:

Bisignano
Fink
Husak
Palmer

Dearden
Fraise
Judge
Priebe

Drake
Giannetto
Murphy
Szymoniak

Dvorsky
Horn
Neuhauser
Vilsack

Nays, 33:

Banks
Boettger
Deluhery
Gettings
Hansen

Bartz
Borlaug
Douglas
Gronstal
Hedge

Bennett
Boswell
Flynn
Halvorson
Jensen

Black
Connolly
Freeman
Hammond
Kibbie

Kramer	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Zieman			

Absent or not voting, 1:

Iverson

Amendment S—3024 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. 2) the vote was:

Ayes, 48:

Banks	Bart	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Hedge

Absent or not voting, 1:

Iverson

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

BUSINESS PENDING

Senate File 118

The Senate resumed consideration of Senate File 118, a bill

for an act relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability, previously deferred.

Senator Hansen offered amendment S—3053 filed by him on February 9, 1995, to page 3 of the bill.

Senator Hansen offered amendment S—3066 filed by him from the floor to amendment S—3053 and moved its adoption.

Amendment S—3066 was adopted by a voice vote.

Senator Hansen moved the adoption of amendment S—3053 as amended, which motion prevailed by a voice vote.

Senator Bartz offered amendment S—3065 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—3065 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3067 filed by her from the floor to pages 4 and 6 of the bill and called for a division: lines 2-4 as division S—3067A and lines 5-7 as division S—3067B.

With the adoption of amendment S—3065, division S—3067A was ruled out of order.

Senator Szymoniak moved the adoption of division S—3067B, which motion prevailed 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. 118) the vote was:

Ayes, 37:

Bartz	Bisignano	Black	Boettger
Boswell	Connolly	Dearden	Deluhery
Drake	Dvorsky	Fink	Flynn
Freeman	Gettings	Giannetto	Gronstal
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Lundby
Maddox	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rife	Rittmer

Sorensen
Zieman

Szymoniak

Tinsman

Vilsack

Nays, 11:

Banks
Halvorson
McKean

Bennett
Hedge
McLaren

Borlaug
Jensen
Rensink

Douglas
Lind

Absent or not voting, 2:

Fraise

Iverson

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 155.

Senate File 155

On motion of Senator Dvorsky, Senate File 155, a bill for an act relating to employment services by eliminating wage credit liability transfers and allowing all employers relief from charges when an unemployment compensation overpayment is made and providing an applicability date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 155) the vote was:

Ayes, 48:

Banks
Black
Connolly
Drake
Freeman
Halvorson
Horn
Kibbie
Maddox

Bartz
Boettger
Dearden
Dvorsky
Gettings
Hammond
Husak
Kramer
McKean

Bennett
Borlaug
Deluhery
Fink
Giannetto
Hansen
Jensen
Lind
McLaren

Bisignano
Boswell
Douglas
Flynn
Gronstal
Hedge
Judge
Lundby
Murphy

Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Fraise Iverson

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 2, 116, 118 and 155 be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. J. R.	9	Agriculture
S. F.	156	Ways and Means
S. F.	160	Ways and Means

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: February 16, 1995, 10:05 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Szymoniak.

Members Absent: Connolly (excused) and Vilsack.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 69.1 as a committee bill; deferred action on Senate File 18.

Adjourned: 10:15 a.m.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on February 17, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 37 — Relating to the control of emissions from grain storage facilities, by imposing a moratorium upon the Department of Natural Resources, providing for the issuance of a single permit, and providing an effective date.

SENATE FILE 45 — Changing the name of the League of Iowa Municipalities to the Iowa League of Cities.

ALSO: That on February 20, 1995, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 32 — Relating to the inclusion of school nurses and area education agency professionals in the educational excellence program and providing effective and retroactive applicability dates.

PETITION

The following petition was presented and placed on file by:

Senator Freeman from thirty-eight residents of Buena Vista County opposing reinstatement of the death penalty in Iowa.

STUDY BILLS RECEIVED**SSB 159 State Government**

Relating to state government personnel systems, training programs, grievance procedures, experimental research projects, discrimination investigations, collective bargaining matters, and contracts for services.

SSB 160 Local Government

Authorizing certain cities to appoint additional members to certain city commissions.

SSB 161 State Government

Relating to the relationship between a licensed real estate salesperson or broker and the parties to a transaction and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 101**

LOCAL GOVERNMENT: Black, Chair; Judge and McKean

Senate File 136

LOCAL GOVERNMENT: Fink, Chair; Fraise and Maddox

Senate File 148

STATE GOVERNMENT: Gronstal, Chair; Connolly and Drake

Senate File 154

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

Senate File 164

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 151

STATE GOVERNMENT: Halvorson, Chair; Giannetto and Lundby

SSB 152

STATE GOVERNMENT: Fink, Chair; Gronstal and McLaren

SSB 153

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 154

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 155

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

SSB 158

LOCAL GOVERNMENT: Judge, Chair; Fink and Maddox

SSB 159

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 160

LOCAL GOVERNMENT: Fink, Chair; Judge and Zieman

SSB 161

STATE GOVERNMENT; Halvorson, Chair; Kibbie and Lind

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Richard J. Norpel, Jr., former member of the House and Senate from Jackson County, Bellevue, Iowa, who was present in the Senate chamber.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	165	Judiciary
S.F.	166	State Government

S.F.	168	Human Resources
H.C.R.	20	Rules and Administration

INTRODUCTION OF BILLS

Senate File 169, by Lundby, a bill for an act relating to temporary restricted driver's permits.

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

Senate File 170, by Lundby, a bill for an act relating to prohibiting a parent from receiving a share of a decedent child's estate under certain circumstances.

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

AMENDMENTS FILED

S—3065	S.F.	118	Merlin E. Bartz
S—3066	S.F.	118	Steven D. Hansen
S—3067	S.F.	118	Elaine Szymoniak
S—3068	S.F.	53	Tony Bisignano
S—3069	S.F.	150	Merlin E. Bartz

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:17 p.m., until 9:00 a.m., Tuesday, February 21, 1995.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 21, 1995

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

Prayer was offered by the Reverend Jim Robertson, pastor of the Highland Park Christian Church, Des Moines, Iowa.

The Journal of Monday, February 20, 1995, was approved.

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 9:35 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:10 a.m., President pro tempore Bisignano presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 1995, concurred in the Senate amendment and adopted the following resolution in which the concurrence of the House was asked:

House Concurrent Resolution 10, a concurrent resolution calling for the convening of a Conference of the States and providing for Iowa's participation in the Conference.

INTRODUCTION OF BILL

Senate File 171, by Rittmer, a bill for an act providing for an increase in the amount which must be deposited in trust related to funeral services or funeral merchandise to be furnished upon the future death of a person and applying penalties.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 11:14 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF STANDING COMMITTEES (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 21, 1995, and recommended the appointee be confirmed:

Wayne F. Drexler as a member of the School Budget Review Committee.

HUMAN RESOURCES (Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following governor's appointments, completed its investigations on February 21, 1995, and recommended the appointees be confirmed:

Alan J. Beste, Dr. Kenneth W. Caldwell, Danny T. Foster, Denise A. Harklau and Dr. Mary A. Khowassah as members of the Athletic Trainer Advisory Board.

Judge Brown, Jr. as a member of the Commission on the Status of Women.

Dr. Dale J. Andringa, Dennis L. Billings, Kraig A. Boysen, Dr. Beth K. Bruening, John M. Comstock, Marabeth K. Soneson, Marcia J. Stark and Pamela W. Vap as members of the Community Health Management Information System Governing Board.

Mary Anne Anderson, Robert J. DeSmidt, Dr. Marilee Fredericks, Gary L. Gansemer, Frank H. Hermsen, Clark A. Lane, Barbara J. Lips, Jean E. Oxley, Robert E. Petersen, Linda W. Rouse and Beverly A. Sanderson as members of the Mental Health and Developmental Disabilities Commission.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM (Place nominee on En Bloc Confirmation Calendar)

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 February 15, 1995, and recommended the appointee be confirmed:

Bruce Tamisiea as a member of the Iowa Seed Capital Corporation.

STATE GOVERNMENT (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on State Government assigned to

investigate the following governor's appointments, completed its investigations on February 21, 1995, and recommended the appointees be confirmed:

Dr. Teresa A. Mock as a member of the Board of Medical Examiners.

Dr. Scharron A. Clayton and Myrtila Levin as members of the Commission on the Status of African-Americans.

Janet E. Phipps as Director of the Department of General Services.

Dr. Bruce W. Van Zee as a member of the Iowa Board of Veterinary Medicine.

STATE GOVERNMENT

(Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on February 21, 1995, and recommended the appointees be confirmed:

Muriel E. Allan, Dorothy E. Andrews and Gail K. Danilson as members of the Commission of Veterans Affairs.

Randy G. Brown as Executive Director of the Commission of Veterans Affairs.

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

The President of the Senate announced the following appointment on February 21, 1995:

FAMILY FOSTER CARE ADVISORY COMMITTEE (Request of Department of Human Services)

Senator Bob Dvorsky - term expires with the convening of the 77th General Assembly.

STUDY BILLS RECEIVED

SSB 162 Natural Resources - Environment & Energy

Relating to solid waste tonnage fees.

SSB 163 Local Government

Eliminating certain requirements regarding the purchase of coal by public agencies.

SSB 164 Natural Resources - Environment & Energy

Requiring purchase of flexible fuel state vehicles.

SSB 165 Local Government

Eliminating requirements for competitive bids regarding the printing of election ballots.

SSB 166 Local Government

Relating to the payment of medical costs of temporary prisoners.

SSB 167 Local Government

Eliminating the requirement for the rotation of names on election ballots.

SSB 168 Local Government

Relating to the management and transportation of solid waste.

SSB 169 Local Government

Providing for the compilation and dissemination of jail population reports.

SSB 170 State Government

Relating to cost of play and value of prizes of games of skill and games of chance conducted at amusement concessions.

SSB 171 Local Government

Relating to the publication of the proceedings of the city or county hospital board of trustees.

SSB 172 Natural Resources - Environment & Energy

Relating to the powers and duties of the department of natural resources by amending procedures for issuing and establishing fees for scientific collector's licenses or permits.

SSB 173 Natural Resources - Environment & Energy

Relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals.

SSB 174 State Government

Relating to the distribution and sale of beer, providing for the regulation of brewer and wholesaler agreements, prohibiting certain conduct, providing for the transfer of business assets, providing judicial remedies, specifying applicability, and providing for other properly related matters.

SSB 175 Ethics

Relating to state government ethics and lobbying, by changing the definition of lobbyist, amending the ethics and campaign disclosure board complaint process, amending the two-year ban on activities by certain former state officers and employees, revising personal financial disclosure statement requirements, and making other changes related to the filing of personal financial disclosure statements.

SSB 176 Transportation

Relating to weight restrictions for certain self-propelled machinery considered an implement of husbandry.

SSB 177 Judiciary

Increasing the scheduled fines for certain motor vehicle operation violations.

SSB 178 Judiciary

Relating to the collection of delinquent court fines, surcharges, and costs.

SSB 179 Judiciary

Relating to insurance coverage and registration requirements for motor vehicles in this state and providing penalties and effective dates.

SSB 180 Commerce

Relating to the regulation of credit unions by authorizing additional powers and defining certain business relationships and establishing a penalty.

SSB 181 Commerce

Relating to consumer-related actions.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 17**

RULES AND ADMINISTRATION: Husak, Chair; Horn and Lind

Senate Joint Resolution 13

EDUCATION: Kibbie, Chair; Connolly and Rensink

Senate File 21

EDUCATION: Connolly, Chair; Kramer and Murphy

Senate File 153

JUDICIARY: Giannetto, Chair; Bartz, Fraise, McKean and Vilsack

Senate File 156

WAYS AND MEANS: Vilsack, Chair; Deluhery, Iverson, McLaren and Priebe

Senate File 160

WAYS AND MEANS: Szymoniak, Chair; Bennett, Connolly, Freeman and Neuhauser

Senate File 161

EDUCATION: Murphy, Chair; Fink and Tinsman

Senate File 162

COMMERCE: Hansen, Chair; Gronstal and Lundby

Senate File 163

SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM: Judge, Chair; Flynn and Ziemann

Senate File 166

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 168

HUMAN RESOURCES: Hammond, Chair; Hansen and Tinsman

SSB 157

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Palmer, Jensen and Redfern

SSB 162

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair; Black and Lundby

SSB 163

LOCAL GOVERNMENT: Black, Chair; Maddox and Sorensen

SSB 164

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Judge, Chair; Banks and Black

SSB 165

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Rittmer

SSB 166

LOCAL GOVERNMENT: Halvorson, Chair; Fraise and Maddox

SSB 167

LOCAL GOVERNMENT: Sorensen, Chair; Halvorson and Rittmer

SSB 168

LOCAL GOVERNMENT: Fink, Chair; Black and Maddox

SSB 169

LOCAL GOVERNMENT: Fraise, Chair; Halvorson and McKean

SSB 170

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

SSB 171

LOCAL GOVERNMENT: Halvorson, Chair; Fink and McKean

SSB 172

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair;
Dearden and Lundby

SSB 173

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Judge, Chair;
Hedge and Sorensen

SSB 174

STATE GOVERNMENT: Connolly, Chair; Gronstal and Lind

SSB 180

COMMERCE: Deluhery, Chair; Gettings and Hedge

House Concurrent Resolution 20

RULES AND ADMINISTRATION: Boswell, Chair; Husak and Kramer

House Concurrent Resolution 21

RULES AND ADMINISTRATION: Gronstal, Chair; Boswell and Rife

House File 126

COMMERCE: Deluhery, Chair; Bisignano, Gronstal, Jensen and Redfern

AFTERNOON SESSION

The Senate reconvened at 3:32 p.m., President Boswell presiding.

The Senate stood at ease at 3:33 p.m. until the fall of the gavel.

The Senate resumed session at 3:36 p.m., President Boswell presiding.

DISTINGUISHED GUEST

Senator Neuhauser presented former U.S. Senator Paul E. Tsongas from Massachusetts. Senator Tsongas served as a U.S. Representative from 1975-1978 and as a U.S. Senator from 1979-1985, and campaigned for a balanced budget.

Senator Tsongas addressed the Senate with brief remarks.

APPENDIX

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Terry L. Demmer and Clinton F. Dudley, Dyersville; Jayme Arlen and Joe Frick, Zwingle and Jamie Clasen, LaMotte — For achieving the rank of Eagle Scout. Senator Flynn (2-21-95).

BILLS ASSIGNED TO COMMITTEE

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

S. F.	169	Transportation
S. F.	170	Judiciary
S. F.	171	Commerce

REPORT OF STANDING COMMITTEE

(Place nominee on Individual Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following governor's appointment, completed its investigation on February 21, 1995, and recommended the appointee be confirmed:

Dr. Therese M. Vaughan as Commissioner of Insurance.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: *SENATE FILE 172 (SSB 117), a bill for an act providing for a livestock health initiative and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Priebe, Judge, Bartz, Black, Boswell, Douglas, Fraise, Hedge, Husak, Palmer and Zieman. Nays, none. Absent or not voting, 4: Banks, Giannetto, McLaren and Sorensen.

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 172 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 173 (LSB 1618), a bill for an act relating to eggs and poultry by reorganizing the statutory provisions and providing for the administration of the Iowa egg council, assessments and refunds, and the repeal of certain sections, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 175 (SSB 101), a bill for an act relating to the definition of the federal Truth in Lending Act in the Iowa consumer credit code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 174 (SSB 108), a bill for an act relating to health facilities under the purview of the department of inspections and appeals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Dvorksy, Hansen, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Bartz and Kramer.

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 174 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 172, by committee on Agriculture, a bill for an act providing for a livestock health initiative and providing an appropriation.

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

Senate File 173, by committee on Agriculture, a bill for an act relating to eggs and poultry by reorganizing the statutory provisions and providing for the administration of the Iowa egg council, assessments and refunds, and the repeal of certain sections, and providing an effective date.

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

Senate File 174, by committee on Human Resources, a bill for an act relating to health facilities under the purview of the department of inspections and appeals.

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

Senate File 175, by committee on Commerce, a bill for an act relating to the definition of the federal Truth in Lending Act in the Iowa consumer credit code.

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

AMENDMENTS FILED

S—3070	S. F.	109	Richard F. Drake
S—3071	S. F.	83	Stewart E. Iverson, Jr.
S—3072	S. F.	150	Robert Dvorsky

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:40 p.m., until 9:00 a.m., Wednesday, February 22, 1995.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 22, 1995

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

Prayer was offered by the Reverend Steve Pike, pastor of the Martelle Christian Church, Martelle, Iowa.

The Journal of Tuesday, February 21, 1995, was approved.

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.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

SENATE APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 21, 1995, 3:50 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn.

Committee Business: Reviewed budget and studied possible reductions of appropriations.

Adjourned: 4:40 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 21, 1995, 3:50 p.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Borlaug, Ranking member; Hansen and Ziemann.

Members Absent: none.

Committee Business: Consideration of final bill and funding.

Adjourned: 4:15 p.m.

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 21, 1995, 3:57 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Discussed proposed joint budget bill.

Adjourned: 4:30 p.m.

AGRICULTURE

Convened: February 21, 1995, 8:01 a.m.

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

Members Absent: none.

Committee Business: Amended and approved SSB 117 as a committee bill; approved LSB 1618 as a committee bill.

Adjourned: 9:08 a.m.

COMMERCE

Convened: February 21, 1995, 2:35 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: Jensen, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 101 as a committee bill; recommended confirmation of governor's appointee and placed on individual confirmation calendar.

Adjourned: 2:47 p.m.

EDUCATION

Convened: February 21, 1995, 1:34 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Iverson and Murphy (both excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointee; presentation by ICN.

Adjourned: 2:29 p.m.

HUMAN RESOURCES

Convened: February 21, 1995, 11:15 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz; Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; Senate Joint Resolution 10 failed recommendation for passage; amended and approved SSBs 55 and 108 as committee bills.

Adjourned: 12:06 p.m.

LOCAL GOVERNMENT

Convened: February 21, 1995, 2:35 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved Senate File 80 and ordered it redrafted as a committee bill; approved SSB 80 as a committee bill.

Adjourned: 3:20 p.m.

STATE GOVERNMENT

Convened: February 21, 1995, 11:18 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and recommended confirmation of governor's appointees.

Adjourned: 11:28 a.m.

STUDY BILLS RECEIVED**SSB 182 Judiciary**

Relating to the release or detention of certain criminal defendants pending sentencing or appeal following conviction.

SSB 183 Judiciary

Relating to domestic abuse and victim protection and providing a penalty and a conditional effective date.

SSB 184 Human Resources

Requiring licensure of hospice programs and providing a penalty.

SSB 185 Human Resources

Relating to child abuse and termination of parental rights provisions, and providing an effective date.

SSB 186 Small Business - Economic Development & Tourism

Establishing an economic development opportunity fund in the state treasury.

SSB 187 Small Business - Economic Development & Tourism

Changing the definition of disabled for purposes of targeted small business programs.

SSB 188 Human Resources

Relating to the third-party payment of health care coverage costs for preventive care services and mental health and substance abuse treatment services.

SSB 189 Judiciary

Relating to public access to court records and providing for the Act's applicability.

SUBCOMMITTEE ASSIGNMENTS**Senate File 107****APPROPRIATIONS: Murphy, Chair; Banks and Black****Senate File 126****APPROPRIATIONS: Murphy, Chair; Hammond and Tinsman****Senate File 139****APPROPRIATIONS: Murphy, Chair; Boswell and Tinsman****Senate File 154
(Reassigned)****HUMAN RESOURCES: Kramer, Chair; Neuhauser and Szymoniak****Senate File 165****JUDICIARY: Bisignano, Chair; Drake, Giannetto, Redfern and Vilsack****Senate File 170****JUDICIARY: Hammond, Chair; McKean, Neuhauser, Redfern and Vilsack****SSB 176****TRANSPORTATION: Gettings, Chair; Fink and Jensen****SSB 177****JUDICIARY: Fraise, Chair; Boettger, Giannetto, Redfern and Vilsack****SSB 178****JUDICIARY: Vilsack, Chair; Drake, Fraise, Giannetto and Redfern****SSB 179****JUDICIARY: Vilsack, Chair; Drake, Fraise, Giannetto and Maddox****SSB 181****COMMERCE: Deluhery, Chair; Douglas and Hansen**

SSB 182

JUDICIARY: Giannetto, Chair; Fraise, McKean, Redfern and Vilsack

SSB 183

JUDICIARY: Szymoniak, Chair; Bartz, Boettger, Hammond and Neuhauser

SSB 184

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

SSB 185

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hammond

SSB 186

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Flynn, Chair; Maddox and Sorensen

SSB 187

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: McKean, Chair; Palmer and Szymoniak

SSB 188

HUMAN RESOURCES: Vilsack, Chair; Bartz and Dvorsky

House File 132

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

House File 133

APPROPRIATIONS: Murphy, Chair; Douglas and Halvorson

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Gronstal and Murphy, a Senate Resolution urging the Congress of the United States to continue its progress in reducing the federal deficit and to provide to the state of Iowa information on the impact that achieving a balanced federal budget will have on the State.

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

INTRODUCTION OF BILLS

Senate File 176, by Hansen, a bill for an act relating to the filing of intergovernmental agreements for the joint exercise of governmental powers in certain counties.

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

Senate File 177, by Hansen, a bill for an act relating to the publication of city council proceedings and city expenditures.

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

Senate File 178, by committee on Human Resources, a bill for an act relating to emergency medical services.

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

Senate File 179, by committee on Local Government, a bill for an act increasing the maximum property tax levy for certain county hospitals.

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

Senate File 180, by committee on Local Government, a bill for an act relating to the determination of the annual salary of a deputy sheriff.

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

Senate File 181, by Kibbie, a bill for an act providing a sales tax exemption relating to aircraft and providing effective date and retroactive applicability provisions.

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

Senate File 182, by Kibbie, a bill for an act setting after the required thirty-day period the state percent of growth for purposes of the school foundation aid program and providing effective and applicability date provisions.

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

Senate File 183, by Maddox and Priebe, a bill for an act relating to the disclosure of the methods used by insurance companies and nonprofit health service corporations to determine the usual and customary fees for dental care benefit coverages.

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

Senate File 184, by Black, a bill for an act relating to disability insurance for state employees.

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

Senate File 185, by Lind, a bill for an act to permit the issuance of temporary restricted licenses by the state department of transportation and the court under certain circumstances.

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

Senate File 186, by Rittmer, a bill for an act relating to insurance coverage and licensing requirements for motor vehicle operators in this state and providing penalties and effective dates.

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

BILLS ASSIGNED TO COMMITTEE

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

S. F.	176	Local Government
S. F.	177	Local Government
S. F.	181	Ways and Means
S. F.	182	Education
S. F.	183	Commerce
S. F.	184	State Government
S. F.	185	Transportation
S. F.	186	Transportation
S. R.	8	Appropriations

REPORTS OF STANDING COMMITTEES**COMMUNICATIONS AND INFORMATION POLICY**

(Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Communications and Information Policy assigned to investigate the following governor's appointments, completed its investigations on February 22, 1995, and recommended the appointees be confirmed:

Joan U. Axel, Robert F. Baur and Richard A. Westcott as members of the Iowa Telecommunications and Technology Commission.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Natural Resources, Environment and Energy assigned to investigate the following governor's appointments, completed its investigations on February 22, 1995, and recommended the appointees be confirmed:

Terrance G. Townsend as a member of the Environmental Protection Commission.

Joan C. Schneider as a member of the Natural Resource Commission.

Yvonne M. Wentz as a member of the Renewable Fuels and Coproducts Advisory Committee.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

(Place nominees on En Bloc Confirmation Calendar)

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 February 22, 1995, and recommended the appointees be confirmed:

Carol A. Garrett, Doris A. Hansen, Thomas G. Kunz, John B. Parks, L. Jeanne Partlow and Randolph P. Steig as members of the Iowa Seed Capital Corporation.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

(Place nominee on Individual Confirmation Calendar)

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 February 22, 1995, and recommended the appointee be confirmed:

David J. Lyons as Director of the Department of Economic Development.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 18, by Dearden, a concurrent resolution relating to the funding of the Older Iowans' Legislature.

Read first time under Rule 28 and passed on file.

INTRODUCTION OF BILLS

Senate File 187, by Giannetto, a bill for an act relating to the duties of the commission of veterans affairs and the county commissions of veteran affairs.

Read first time under Rule 28 and passed on file.

Senate File 188, by Dearden, a bill for an act relating to restricting the granting of public financial assistance to employers who solicit or advertise for permanent replacement employees.

Read first time under Rule 28 and passed on file.

Senate File 189, by committee on Judiciary, a bill for an act relating to the transfer of real estate by exempting certain transfers of real estate from the real estate transfer tax and providing that a lien for a purchase money mortgage has priority over other interests in the property.

Read first time under Rule 28 and placed on calendar.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 178 (SSB 55), a bill for an act relating to emergency medical services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Bartz.

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 178 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 142, a bill for an act establishing felonious child endangerment as a nonbailable offense.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 189 (SSB 133), a bill for an act relating to the transfer of real estate by exempting certain transfers of real estate from the real estate transfer tax and providing that a lien for a purchase money mortgage has priority over other interests in the property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 2: Vilsack and Halvorson..

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 29, a bill for an act to provide a presumption that kidnapping has occurred within the state when the body of a kidnapping victim is found within the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3074.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 179 (formerly Senate File 80), a bill for an act increasing for a limited time period the maximum property tax levy for certain county hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Sorensen, Fink, Maddox, Fraise, Halvorson and Judge. Nays, 4: Black, McKean, Rittmer and Zieman.

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 179 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 180 (SSB 80), a bill for an act relating to the determination of the annual salary of a deputy sheriff.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Sorensen, Fink, Maddox, Fraise, Halvorson and Judge. Nays, 4: Black, McKean, Rittmer and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE JOINT RESOLUTION 12, a joint resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a buffet dinner sponsored by the Des Moines Rotary Club and featuring the State Capitol restoration and providing an effective date.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 98, a bill for an act relating to the preservation of the Iowa state capitol.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 127, a bill for an act relating to the preservation of and restoration work on the physical facilities of the capitol complex.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 20, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 21, a concurrent resolution honoring Ms. Sugar Macaulay upon her retirement as the Capitol Tour Guide Supervisor.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3073	S.F.	85	Dennis H. Black
S—3074	H.F.	29	Judiciary

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:24 a.m., until 9:00 a.m., Thursday, February 23, 1995.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 23, 1995

The Senate met in regular session at 9:04 a.m., President Boswell presiding.

Prayer was offered by Monsignor Louis Kollasch, pastor of St. Malachy's Church, Madrid, Iowa.

The Journal of Wednesday, February 22, 1995, 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 21, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 84, a bill for an act relating to individual health insurance and individual health benefit plan reforms, and establishing an income tax credit for certain individuals.

ALSO: That the House has on February 20, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 14, a concurrent resolution to urge the Governor and the citizens of Iowa to make available to the people of Japan all appropriate aid and assistance to help the people of Japan recover from the disastrous earthquake of January 17, 1995.

This resolution was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 190, by Gronstal, a bill for an act relating to the

reimbursement of health care providers under certain agreements or contracts providing for the payment of health care expenses.

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

Senate File 191, by Bartz, a bill for an act authorizing townships to provide emergency medical services.

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

Senate File 192, by Hammond, a bill for an act modifying the method of appointing members to the state board of regents and creating a regent candidate advisory commission.

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

Senate File 193, by Douglas, a bill for an act allowing teaching parents to provide driver's education instruction.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Murphy until he arrives on request of Senator Horn.

SPECIAL GUEST

Senator Sorensen presented Chandra Herrstrom from Boone, 1995 Iowa Pork Queen.

Ms. Herrstrom, who was selected by the Iowa Pork Producers, said that pork production represents jobs for 93,000 Iowans and two-thirds of those jobs are created off the farm in the input supply and further processing industries.

She stated that as she travels around the state and country, she hopes to reinforce the message that pork production is one of the factors that make Iowa's rural communities and state a great place to live.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House Concurrent Resolutions 20 and 21 and Senate Joint Resolution 12.

House Concurrent Resolution 21

On motion of Senator Rife, House Concurrent Resolution 21, a concurrent resolution honoring Ms. Sugar Macaulay upon her retirement as the Capitol Tour Guide Supervisor, with report of committee recommending passage, was taken up for consideration.

Senator Rife moved the adoption of House Concurrent Resolution 21, which motion prevailed by a voice vote.

House Concurrent Resolution 20

On motion of Senator Husak, House Concurrent Resolution 20, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved the adoption of House Concurrent Resolution 20, which motion prevailed by a voice vote.

The Senate stood at ease at 9:22 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 9:35 a.m., President Boswell presiding.

Senate Joint Resolution 12

On motion of Senator Kramer, Senate Joint Resolution 12, a joint resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a buffet dinner sponsored by the Des Moines Rotary Club and featuring the State Capitol restoration and providing an effective

date, with report of committee recommending passage, was taken up for consideration.

President pro tempore Bisignano took the chair at 9:57 a.m.

Senator Kramer 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. 12) the vote was:

Ayes, 28:

Bennett	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Freeman	Giannetto	Gronstal
Horn	Husak	Iverson	Jensen
Kibbie	Kramer	Lind	Lundby
Maddox	McLaren	Neuhauser	Palmer
Rife	Rittmer	Szymoniak	Tinsman

Nays, 20:

Banks	Bartz	Bisignano	Black
Boettger	Drake	Flynn	Fraise
Gettings	Halvorson	Hammond	Hansen
Hedge	Judge	McKean	Priebe
Rensink	Sorensen	Vilsack	Zieman

Absent or not voting, 2:

Murphy	Redfern
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The resolution 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 to immediately message **House Concurrent Resolutions 20 and 21** and **Senate Joint Resolution 12** to the House.

INTRODUCTION OF BILL

Senate File 194, by Gettings, a bill for an act relating to the use of a perpetual care and maintenance guarantee fund.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 10:00 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

SENATE APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 22, 1995, 3:45 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn (excused).

Committee Business: Review of the budget for the office of the governor; presentation on salary annualization by the director of the legislative fiscal bureau.

Adjourned: 4:45 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 22, 1995, 3:45 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Review of the department of agriculture budget.

Adjourned: 5:10 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 22, 1995, 3:50 p.m.

Members Present: Vilsack, Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: Bisignano, Vice Chair (excused).

Committee Business: Discussed final budget recommendations.

Adjourned: 4:40 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 22, 1995, 3:55 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Senate members of the subcommittee discussed budget priorities.

Adjourned: 5:05 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: February 22, 1995, 2:52 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees and placed on individual confirmation calendar; presentation by the Iowa library association.

Adjourned: 3:44 p.m.

ETHICS

Convened: February 22, 1995, 8:05 a.m.

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

Members Absent: none.

Committee Business: Discussed ethics complaint filed against Senator Connolly; discussed and deferred action on SSB 175.

Adjourned: 9:00 a.m.

JUDICIARY

Convened: February 22, 1995, 1:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Recommended passage of Senate File 142; recommended passage of House File 29 as amended; approved SSB 133 as a committee bill; amended and approved SSB 68 as a committee bill; discussed and deferred action on SSB 115.

Adjourned: 2:45 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: February 22, 1995, 1:40 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; discussed, amended and deferred action on SSB 156.

Adjourned: 2:00 p.m.

RULES AND ADMINISTRATION

Convened: February 22, 1995, 2:40 p.m.

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

Members Absent: none.

Committee Business: Approved draft of revised chamber access policy; recommended passage of House Concurrent Resolutions 20 and 21, Senate Joint Resolution 12, and Senate Files 127 and 98.

Adjourned: 3:54 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: February 22, 1995, 10:05 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Boettger, Borlaug, Giannetto, Kibbie, Maddox, McKean, Sorensen, Szymoniak and Vilsack.

Members Absent: Bennett, Flynn and Palmer (all excused).

Committee Business: Assigned bill to subcommittee; recommended confirmation of governor's appointee David Lyons and placed on individual confirmation calendar; recommended confirmation of governor's appointees and placed on en bloc confirmation calendar; presentation by the sesquicentennial committee.

Adjourned: 10:45 a.m.

TRANSPORTATION

Convened: February 22, 1995, 10:04 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business: Presentation by the director of the department of transportation.

Adjourned: 11:12 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 8

APPROPRIATIONS: Kibbie, Chair; Boswell and Tinsman

Senate File 169

TRANSPORTATION: Fink, Chair; Drake and Halvorson

Senate File 185

TRANSPORTATION: Fink, Chair; Drake and Halvorson

Senate File 186

TRANSPORTATION: Connolly, Chair; Fink and Rittmer

SSB 189

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, Maddox and Redfern

COMMITTEE REPORTS**APPROPRIATIONS**

Final Bill Action: SENATE RESOLUTION 8, a senate resolution urging the Congress of the United States to continue its progress in reducing the federal deficit and to provide to the state of Iowa information on the impact that achieving a balanced federal budget will have on the State.

Recommendation: DO PASS.

Final Vote: Ayes, 21: Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Dvorsky, Flynn, Fraise, Gronstal, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 4: Murphy, Douglas, Halvorson and Iverson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 5, a bill for an act relating to the appointment and employment of the director of the department of education and enacting a transitional provision.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gronstal, Kibbie, Bisignano, Connolly, Dearden, Fink, Lundby and Sorensen. Nays, 7: Rittmer, Bennett, Drake, Giannetto, Halvorson, Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 10, a bill for an act relating to the appointment and senate confirmation of the executive director of the office of the state board of regents and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 94, a bill for an act relating to reciprocal license fees for nonresident real estate brokers and salespersons.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 18, a bill for an act exempting from the sales, services, and use tax specific items used by printers and publishers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3076.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Priebe, Szymoniak and Vilsack. Nays, 2: Connolly and Neuhauser. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Students and staff member from Marshalltown Community College, Marshalltown, Iowa. Senator Giannetto.

AFTERNOON SESSION

The Senate reconvened at 2:38 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 195, by committee on Judiciary, a bill for an act relating to the judicial department, including jurisdiction of district associate judges in domestic abuse cases, retirement annuities for senior judges, and providing effective and retroactive applicability dates.

Read first time and placed on calendar.

Senate File 196, by Dvorsky, a bill for an act establishing a self-employment assistance program and providing an effective date and a termination date.

Read first time and passed on file.

Senate File 197, by Judge, a bill for an act relating to the confidentiality of financial information provided to the department of agriculture and land stewardship and providing an effective date.

Read first time and passed on file.

Senate File 198, by McKean, a bill for an act relating to studies and reports of county land preservation and use commissions, and providing an effective date.

Read first time and passed on file.

Senate File 199, by Giannetto, a bill for an act providing for enhanced penalties for unlawful possession of controlled substances offenses and providing a conditional effective date.

Read first time and passed on file.

Senate File 200, by Husak, a bill for an act providing for the treatment of manure from certain confinement feeding operations.

Read first time and passed on file.

Senate File 201, by committee on Ways and Means, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing retroactive applicability and effective dates.

Read first time and **placed on Ways and Means Calendar**.

Senate File 202, by committee on Human Resources, a bill for an act relating to public health issues, including certain birth certificates and licensing of athletic trainers.

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

Senate File 203, by committee on Human Resources, a bill for an act relating to smoking in a public place, establishing penalties, and providing an effective date.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the remainder of 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.

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.	179	Ways and Means
S.F.	172	Appropriations

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, Banks and Boettger.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 6

Senator McLaren called up for consideration Senate Concurrent Resolution 6, a concurrent resolution objecting to a plan proposed by the United States Corps of Engineers to dramatically alter the operation of the Missouri River, and to request that the current operation of the river be maintained or that an alternative plan be considered that does not negatively impact upon the effective operation of the river, amended by the House, and moved that the Senate concur in House amendment S—3056 filed February 10, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator McLaren moved that the resolution as amended by the House and concurred in by the Senate be adopted.

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

ADOPTION OF RESOLUTION (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 8.

Senate Resolution 8

On motion of Senator Kibbie, Senate Resolution 8, a Senate Resolution urging the Congress of the United States to continue its progress in reducing the federal deficit and to provide to the state of Iowa information on the impact that achieving a balanced federal budget will have on the State, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie moved the adoption of Senate Resolution 8, which motion prevailed by a voice vote.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Janet Phipps be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

ALBERT G. SORENSEN

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:

Dennis A. Harklau as a member of the Athletic Trainer Advisory Board.

Elizabeth R. Walker as a member of the Board of Parole.

Myrtila Levin as a member of the Commission on the Status of African-Americans.

Dennis L. Billings, Kraig A. Boysen, John M. Comstock, Marcia J. Stark and F. Walter Tomenga as members of the Community Health Management Information System Governing Board.

Dr. Bruce W. Van Zee as a member of the Iowa Board of Veterinary Medicine.

L. Jeanne Partlow as a member of the Iowa Seed Capital Corporation.

Mary Anne Anderson, Dr. Marilee Fredericks, Frank H. Hermsen, Clark A. Lane and Beverly A. Sanderson as members of the Mental Health and Developmental Disabilities Commission.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Black	Murphy	Priebe
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 150

On motion of Senator Dvorsky, Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information, was taken up for consideration.

Senator Dvorsky offered amendment S—3072 filed by him on February 21, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3072 was adopted by a voice vote.

Senator Bartz offered amendment S—3061 filed by him on February 15, 1995, to page 1 of the bill.

Senator Bartz offered amendment S—3069 filed by him on February 20, 1995 to amendment S—3061 and moved its adoption.

Amendment S—3069 was adopted by a voice vote.

Senator Bartz moved the adoption of amendment S—3061 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 150) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Murphy Priebe

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 Concurrent Resolution 6 and Senate File 150 be immediately messaged to the House.

APPENDIX**STUDY BILLS RECEIVED****SSB 190 Communications & Information Policy**

Relating to the Iowa communications network and authorizing the state to own certain Part III user connections defined as spur connections and providing an appropriation.

SSB 191 Transportation

Relating to salvage and wrecked motor vehicles.

SSB 192 Transportation

Prohibiting persons under the age of eighteen from riding and prohibiting operators from allowing persons under the age of eighteen from riding on any portion of a motor vehicle unintended for use of passengers and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS**Senate File 176**

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and McKean

Senate File 177

LOCAL GOVERNMENT: Judge, Chair; Fraise and Maddox

SSB 191

TRANSPORTATION: Fraise, Chair; Gettings and Jensen

SSB 192

TRANSPORTATION: Drake, Chair; Dearden and Fraise

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Melissa Meyer and Matthew R. Moothart, Resurrection School in Dubuque, and Kim Schroeder, Saint Joseph the Worker School in Dubuque — For being winners in the "Write Women Back Into History" contest. Senator Connolly (3-1-95).

BILLS ASSIGNED TO COMMITTEE

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

S. F.	187	State Government
S. F.	188	Business and Labor
S. F.	190	Human Resources
S. F.	191	Local Government
S. F.	192	State Government
S. F.	193	Transportation
S. F.	194	Local Government
S. F.	196	Business and Labor
S. F.	197	State Government
S. F.	198	Local Government
S. F.	199	Judiciary
S. C. R.	18	Appropriations
H. C. R.	14	State Government

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 205 (SSB 122), a bill for an act relating to shared superintendents for purposes of the supplementary weighting plan for public school districts and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink and Tinsman. Nays, none. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 206 (SSB 95), a bill for an act striking code language that conflicts with federal work-study program requirements and language relating to unfunded programs administered by the college student aid commission, and repealing from the Code certain unfunded programs administered by the college student aid commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Rensink and Tinsman. Nays, none. Absent or not voting, 3: Murphy, Neuhauser and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 209 (SSB 84), 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 by providing a property tax credit, and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Kibbie, Deluhery, Dvorsky, Fink, Hammond, Neuhauser and Szymoniak. Nays, 6: Redfern, Iverson, Kramer, Lind, Rensink and Tinsman. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 202 (SSB 28), a bill for an act relating to public health issues, including certain birth certificates and licensing of athletic trainers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Hansen, Kramer, Neuhauser and Tinsman. Nays, none. Absent or not voting, 2: Dvorsky and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 203 (SSB 61), a bill for an act relating to smoking in a public place, establishing penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Szymoniak, Hammond, Dvorsky, Kramer, Neuhauser and Tinsman. Nays, 2: Bartz and Hansen. Pass, 1: Boettger. Absent, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 208 (SSB 185), a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 41, a bill for an act relating to the establishment of legal settlement for certain blind persons and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorsky, Hansen, Kramer, Neuhauser and Tinsman. Nays, none. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: *SENATE FILE 195 (SSB 68), a bill for an act relating to the judicial department, including jurisdiction of district associate judges in domestic abuse cases, retirement annuities for senior judges, eliminating restitution in traffic violation cases, and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 195 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 204 (SSB 100), a bill for an act relating to the hours for sale of alcoholic beverages on Sundays.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Fink, Giannetto, Lind and Lundby. Nays, 5: Bennett, Drake, Halvorson, McLaren and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 207 (SSB 174), a bill for an act relating to the distribution and sale of beer, providing for the regulation of brewer and wholesaler agreements, prohibiting certain conduct, providing for the transfer of business assets, providing judicial remedies, specifying applicability, and providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 201 (SSB 71), a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing retroactive applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 204, by committee on State Government, a bill for an act relating to the hours for sale of alcoholic beverages on Sundays.

Read first time under Rule 28 and placed on calendar.

Senate File 205, by committee on Education, a bill for an act relating to shared superintendents for purposes of the supplementary weighting plan for public school districts and providing effective and retroactive applicability dates.

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

Senate File 206, by committee on Education, a bill for an act striking Code language that conflicts with federal work-study program requirements and language relating to unfunded programs administered by the college student aid commission, and repealing from the Code certain unfunded programs administered by the college student aid commission.

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

Senate File 207, by committee on State Government, a bill for an act relating to the distribution and sale of beer, providing for the regulation of brewer and wholesaler agreements, prohibiting certain conduct, providing for the transfer of business assets, providing judicial remedies, specifying applicability, and providing for other properly related matters.

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

Senate File 208, by committee on Human Resources, a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date.

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

Senate File 209, by committee on Education, 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 by providing a property tax credit, and providing for the Act's applicability.

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

AMENDMENTS FILED

S—3075	S.F.	142	Randal Giannetto
S—3076	S.F.	18	Ways and Means
S—3077	H.F.	133	Richard F. Drake

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:12 p.m., until 2:00 p.m., Monday, February 27, 1995.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 27, 1995

The Senate met in regular session at 2:29 p.m., President Boswell presiding.

Prayer was offered by the Reverend Bruce Rulapaugh, pastor of the Grace Baptist Church, Sheffield, Iowa.

The Journal of Thursday, February 23, 1995, was approved.

INTRODUCTION OF BILL

Senate File 210, by Bennett, a bill for an act creating a lien arising from the care and feeding of livestock in a custom cattle feedlot.

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

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 23, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 2, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, 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 an effective date and for the Act's applicability.

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 BILLS (Regular Calendar)

Senate File 159

On motion of Senator Giannetto, Senate File 159, a bill for an act relating to the payment of wages to a suspended or terminated employee under the Iowa wage payment collection law, 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. 159) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Lundby

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

Senate File 175

On motion of Senator Flynn, Senate File 175, a bill for an act relating to the definition of the federal Truth in Lending Act in the Iowa consumer credit code, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 175) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Deluhery

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

Senate File 142

On motion of Senator Giannetto, Senate File 142, a bill for an act establishing felonious child endangerment as a nonbailable offense, with report of committee recommending passage, was taken up for consideration.

Senator Giannetto offered amendment S—3075 filed by him on February 23, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3075 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. 142) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Deluhery

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 142, 159 and 175 be immediately messaged to the House.

The Senate stood at ease at 2:52 p.m. until the fall of the gavel for the purpose of party caucuses.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Tinsman, Rife, Rittmer, Drake, and

Deluhery, a senate resolution recognizing the 100th anniversary of the founding of the chiropractic profession.

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

Senate Concurrent Resolution 19, by Szymoniak and Redfern, a concurrent resolution designating March 1995 as Iowa Women's History Month.

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

INTRODUCTION OF BILLS

Senate File 211, by Giannetto, a bill for an act relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date.

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

Senate File 212, by Banks, a bill for an act providing for special motor vehicle registration plates for education, establishing an Iowa education transportation enhancement fund, and providing an effective date.

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

Senate File 213, by Murphy, a bill for an act relating to handicapped parking and providing a penalty.

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

The Senate stood at ease at 4:22 p.m. until the fall of the gavel.

The Senate resumed session at 4:40 p.m., President pro tempore Bisignano presiding.

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. 40 State Government
S. F. 209 Ways and Means

INTRODUCTION OF BILL

Senate File 214, by Connolly, a bill for an act to provide greater protection for consumers who purchase or lease motor vehicles and providing effective dates.

Read first time and passed on file.

APPENDIX

PETITIONS

Petitions supporting true notification of a parent or legal guardian by a minor prior to terminating a pregnancy through abortion (definition of a "parent" would exclude a grandparent, adult uncle, aunt, sibling, and others as provided in the Senate passed version of Senate File 13) were presented and placed on file by:

Senators Banks and Freeman from 486 residents of Senate Districts 2 and 5.

Senator Rensink from 102 residents of Sioux and Osceola Counties.

Senator Sorensen from 1,054 residents of Boone, Greene and Carroll Counties.

The following petitions opposing reinstatement of the death penalty were presented and placed on file by:

Senator Szymoniak from 90 residents of Black Hawk County.

Senator Szymoniak from 46 residents of Polk County.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: February 23, 1995, 9:25 a.m.

Members Present: Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Murphy, Chair; Douglas and Iverson (all excused).

Committee Business: Recommended passage of Senate Resolution 8.

Adjourned: 9:32 a.m.

EDUCATION

Convened: February 23, 1995, 1:39 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Murphy (excused).

Committee Business: Approved SSBs 84, 95 and 122 as committee bills.

Adjourned: 2:00 p.m.

HUMAN RESOURCES

Convened: February 23, 1995, 11:03 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House File 41; approved SSBs 28, 61 and 185 as committee bills.

Adjourned: 11:59 a.m.

STATE GOVERNMENT

Convened: February 23, 1995, 11:08 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Approved SSBs 100 and 174 as committee bills; recommended passage of Senate Files 5, 10 and 94.

Adjourned: 11:35 a.m.

WAYS AND MEANS

Convened: February 23, 1995, 10:05 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 18 as amended; deferred action on Senate Files 156 and 160; approved SSB 71 as a committee bill.

Adjourned: 11:00 a.m.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following governor's appointments, completed its investigations on February 23, 1995, and recommended the appointees be confirmed:

Dr. Rick D. Wilkerson as a member of the Athletic Trainer Advisory Board.

Ann E. Kaven and John A. Kolosky as members of the Community Health Management Information System Governing Board.

Sharon Blair and Gilbert C. Hoogendoorn as members of the Mental Health and Developmental Disabilities Commission.

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was received and placed on file on February 21, 1995:

February 15, 1995

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Secretary Dwyer:

Due to the resignation of Paul J. Leinen, Jr. from the State Judicial Nominating Commission, I am withdrawing his name for consideration by the Senate for this appointment.

Sincerely,
TERRY E. BRANSTAD
Governor

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Elizabeth Turner, Fayette — For celebrating her 100th birthday. Senator Murphy (2-6-95).

STUDY BILLS RECEIVED

SSB 193 Small Business, Economic Development & Tourism

Relating to economic development by requiring the consolidation of the funding for economic development programs and the establishment of an economic development program clearinghouse.

SSB 194 Small Business, Economic Development & Tourism

Relating to economic development by establishing a workforce development fund, providing for the transfer of certain employer withholding amounts to the workforce development fund, establishing a loan loss reserve program, and providing for an employee development grant program.

SSB 195 Business & Labor

Relating to unemployment related benefits for workers replaced by permanent replacement employees and providing an effective date.

SSB 196 Business & Labor

Relating to asbestos removal by providing for accreditation of training programs and requiring training for certain asbestos abatement workers.

SSB 197 Business & Labor

Relating to employers and employees under the Iowa wage payment collection law.

SSB 198 State Government

Providing that certain new public and nonpublic school building construction requires installation of automatic sprinkler systems.

SSB 199 State Government

Relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

SUBCOMMITTEE ASSIGNMENTS**Senate File 184**

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 187

STATE GOVERNMENT: Kibbie, Chair; Drake and Giannetto

Senate File 192

STATE GOVERNMENT: Kibbie, Chair; Connolly and Lind

Senate File 193

TRANSPORTATION: Fink, Chair; Connolly and Douglas

Senate File 197

STATE GOVERNMENT: Sorensen, Chair; Bennett and Halvorson

House Concurrent Resolution 14

STATE GOVERNMENT: Fink, Chair; Giannetto and McLaren

SSB 190

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

SSB 198

STATE GOVERNMENT: Dearden, Chair; Connolly and Lundby

SSB 199

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

**COMMITTEE REPORT
(CORRECTED FROM 2/22/95)**

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 179 (formerly Senate File 80), a bill for an act increasing for a limited time period the maximum property tax levy for certain county hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Local Government Committee on Senate File 179 and they were attached to the committee report.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	200	Natural Resources
S. F.	210	Agriculture
H. F.	2	Judiciary

INTRODUCTION OF BILL

Senate Joint Resolution 14, by Halvorson, a joint resolution ratifying a proposed balanced budget amendment to the Constitution of the United States.

Read first time under rule 28 and passed on file.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Tuesday, February 28, 1995.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 28, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Dennis Zuber, faculty member of the Faith Baptist Bible College, Ankeny, Iowa.

The Journal of Monday, February 27, 1995, was approved.

INTRODUCTION OF BILL

Senate File 215, by Black, a bill for an act relating to agricultural management account moneys and county grants for private rural water well, testing, sealing, and closure.

Read first time and passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	213	Transportation
S. F.	214	Transportation
S. R.	9	Human Resources

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 85

On motion of Senator Priebe, Senate File 85, a bill for an act providing for the regulation of domestic deer and making penalties applicable, was taken up for consideration.

Senator Black offered amendment S—3073 filed by him on February 22, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3073 was adopted by a voice vote.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kramer and Redfern until they arrive on request of Senator Rife.

BUSINESS PENDING

Senate File 85

The Senate resumed consideration of Senate File 85.

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. 85) the vote was:

Ayes, 45:

Banks	Bart	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Lind	Lundby	Maddox
McKean	McLaren	Neuhauser	Palmer
Priebe	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Fraise	Kibbie	Kramer	Murphy
Redfern			

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

Senate File 5

On motion of Senator Connolly, Senate File 5, a bill for an act relating to the appointment and employment of the director of the department of education and enacting a transitional provision, with report of committee recommending passage, was taken up for consideration.

Senator Lind asked and received unanimous consent that action on **Senate File 5** be deferred.

Senate File 98

On motion of Senator Bisignano, Senate File 98, a bill for an act relating to the preservation of the Iowa state capitol, with report of committee recommending passage, 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?" (S.F. 98) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Murphy

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

Senate File 10

On motion of Senator Kibbie, Senate File 10, a bill for an act relating to the appointment and senate confirmation of the executive director of the office of the state board of regents and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **Senate File 10** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 85 and 98** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 9:31 a.m., until 3:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: February 27, 1995, 4:45 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: McLaren.

Committee Business: Recommended passage of Senate File 156 as amended; recommended passage of Senate File 160.

Adjourned: 5:24 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 84, the following corrections were made:

1. Page 3, line 20, the word "medicare" was changed to the word "Medicare".
2. Page 3, line 34, the word "medicare" was changed to the word "Medicare".
3. Page 8, line 4, the word "medicare" was changed to the word "Medicare".
4. Page 13, line 33, the word "medicare" was changed to the word "Medicare".

JOHN F. DWYER
Secretary of the Senate

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 28th day of February, 1995:

Senate File 84.

JOHN F. DWYER
Secretary of the Senate

REPORT OF STANDING COMMITTEE
(Place nominee 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 February 28, 1995, and recommended the appointee be confirmed:

Kenneth W. McNichols as a member of the State Soil Conservation Committee.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Cedar Rapids Prairie High School Wrestling Team and Coach Ron Peterson
— For placing first in the 1995 Class 3-A Iowa State Wrestling Championships.
Senator Dvorsky (2-27-95).

RESOLUTION ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following resolution to committee on February 27, 1995:

S. C. R. 19 Human Resources

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 79, a bill for an act relating to the transfer of dogs to educational and scientific institutions by pounds.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Priebe, Judge, Bartz, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 19, a concurrent resolution designating March 1995 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 140, a bill for an act relating to legalize the proceedings taken by the board of directors of the Cedar Rapids Community School District concerning the sale of certain school district property and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 156, a bill for an act relating to corporate, franchise, and insurance premiums tax credits for entities investing in a qualified venture capital company and providing applicability provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3078.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Szymoniak, and Vilsack. Nays, 2: Connolly and Priebe. Absent or not voting, 1: McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 160, a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Husak, Bennett, Connolly, Deluhery, Freeman, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 4: Drake, Hedge, Iverson and Priebe. Absent or not voting, 1: McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 200 Local Government

Relating to the disposition of valueless mobile homes, modular homes, and manufactured homes.

SSB 201 Local Government

Creating a courthouse security fund, imposing courthouse security fees as a court cost, and providing for the purchase and maintenance of courthouse security equipment and the administration of the courthouse security fund.

SSB 202 Local Government

Relating to the assessment of certain public improvement costs to abutting property at the request of the property owner.

SSB 203 Agriculture

Relating to notice requirements required for work involving drainage and levee districts and water districts.

SSB 204 Business & Labor

Concerning drug testing of employees and applicants for employment and making penalties applicable.

SSB 205 Business & Labor

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 206 Small Business, Economic Development & Tourism

Relating to a royalties income tax credit for purposes of individual and corporate state income tax and providing an applicability date.

SSB 207 Small Business, Economic Development & Tourism

Relating to the development of housing for low or moderate income families in urban renewal areas, including an applicability date provision.

SSB 208 Education

Relating to the Iowa arts and cultural enhancement and endowment program and foundation.

SSB 209 Commerce

Relating to the prepayment of loans sold into the agricultural mortgage secondary market by providing for interest and penalties.

SSB 210 Commerce

Relating to delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer.

SSB 211 Commerce

Relating to health care and health care coverage by establishing a health education and advocacy program, by requiring certain disclosure by providers of health care coverage, prohibiting the use of premium income for certain purposes, and establishing complaint procedures.

SSB 212 Commerce

Relating to electronic transfer of funds and establishing certain requirements for full-function point-of-sale terminals and electronic funds transfer facilities owned by a national card association, and establishing a civil penalty.

SSB 213 Commerce

Relating to the regulation of state banks and other financial institutions by the division of banking of the department of commerce.

SSB 214 Natural Resources, Environment & Energy

Relating to the powers and duties of the department of natural resources by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas.

SSB 215 Ways & Means

Relating to classes of property exempt from taxation and providing effective and applicability date provisions.

SSB 216 Human Resources

Relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions.

SSB 217 Judiciary

Relating to the assisting of suicide and providing criminal penalties and civil causes of action.

SSB 218 Judiciary

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa to provide certain rights to victims of crime.

SSB 219 Judiciary

Relating to the exemption for attorneys who have provided abstract services under the title guaranty program.

SSB 220 Judiciary

Relating to temporary restricted permits to operate a motor vehicle by certain drug-related offenders.

SSB 221 Judiciary

Increasing the fee for a marriage license and providing for the disposition of the funds to county attorneys providing assistance to domestic abuse plaintiffs.

SSB 222 Judiciary

Relating to the use or possession of alcohol or marijuana in the commission of a public offense, by eliminating accommodation offenses for possession or delivery of one ounce or less of marijuana, by providing for minimum periods of licensed revocation, by prohibiting the receipt of deferred judgements or deferred sentences by persons convicted of the offense of operating while intoxicated, by eliminating the restitution limit for the offense of operating while intoxicated, by making implied consent for chemical testing applicable to the offense of operation of a watercraft while intoxicated, by providing for forfeiture of motor vehicles used in third or subsequent operating while intoxicated offenses, and by providing penalties and other related matters.

SSB 223 Judiciary

Relating to discriminatory employment practices towards individuals with disabilities and making penalties applicable and providing an effective date.

SSB 224 Judiciary

Relating to establishing an expedited procedure for the eviction of drug traffickers and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 19**

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Hansen

Senate File 171

COMMERCE: Hansen, Chair; Gettings and Lundby

Senate File 181

WAYS AND MEANS: Priebe, Chair; Deluhery and Hedge

Senate File 183

COMMERCE: Hansen, Chair; Bisignano, Freeman, Gronstal, Jensen, Palmer and Redfern

Senate File 188

BUSINESS AND LABOR: Dearden, Chair; Banks and Gettings

Senate File 191

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

Senate File 194

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

Senate File 196

BUSINESS AND LABOR: Dvorksy, Chair; Dearden and Iverson

Senate File 198

LOCAL GOVERNMENT: Fraise, Chair; Fink and Zieman

Senate File 199

JUDICIARY: Neuhauser, Chair; Boettger, Giannetto, Maddox and Vilsack

Senate File 213

TRANSPORTATION: Jensen, Chair; Black and Gettings

Senate File 214

TRANSPORTATION: Fraise, Chair; Gettings and Jensen

SSB 193

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

SSB 194

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Palmer, Chair; McKean and Sorensen

SSB 195

BUSINESS AND LABOR: Dearden, Chair; Dvorksy and Maddox

SSB 196

BUSINESS AND LABOR: Connolly, Chair; Freeman and Hammond

SSB 197

BUSINESS AND LABOR: Giannetto, Chair; Banks and Dearden

SSB 200

LOCAL GOVERNMENT: Fraise, Chair; Judge and Rittmer

SSB 201

LOCAL GOVERNMENT: Black, Chair; Halvorson and Maddox

SSB 202

LOCAL GOVERNMENT: Fink, Chair; Judge and McKean

SSB 204

BUSINESS AND LABOR: Dearden, Chair; Freeman and Gettings

SSB 205

BUSINESS AND LABOR: Dearden, Chair; Gettings and Iverson

SSB 206

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Szymoniak, Chair; Palmer and Zieman.

SSB 207

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Kibbie, Chair; Borlaug and Sorensen

SSB 209

COMMERCE: Husak, Chair; Jensen and Priebe

SSB 210

COMMERCE: Redfern, Chair; Bisignano and Deluhery

SSB 211

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

SSB 212

COMMERCE: Deluhery, Chair; Douglas and Flynn

SSB 213

COMMERCE: Deluhery, Chair; Douglas and Flynn

SSB 214

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair;
Dearden and Lundby

SSB 217

JUDICIARY: Bartz, Chair; Boettger, Fraise, Giannetto and Vilsack

SSB 218

JUDICIARY: Hansen, Chair; Bartz, Giannetto, Redfern and Vilsack

SSB 219

JUDICIARY: Fraise, Chair; Giannetto, Maddox, Redfern and Vilsack

SSB 220

JUDICIARY: Vilsack, Chair; Boettger, Fraise, Giannetto and McKean

SSB 221

JUDICIARY: Hammond, Chair; Bartz, Giannetto, Maddox and Szymoniak

SSB 222

JUDICIARY: Fraise, Chair; Boettger, Giannetto, McKean and Vilsack

SSB 223

JUDICIARY: Maddox, Chair; Bartz, Fraise, Giannetto and Vilsack

SSB 224

JUDICIARY: Bisignano, Chair; Drake, Giannetto, Redfern and Vilsack

House File 2

JUDICIARY: Bisignano, Chair; Giannetto, Maddox, McKean and Vilsack

House File 128

LOCAL GOVERNMENT: Fraise, Chair; Judge and Zieman

AFTERNOON SESSION

The Senate reconvened at 3:49 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 216, by Banks and Freeman, a bill for an act relating to arbitrator considerations in binding arbitration of public employment collective bargaining disputes.

Read first time and passed on file.

Senate File 217, by Deluhery, a bill for an act relating to the membership and method of appointment of the statewide police and fire retirement system and providing an effective date.

Read first time and passed on file.

Senate File 218, by Connolly, Gronstal, and Vilsack, a bill for an act relating to supervision of licensed dental hygienists by licensed dentists.

Read first time and passed on file.

Senate File 219, by Kibbie, a bill for an act relating to the definition of "designated person" for purposes of the family farm tax credit and providing effective and applicability dates.

Read first time and passed on file.

Senate File 220, by Hammond, Sorensen, and Zieman, a bill for an act relating to the method of selection of township clerks and trustees and providing transition provisions.

Read first time and passed on file.

Senate File 221, by Bartz, a bill for an act relating to the failure to yield.

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.	212	Appropriations
S. F.	215	Natural Resources
S. F.	216	Business and Labor
S. F.	217	State Government
S. F.	218	Human Resources
S. F.	219	Ways and Means
S. F.	220	Local Government
S. F.	221	Transportation
S. J. R.	14	State Government

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 223 (SSB 51), a bill for an act providing for notification of certain persons receiving public assistance of tax suspension provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 176, a bill for an act relating to the filing of intergovernmental agreements for the joint exercise of governmental powers in certain counties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean and Rittmer. Nays, none. Absent or not voting, 2: Judge and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 222, by Giannetto, a bill for an act relating to the possession of an actual or simulated explosive or incendiary device and providing penalties.

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

Senate File 223, by committee on Human Resources, a bill for an act providing for notification of certain persons receiving public assistance of tax suspension provisions.

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

AMENDMENTS FILED

S—3078	S. F.	156	Ways and Means
S—3079	S. F.	174	Robert Dvorsky

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:50 p.m., until 9:00 p.m., Wednesday, March 1, 1995.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 1, 1995

The Senate met in regular session at 9:08 a.m., President Boswell presiding.

Prayer was offered by the Reverend Larry Prosser, pastor of the Faith United Methodist Church, Russell, Iowa.

The Journal of Tuesday, February 28, 1995, was approved.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he arrives on request of President Boswell.

SPECIAL RECOGNITION

Senator Kibbie presented Senate Page Christine Ingraham from Milford, Iowa. Christine has been active in debate, speech and drama in the Okoboji Community Schools and has displayed outstanding talents in these areas. Christine will compete in the National Forensic League Tournament of Champions in Fort Lauderdale, Florida in June, 1995, for her dramatic abilities.

Senator Kibbie presented her with a Senate Certificate of Recognition.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 19.

Senate Concurrent Resolution 19

On motion of Senator Szymoniak, Senate Concurrent Resolution 19, a concurrent resolution designating March 1995 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 19, which motion prevailed by a voice vote.

INTRODUCTION OF BILL

Senate File 224, by committee on Human Resources, a bill for an act requiring protective headgear for motorcyclists and providing penalties.

Read first time and placed on calendar.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 19** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 9:37 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

SENATE APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 28, 1995, 4:00 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn (excused).

Committee Business: Budget discussion.

Adjourned: 5:15 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: February 28, 1995, 3:45 p.m.

Members Present: Vilsack, Chair; Bisignano, Vice Chair; Borlaug, Ranking Member; Hansen and Ziemann.

Members Absent: none.

Committee Business: Discussed funding recommendations.

Adjourned: 4:15 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 28, 1995, 4:00 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Discussed budget bill and intent language.

Adjourned: 4:50 p.m.

AGRICULTURE

Convened: February 28, 1995, 8:01 a.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate File 79; recommended confirmation of governor's appointee; approved proposed committee resolution regarding wetlands.

Adjourned: 8:30 a.m.

COMMERCE

Convened: February 28, 1995, 2:37 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gronstal, Hedge, Husak and Redfern.

Members Absent: Gettings, Lundby, Palmer and Priebe.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:40 p.m.

HUMAN RESOURCES

Convened: February 28, 1995, 11:10 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSB 51 as a committee bill; recommended passage of Senate Concurrent Resolution 19; amended and approved SSB 54 as a committee bill.

Adjourned: 11:49 a.m.

JUDICIARY

Convened: February 28, 1995, 10:05 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Recommended passage of Senate File 140; deferred action on SSB 42.

Adjourned: 10:20 a.m.

LOCAL GOVERNMENT

Convened: February 28, 1995, 2:35 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, McKean, Rittmer and Zieman.

Members Absent: Judge (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 176; approved SSBs 82, 163, 165, 169 and 200 as committee bills.

Adjourned: 2:57 p.m.

STATE GOVERNMENT

Convened: February 28, 1995, 11:07 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Preliminary approval of SSBs 102 and 152; Senate File 65 failed recommendation for passage; assigned bills to subcommittees.

Adjourned: 12:02 p.m.

REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committee to prepare a memorial resolution:

CHARLES BALLOUN: Husak, Chair; Giannetto and Jensen

FRANCIS MESSERLY: Redfern, Chair; Husak and Lind

JACK MILLER: Banks, Chair; Hansen and Bennett

DALE L. TIEDEN: Priebe, Chair; Murphy and Ziemann

EDWARD A. WEARIN: McLaren, Chair; Boswell and Gronstal

WILLIAM D. PALMER, Chair

BERL E. PRIEBE

BRAD BANKS

NANCY BOETTGER

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

Christine Ingraham, Milford — For qualifying for Tournament of Champions National Forensic League Tournament to be held in Fort Lauderdale, Florida, June 18-26, 1995. Senator Kibbie (2-27-95).

STUDY BILLS RECEIVED

SSB 225 Commerce

Relating to delayed deposit services businesses and providing penalties.

SSB 226 Commerce

Providing for the reincorporation of nonprofit corporations and providing for retroactive applicability and effective dates.

SSB 227 Commerce

Relating to limitations on the acquisition of banks, savings and loan associations, and savings banks by bank holding companies.

SSB 228 Judiciary

Relating to attorneys fees in domestic abuse actions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 216

BUSINESS AND LABOR: Dearden, Chair; Gettings and Maddox

SSB 216

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

SSB 225

COMMERCE: Redfern, Chair; Gronstal and Palmer

SSB 226

COMMERCE: Deluhery, Chair; Husak and Redfern

SSB 227

COMMERCE: Bisignano, Chair; Douglas and Palmer

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 20 (LSB 2531), a concurrent resolution in support of improvement in the wetland delineation process and a moratorium on wetlands determination until the 1995 farm bill has been passed and signed into the law by the Congress and the President.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Priebe, Judge, Bartz, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 224 (SSB 54), a bill for an act requiring protective headgear for motorcyclists and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Szymoniak, Hammond, Boettger, Dvorksy, Kramer, Neuhauser and Tinsman. Nays, 2: Bartz and Vilsack. Pass, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 224 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 225 (SSB 165), a bill for an act eliminating requirements for competitive bids regarding the printing of election ballots.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer. Nays, none. Absent or not voting, 2: Judge and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 226 (SSB 200), a bill for an act relating to the disposition of valueless mobile homes, modular homes, and manufactured homes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean and Rittmer. Nays, none. Pass, 1: Zieman. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 227 (SSB 169), a bill for an act providing for the compilation and dissemination of jail population reports.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 228 (SSB 82), a bill for an act relating to the statewide notification center by providing that the center is subject to the open meetings and public records law, requiring certain financial information to be reported, establishing an audit requirement, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer. Nays, none. Absent or not voting, 2: Judge and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 229 (SSB 163), a bill for an act eliminating certain requirements regarding the purchase of coal by public agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer. Nays, none. Absent or not voting, 2: Judge and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3080	S. F.	178	Johnie Hammond
S—3081	S. F.	174	Steven D. Hansen
S—3082	S. F.	69	House amendment
S—3083	S. F.	156	Tom Vilsack
S—3084	S. F.	160	Merlin E. Bartz

AFTERNOON SESSION

The Senate reconvened at 3:36 p.m., President Boswell presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 20, by committee on Agriculture, a concurrent resolution in support of improvement in the wetland delineation process and a moratorium on wetlands determination until the 1995 farm bill has been passed and signed into the law by the Congress and the President.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 225, by committee on Local Government, a bill for an act eliminating requirements for competitive bids regarding the printing of election ballots.

Read first time and placed on calendar.

Senate File 226, by committee on Local Government, a bill for an act relating to the disposition of valueless mobile homes, modular homes, and manufactured homes.

Read first time and placed on calendar.

Senate File 227, by committee on Local Government, a bill for an act providing for the compilation and dissemination of jail population reports.

Read first time and placed on calendar.

Senate File 228, by committee on Local Government, a bill for an act relating to the statewide notification center by providing that the center is subject to the open meetings and public records law, requiring certain financial information to be reported, establishing an audit requirement, and providing a penalty.

Read first time and placed on calendar.

Senate File 229, by committee on Local Government, a bill for an act eliminating certain requirements regarding the purchase of coal by public agencies.

Read first time and placed on calendar.

Senate File 230, by Tinsman, Lind, Boettger, Borlaug, Douglas, and Banks, a bill for an act relating to the elimination of the state inheritance tax and qualified use inheritance tax.

Read first time and passed on file.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 1995, adopted the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

ALSO: That the House has on March 1, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 149, a bill for an act relating to the state sales tax on auxiliary attachments for self-propelled and non-self-propelled farm machinery and equipment.

This bill was read first time and passed on file.

House File 161, a bill for an act relating to the fee which may be charged by an Iowa communications network receiving site.

This bill was read first time and passed on file.

House File 179, a bill for an act relating to eggs and poultry by reorganizing the statutory provisions and providing for the administration of the Iowa egg council, assessments and refunds, and the repeal of certain sections, and providing an effective date.

This bill was read first time and passed on file.

ALSO: That the House has on February 28, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date (S-3082).

QUORUM CALL

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

Senator Neuhauser took the chair at 3:55 p.m.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	211	Judiciary
S. F.	222	Judiciary
S. F.	230	Ways and Means
H. F.	161	Communications & Information Policy

COMPANION AND SIMILAR BILLS

House files were attached to companion or similar Senate files on the senate calendar as follows:

H. F. 149	companion	S. F. 167	3-1-95
H. F. 179	similar	S. F. 173	3-1-95

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 2, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, 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 an effective date and for the Act's applicability.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 10: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Maddox, Redfern and Szymoniak. Nays, 5: Fraise, Halvorson, Hammond, Hansen and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 231 (SSB 173), a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 234 (SSB 172), a bill for an act relating to the powers and duties of the department of natural resources by amending procedures for issuing and establishing fees for scientific collector's licenses or permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 31, a bill for an act relating to lighted headlamps and windshield wiper operation, and making a penalty applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3086.

Final Vote: Ayes, 7: Gettings, Fraise, Drake, Dearden, Douglas, Fink and Halvorson. Nays, 4: Black, Connolly, Lind and Rittmer. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 141, a bill for an act relating to notice for vacating and closing roads.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3087.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Lind and Rittmer. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 232 (SSB 192), a bill for an act prohibiting persons under the age of eighteen from riding and prohibiting operators from allowing persons under the age of eighteen from riding on any portion of a motor vehicle unintended for use of passengers and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Lind and Rittmer. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 233 (SSB 118), a bill for an act relating to the suspension and revocation of driver's licenses and providing penalties for violations of out-of-service orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Lind and Rittmer. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 231, by committee on Natural Resources, Environment and Energy, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals.

Read first time under rule 28 and placed on calendar.

Senate File 232, by committee on Transportation, a bill for an act prohibiting persons under the age of eighteen from riding and prohibiting operators from allowing persons under the age

of eighteen from riding on any portion of a motor vehicle unintended for use of passengers and providing a penalty.

Read first time under rule 28 and placed on calendar.

Senate File 233, by committee on Transportation, a bill for an act relating to the suspension and revocation of driver's licenses and providing penalties for violations of out-of-service orders.

Read first time under rule 28 and placed on calendar.

Senate File 234, by committee on Natural Resources, Environment and Energy, a bill for an act relating to the powers and duties of the department of natural resources by amending procedures for issuing and establishing fees for scientific collector's licenses or permits.

Read first time under rule 28 and placed on calendar.

AMENDMENTS FILED

S—3085	H.F.	2	Rod Halvorson
S—3086	S.F.	31	Transportation
S—3087	S.F.	141	Transportation
S—3088	H.F.	2	Mary Neuhauser

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 3:53 p.m., until 9:00 p.m., Thursday, March 2, 1995.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 2, 1995

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

Prayer was offered by the Reverend Fred Danforth, pastor of the First Christian Church, Nevada, Iowa.

The Journal of Wednesday, March 1, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 235, by Iverson, a bill for an act relating to liability for injuries to persons who are injured while trespassing on another's property.

Read first time and passed on file.

Senate File 236, by committee on Transportation, a bill for an act relating to salvage and wrecked motor vehicles.

Read first time and placed on calendar.

Senate File 237, by Judge, a bill for an act relating to the taxation of certain mobile homes, and specifying 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 44 present, 6 absent and a quorum present.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:55 a.m., President Boswell presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 2.

House File 2

On motion of Senator Bisignano, House File 2, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, 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 an effective date and for the Act's applicability, with report of committee without recommendation, was taken up for consideration.

Senator Neuhauser withdrew amendment S—3088 filed by her on March 1, 1995, to pages 1 and 4 of the bill.

Senator Maddox offered amendment S—3090 filed by him from the floor to pages 1 and 16 of the bill and moved its adoption.

Amendment S—3090 was adopted by a voice vote.

Senator Halvorson offered amendment S—3085 filed by him on March 1, 1995, to pages 10 and 19 of the bill and moved its adoption.

Amendment S—3085 lost by a voice vote.

Senator McKean offered amendment S—3089 filed by him from the floor to pages 13 and 14 of the bill.

Senator Banks asked and received unanimous consent that action on amendment S—3089 and House File 2 be deferred.

Senate File 189

On motion of Senator Redfern, Senate File 189, a bill for an act relating to the transfer of real estate by exempting certain transfers of real estate from the real estate transfer tax and providing that a lien for a purchase money mortgage has priority over other interests in the property, with report of committee recommending passage, was taken up for consideration..

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

On the question "Shall the bill pass?" (S.F. 189) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 195

On motion of Senator Redfern, Senate File 195, a bill for an act relating to the judicial department, including jurisdiction of district associate judges in domestic abuse cases, retirement annuities for senior judges, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on Senate File 195 be deferred.

Senate File 94

On motion of Senator Kibbie, Senate File 94, a bill for an act relating to reciprocal license fees for nonresident real estate brokers and salespersons, 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. 94) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

BUSINESS PENDING

House File 2

The Senate resumed consideration of House File 2, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, 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 an effective date and for the Act's applicability, and

amendment S—3089 by Senator McKean to pages 13 and 14 of the bill, previously deferred.

Senator McKean moved the adoption of amendment S—3089 and requested a record roll call.

On the question "Shall amendment S—3089 be adopted?" (H.F. 2) the vote was:

Ayes, 20:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Halvorson
Hedge	Iverson	Jensen	Maddox
McKean	McLaren	Priebe	Redfern
Rensink	Rife	Rittmer	Zieman

Nays, 30:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Frause	Freeman	Gettings
Giannetto	Gronstal	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Kramer	Lind	Lundby	Murphy
Neuhauser	Palmer	Sorensen	Szymoniak
Tinsman	Vilsack		

Amendment S—3089 lost.

(Action on House File 2 was temporarily deferred.)

BUSINESS PENDING

Senate File 195

The Senate resumed consideration of Senate File 195, a bill for an act relating to the judicial department, including jurisdiction of district associate judges in domestic abuse cases, retirement annuities for senior judges, and providing effective and retroactive applicability dates, previously deferred.

Senator Gronstal offered amendment S—3091 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3091 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 195) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rife

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

CONSIDERATION OF BILL (Regular Calendar).

Senate File 205

On motion of Senator Kibbie, Senate File 205, a bill for an act relating to shared superintendents for purposes of the supplementary weighting plan for public school districts 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. 205) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 94, 189, 195 and 205 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:35 a.m., until 12:00 noon.

AFTERNOON SESSION

The Senate reconvened at 12:15 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 2, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 189, a bill for an act relating to the funding of state mandates.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution 10, by Giannetto, a senate resolution urging the Congress of the United States to authorize interest-free loans to the states and their political subdivisions for capital projects.

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

Senate Joint Resolution 15, by Borlaug, Lundby, Priebe, Bisignano, Kibbie, Rensink, Hedge, McKean, Freeman, Banks, Palmer, Jensen, Flynn, Boettger, Drake, Bennett, Rittmer, Maddox, McLaren, Kramer, and Zieman, a joint resolution claiming sovereignty under the Tenth Amendment to the United States Constitution over all powers not otherwise enumerated and granted to the federal government and demanding that the federal government cease mandates that are beyond the scope of its constitutional powers.

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

INTRODUCTION OF BILLS

Senate File 238, by Hansen, a bill for an act relating to requiring payment for political advertising published through billboards, newspapers, yard signs, radio, and television prior to the publication of the political advertisement, and making a penalty applicable.

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

Senate File 239, by Hansen, a bill for an act relating to the provision of mediation in dissolution of marriage proceedings.

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

Senate File 240, by Iverson and Fraise, a bill for an act relating to the timing of parole reviews for class "A" felons.

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

Senate File 241, by Banks, a bill for an act relating to the consumption of alcoholic beverages by minors.

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.

BUSINESS PENDING

House File 2

The Senate resumed consideration of House File 2, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, 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 an effective date and for the Act's applicability, previously deferred.

Senator Bisignano offered amendment S—3092 filed by Senators Bisignano, Banks and Priebe from the floor to pages 4, 5, 7-11, 13, and 17-19 of the bill and moved its adoption.

Amendment S—3092 lost by a voice vote.

Senator Fraise took the chair at 2:20 p.m.

President Boswell took the chair at 2:25 p.m.

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. 2) the vote was:

Ayes, 11:

Banks	Bartz	Bennett	Bisignano
Borlaug	Douglas	Hedge	Iverson
Jensen	McLaren	Rife	

Nays, 39:

Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

Senator Gronstal filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House File 2 failed to pass the Senate on March 2, 1995.

Senator Lind asked unanimous consent that action on the motion to reconsider be deferred.

Objection was raised by Senator Gronstal.

The Senate stood at ease at 4:40 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 4:52 p.m., President Boswell presiding.

Senator Gronstal withdrew his objection to defer action on the motion to reconsider on House File 2.

Senator Lind withdrew his request that action on the motion to reconsider be deferred.

Senator Gronstal asked and received unanimous consent that action on the motion to reconsider **House File 2** 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 March 1, 1995, adopted the following resolutions in which the concurrence of the House was asked:

Senate Concurrent Resolution 14, a concurrent resolution relating to a Biennial Memorial Session.

Senate Concurrent Resolution 19, a concurrent resolution designating March 1995 as Iowa Women's History Month.

ALSO: That the House has on March 1, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act relating to anabolic steroids and the Iowa uniform controlled substances act.

INTRODUCTION OF BILLS

Senate File 242, by Giannetto, a bill for an act relating to providing false information on a uniform citation and complaint and making an existing penalty applicable.

Read first time and passed on file.

Senate File 243, by Hansen, a bill for an act relating to motor vehicle abandonment and registration.

Read first time and passed on file.

Senate File 244, by Bartz, a bill for an act relating to the establishment of area long-term care resident's advocates in each of the area agencies on aging, specifying minimum eligibility criteria, providing for an appropriation, and providing an effective date.

Read first time and passed on file.

Senate File 245, by Bartz, a bill for an act relating to joint cooperative association memberships and the acceptance of powers of attorney by cooperative associations and others.

Read first time and passed on file.

Senate File 246, by Lind, a bill for an act relating to the donation of state government-owned personal computers to public school districts in Iowa.

Read first time and passed on file.

APPENDIX**STUDY BILLS RECEIVED****SSB 216.1 Human Resources**

Relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions.

SSB 229 Small Business, Economic Development & Tourism

Relating to the assessment of long distance telephone companies for purposes of property taxation.

SUBCOMMITTEE ASSIGNMENTS**Senate File 221**

TRANSPORTATION: Connolly, Chair; Douglas and Fink

SSB 216.1

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

SSB 228

JUDICIARY: Szymoniak, Chair; Boettger, Giannetto, Hammond and Redfern

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 2, 1995, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 84 — An act relating to individual health insurance and individual health benefit plan reforms, and establishing an income tax credit for certain individuals.

COMMITTEE REPORTS

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE CONCURRENT RESOLUTION 21 (LSB 2530), a concurrent resolution recommending that the Iowa Telecommunications and Technology Commission reconsider and rescind the user fees as originally established by the Commission.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Dvorsky, Deluhery, Flynn and Hansen. Nays, 3: McLaren, Jensen and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 248 (SSB 190), a bill for an act relating to the Iowa communications network and authorizing the state to own certain Part III user connections defined as spur connections and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dvorsky, Deluhery, McLaren, Flynn, Jensen and Redfern. Nays, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive charges to the members of the Communications and Information Policy on Senate File 248 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 247 (SSB 72), a bill for an act relating to plastic garbage can liners with recycled content.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 236 (SSB 191), a bill for an act relating to salvage and wrecked motor vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Lind and Rittmer. 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 Transportation Committee on Senate File 236 and they were attached to the committee report.

PRESENTATION OF VISITORS

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

Third grade students from Clear Lake Community School District, Clear Lake, Iowa, accompanied by Mr. Barkley, Mrs. Tremmel, Mrs. Uhlenhopp and Mrs. Sorensen. Senator Bartz.

Nineteen students, members of the Benton and Tama Counties 4-H program, accompanied by Nancy Allen. Senator Husak.

Twenty-two students from Forest Ridge High School, Estherville, Iowa, accompanied by Cindy Cox. Senator Kibbie.

Twenty-five fifth grade students from Westridge Elementary School, West Des Moines, Iowa, accompanied by Ann Jaras. Senator Kramer.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	235	Judiciary
S. F.	237	Ways and Means
S. F.	238	State Government
S. F.	239	Judiciary
S. F.	240	Judiciary
S. F.	241	Judiciary
S. F.	242	Judiciary
S. F.	243	Transportation
S. F.	244	Human Resources
S. R.	10	Appropriations
S. J. R.	15	State Government
H. F.	189	Appropriations

INTRODUCTION OF BILLS

Senate Concurrent Resolution 21, by committee on Communications and Information Policy, a concurrent resolution recommending that the Iowa Telecommunications and Technology

Commission reconsider and rescind the user fees as originally established by the Commission.

Read first time under Rule 28 and placed on calendar.

Senate File 247, by committee on Natural Resources, Environment and Energy, a bill for an act relating to plastic garbage can liners with recycled content.

Read first time under Rule 28 and placed on calendar.

Senate File 248, by committee on Communications and Information Policy, a bill for an act relating to the Iowa communications network and authorizing the state to own certain Part III user connections defined as spur connections and providing an appropriation and an effective date.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S-3089	H.F.	2	Andy McKean
S-3090	H.F.	2	O. Gene Maddox
S-3091	S.F.	195	Michael E. Gronstal
S-3092	H.F.	2	Tony Bisignano Brad Banks Berl E. Priebe
S-3093	S.F.	226	Eugene Fraise
S-3094	S.F.	209	Wilmer Rensink
S-3095	S.F.	178	Stewart E. Iverson, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:19 p.m., until 1:30 p.m., Monday, March 6, 1995.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 6, 1995.

The Senate met in regular session at 1:39 p.m., President Boswell presiding.

Prayer was offered by the Reverend David Grindberg, pastor of the St. Mark Lutheran Church, Storm Lake, Iowa.

The Journal of Thursday, March 2, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 249, by Black, a bill for an act establishing an environmental education program in the state of Iowa and making an appropriation.

Read first time and passed on file.

Senate File 250, by Hammond, Dvorsky, and Redfern, a bill for an act relating to the appointment of the student member to the state board of regents, reducing the student member's term, and providing implementation and transition provisions.

Read first time and passed on file.

Senate File 251, by Fink, a bill for an act relating to the legal age for gambling, providing an effective date, and providing a retroactive applicability provision.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hansen for the day on request of Senator 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:

Alan J. Beste and Dr. Kenneth W. Caldwell as members of the Athletic Trainer Advisory Board.

Dr. Dale J. Andringa, Ann E. Kaven, John A. Kolosky and Marabeth K. Soneson as members of the Community Health Management Information System Governing Board.

Judge Brown, Jr. as a member of the Commission on the Status of Women.

L. Jeanne Partlow as a member of the Iowa Seed Capital Corporation.

Kathryn A. Murphy as a member of the Job Service Advisory Council.

Sharon Blair and Linda W. Rouse as members of the Mental Health and Developmental Disabilities Commission.

Yvonne M. Wentz as a member of the Renewable Fuels and Coproducts Advisory 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, 48:

Banks
Black
Connolly

Bartz
Boettger
Dearden

Bennett
Borlaug
Deluhery

Bisignano
Boswell
Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Hansen Kramer

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 Kramer until she arrives on request of Senator McLaren.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 176

On motion of Senator Sorensen, Senate File 176, a bill for an act relating to the filing of intergovernmental agreements for the joint exercise of governmental powers in certain counties, with report of committee recommending passage, 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. 176) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Hansen Kramer

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 229.

Senate File 229

On motion of Senator Black, Senate File 229, a bill for an act eliminating certain requirements regarding the purchase of coal by public agencies, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 229) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hansen

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

Senate File 204

On motion of Senator Connolly, Senate File 204, a bill for an act relating to the hours for sale of alcoholic beverages on Sundays, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **Senate File 204** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 176 and 229** be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR

Convened: March 1, 1995, 11:02 a.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Banks, Giannetto, Hammond, and Maddox.

Members Absent: Connolly, Dvorsky and Iverson.

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:05 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 1, 1995, 2:52 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: none.

Committee Business: Amended and approved SSB 190 as a committee bill; approved LSB 2530 as a committee bill; presentation by the national guard regarding ICN.

Adjourned: 3:48 p.m.

ETHICS

Convened: March 1, 1995, 2:45 p.m.

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

Members Absent: none.

Committee Business: Discussed and deferred action on SSB 175.

Adjourned: 3:30 p.m.

JUDICIARY

Convened: March 1, 1995, 1:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Placed House File 2 on the Senate calendar without recommendation.

Adjourned: 2:35 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 1, 1995, 1:35 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; approved SSBs 72, 172 and 173 as committee bills.

Adjourned: 2:28 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 1, 1995, 10:02 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Giannetto, Kibbie, Maddox, Palmer, Sorensen and Vilsack.

Members Absent: Borlaug, Flynn, McKean and Szymoniak (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:05 a.m.

TRANSPORTATION

Convened: March 1, 1995, 10:03 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Lind and Rittmer.

Members Absent: Jensen (excused).

Committee Business: Approved SSBs 118, 176, 191 and 192 as committee bills; recommended passage of Senate Files 31 and 141 as amended.

Adjourned: 10:47 a.m.

SUPPLEMENTAL 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 committee to prepare a memorial resolution:

JACOB GRIMSTEAD: Bartz, Chair; Borlaug and Priebe

WILLIAM D. PALMER
BERL E. PRIEBE
BRAD BANKS
NANCY BOETTGER

CERTIFICATE OF RECOGNITION

The secretary of the senate issued a certificate of recognition as follows:

Daniel Dean Olmstead, Iowa Falls — For third place district winner in the "Write Women Back Into History" Contest. Senator Iverson (3-1-95).

PETITIONS

The following petitions opposing reinstatement of the death penalty were presented and placed on file by:

Senator Bennett from 50 residents of Ida County.
Senator Freeman from 88 residents of Buena Vista County.
Senator Szymoniak from 116 residents of Polk County.
Senator Szymoniak from 69 residents of Dallas and Polk Counties.

The following petitions were presented and placed on file by:

Senator Connolly favoring legislative funding for community colleges.

Senator Bennett from 300 residents of Crawford County supporting true notification of a parent or legal guardian by a minor prior to terminating a pregnancy through abortion (definition of a "parent" would exclude a grandparent, adult uncle, aunt, sibling, and others as provided in the Senate passed version of Senate File 13).

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 9

HUMAN RESOURCES: Tinsman, Chair; Kramer and Neuhauser

Senate File 31

TRANSPORTATION: Halvorson, Chair; Black and Jensen

Senate File 190

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

Senate File 212

APPROPRIATIONS: Halvorson, Chair; Douglas and Fraise

Senate File 218

HUMAN RESOURCES: Vilsack, Chair; Boettger and Dvorksy

House File 161

COMMUNICATIONS & INFORMATION POLICY: Dvorksy, Chair; Deluhery and McLaren

SSB 229

SMALL BUSINESS, ECONOMIC DEVELOPMENT, & TOURISM: Palmer, Chair; Flynn and Maddox

PRESENTATION OF VISITORS

Senator Priebe presented the following farmers and agriculture businessmen from Russia and Kazakhstan who were visiting farms, agricultural plants and agribusiness operations in Iowa

sponsored by the Agricultural Cooperative Development International Organization:

From Russia: Oleg Grigoriev, Viktor Bagdanov, Gennadi Rusinov, Valentin Zuyev, Alexandre Tyulei and Victor Berbets.

From Kazakhstan: Jakiev Gainaden.

Interpreters: Ms. Olga Sedykh and Mr. Peter Yashin.

Senator Tinsman introduced a group of students from Costa Rica, Ghana, Russia, Slovakia, Vietnam and Zimbabwe, who were the guests of Senators Tinsman, Black and Deluhery. The group was visiting Iowa through the Iowa International Fellows Program sponsored by the Iowa Peace Institute and the Iowa Council for International Understanding in partnership with the Stanley Foundation.

MOTIONS TO RECONSIDER

(Filed March 2, 1995)

MR. PRESIDENT: I move to reconsider the vote by which House File 2 failed to pass the Senate on March 2, 1995.

JIM LIND

ALSO:

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3089 to House File 2 failed to be adopted by the Senate on March 2, 1995.

JIM LIND

STUDY BILLS RECEIVED

SSB 230 State Government

Relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system.

SSB 231 State Government

Creating a commission of Asian-Pacific persons within the department of human rights.

SSB 232 State Government

Changing the number of state employees required to activate automatic payroll deduction for payment of professional or trade association dues or fees.

SSB 233 Human Resources

Relating to the defining of "surgery" for the purposes of the health-related professions chapter of the Code by specifying procedures, services, and treatments considered to be "surgery" and by providing for expansion of the definition through rulemaking procedures utilized by the board of medical examiners.

SSB 234 State Government

Relating to publishing notice of outdated unpaid state warrants.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	245	Commerce
S.F.	246	State Government
S.F.	249	Appropriations
S.F.	250	State Government
S.F.	251	State Government

INTRODUCTION OF BILL

Senate File 252, by Hedge, a bill for an act setting the state percent of growth for the school foundation aid program if not done so by the general assembly and disallowing per diem for the general assembly for a certain period for failure to do so and providing effective and applicability date provisions.

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

AMENDMENTS FILED

S-3096 S.F. 173 Dennis H. Black

S—3097	S.F.	232	Richard F. Drake
S—3098	S.F.	174	Robert Dvorsky
S—3099	S.F.	204	Merlin E. Bartz
			Brad Banks
			Wilmer Rensink
			Andy McKean

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 2:12 p.m., until 9:00 a.m., Tuesday, March 7, 1995.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 7, 1995

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

Prayer was offered by the Reverend Rose Marie Lewis, pastor of the St. John's Lutheran Church, Mitchell County, Iowa.

The Journal of Monday, March 6, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 253, by Bartz, a bill for an act relating to motor vehicle accident reports.

Read first time and passed on file.

Senate File 254, by Zieman, Rittmer, Borlaug, Sorensen, Freeman, Bartz, Priebe, and McKean, a bill for an act providing that the sheriff may charge for room and board provided to county prisoners and providing for the creation and filing of a room and board reimbursement lien.

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 9:16 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:40 a.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 255, by committee on Agriculture, a bill for an act relating to the administration of the department of agriculture and land stewardship, providing for moneys previously appropriated to the department, and providing an effective date.

Read first time and placed on calendar.

Senate File 256, by committee on Agriculture, a bill for an act providing for notification of the application of pesticides.

Read first time and placed on calendar.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****SENATE APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: March 6, 1995, 3:50 p.m.

Members Present: Judge, Chair; Sorensen, Vice Chair and Bartz, Ranking Member.

Members Absent: Horn and Lundby (both excused).

Committee Business: Discussed budget.

Adjourned: 5:25 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 6, 1995, 3:40 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Reviewed appropriations bill.

Adjourned: 5:00 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 6, 1995, 3:40 p.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Presentation by the Legislative Fiscal Bureau on the health and human rights appropriations general fund appropriations, and the proposed House appropriations subcommittee on health and human rights bill.

Adjourned: 4:20 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 6, 1995, 4:02 p.m.

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

Members Absent: Deluhery.

Committee Business: Discussed proposed budget bill (LSB 1988).

Adjourned: 5:10 p.m.

AGRICULTURE

Convened: March 6, 1995, 2:15 p.m.

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

Members Absent: none.

Committee Business: Approved LSBs 2344 and 1955 as committee bills.

Adjourned: 2:19 p.m.

JUDICIARY

Convened: March 6, 1995, 2:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: Hansen (excused).

Committee Business: Approved SSBs 120 and 189 as committee bills.

Adjourned: 3:05 p.m.

STUDY BILLS RECEIVED

SSB 235 State Government

Authorizing governmental units to enter into guaranteed energy cost savings contracts.

SSB 236 Education

Establishing an environmental education program in the state of Iowa and making an appropriation.

SSB 237 Education

Relating to the establishment of an education technology purchasing pool, an education technology loan program, and providing intent language relating to a mobile unit to instruct elementary and secondary teachers in education technology.

SSB 238 Education

Relating to state aid to school districts by eliminating the provision that limits the state aid appropriation for the instructional support program and appropriating additional state aid to school districts based upon the number of at-risk pupils enrolled in the school district and based upon the school districts' transportation costs per pupil, and providing effective and applicability date provisions.

SSB 239 Education

Extending the periods in which a school or school district may apply to the department of education to waive the requirement that the school or school district provide an articulated sequential elementary-secondary guidance program and the requirement that the school or school district provide a media services program.

SSB 240 Education

Relating to child development assistance.

SSB 241 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 242 Judiciary

Establishing economic and other penalties for certain criminal activity.

SSB 243 Judiciary

Relating to the possession or use of alcohol while operating a motor vehicle by requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, excluding the revocation from application of certain motor vehicle financial responsibility requirements, providing for minimum periods of license revocation, providing a scheduled fine for possession of an open alcohol container while operating a motor vehicle, and other related matters.

SSB 244 Judiciary

Relating to establishing a presumption against joint custody in marriage dissolution proceedings where a finding of domestic abuse is made by the court.

SSB 245 Judiciary

Relating to prohibiting a polygraph examination of a victim of sexual abuse as a precondition to an investigation by a law enforcement agency.

SSB 246 Judiciary

Relating to domestic abuse by requiring a mandatory six-month jail sentence for third or subsequent offense domestic abuse assaults and for domestic abusers who are resistive or disruptive to batterers' treatment programs, and authorizing the setoff of claims owed to person by a judicial district department of correctional services.

SSB 247 Judiciary

Relating to limited liability companies.

SSB 248 Judiciary

Relating to juvenile justice, including providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, eliminating the notice required for students before certain locker searches, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, and enhancing or establishing penalties.

SSB 249 Judiciary

Prohibiting the release of certain forcible felons on parole or work release, and limiting the reduction of sentence for certain forcible felons based upon good conduct.

SSB 250 Judiciary

Relating to creating the offense of disarming a police officer and establishing penalties.

SSB 251 Judiciary

Prohibiting an insurance company or agent from marketing or selling insurance coverage which involves no risk to the insured person and making penalties applicable.

SSB 252 Judiciary

Creating a statewide protective order registry.

SSB 253 Judiciary

Relating to procedures regulating reproductive technologies and surrogacy arrangements.

SSB 254 Local Government

To increase the fee for the transfer of property in county transfer records.

SSB 255 Local Government

Relating to the tax levy for cemeteries not owned by the township.

SSB 256 Transportation

Relating to tinted windows and making a penalty applicable.

SSB 257 Commerce

Relating to modification of electric service areas for city owned and operated electric utilities due to annexation.

SSB 258 Commerce

Relating to patient access to health care providers authorized to utilize differential diagnosis and physical examinations to determine human ailments.

SSB 259 Commerce

Relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing fees and use of those fees, and providing penalties.

SSB 260 Education

Relating to school finances by establishing a formula for determining the state percent of growth for purposes of the state school foundation program, increasing the regular program district cost guarantee for the school budget year commencing July 1, 1995, making an appropriation, and by transferring Iowa educational excellence program phase III moneys to phase II and providing effective and applicability date provisions.

SSB 261 Commerce

Relating to the payment of patronage dividends by cooperative associations which are public utilities.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 18**

APPROPRIATIONS: Boswell, Chair; Judge and Lind

Senate Joint Resolution 14

STATE GOVERNMENT: Gronstal, Chair; Halvorson and Lundby

Senate Joint Resolution 15

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 143

WAYS AND MEANS: Priebe, Chair; Freeman and Murphy

Senate File 144

WAYS AND MEANS: Priebe, Chair; Husak and McLaren

Senate File 172

APPROPRIATIONS: Murphy, Chair; Kibbie and Kramer

Senate File 182

EDUCATION: Kibbie, Chair; Fink and Rensink

Senate File 200

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Kibbie, Chair;
Freeman, Judge, Lundby and Priebe

Senate File 209

WAYS AND MEANS: Murphy, Chair; Bennett, Connolly, Drake and Neuhauser

Senate File 211

JUDICIARY: Boettger, Chair; Bisignano, Drake, Giannetto and Vilsack

Senate File 217

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and
Rittmer

Senate File 219

WAYS AND MEANS: Priebe, Chair; Connolly and Drake

Senate File 220

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

Senate File 222

JUDICIARY: Vilsack, Chair; Bartz, Drake, Fraise and Giannetto

Senate File 235

JUDICIARY: Vilsack, Chair; Drake, Fraise, Giannetto and Maddox

Senate File 238

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

Senate File 239

JUDICIARY: Vilsack, Chair; Bartz, Giannetto, Hansen and Maddox

Senate File 240

JUDICIARY: Fraise, Chair; Drake, Giannetto, McKean and Neuhauser

Senate File 241

JUDICIARY: Maddox, Chair; Fraise, Giannetto, McKean and Vilsack

Senate File 242

JUDICIARY: Hansen, Chair; Bartz, Giannetto, Redfern and Vilsack

Senate File 243

TRANSPORTATION: Rittmer, Chair; Black and Gettings

Senate File 244

HUMAN RESOURCES: Szymoniak, Chair; Hammond and Tinsman

Senate File 245

COMMERCE: Husak, Chair; Douglas and Flynn

Senate File 246

STATE GOVERNMENT: Connolly, Chair; Kibbie and Lind

Senate File 250

STATE GOVERNMENT: Connolly, Chair; Kibbie and Lind

Senate File 251

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

SSB 208

EDUCATION: Hammond, Chair; Deluhery and Redfern

SSB 230

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 231

STATE GOVERNMENT: Gronstal, Chair; Halvorson and Lundby

SSB 232

STATE GOVERNMENT: Giannetto, Chair; Connolly, and Drake

SSB 233

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Vilsack

SSB 234

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 235

STATE GOVERNMENT: Fink, Chair; Gronstal and Lundby

SSB 236

EDUCATION: Fink, Chair; Connolly and Redfern

SSB 237

EDUCATION: Dvorsky, Chair; Connolly and Redfern

SSB 238

EDUCATION: Connolly, Chair; Lind and Murphy

SSB 239

EDUCATION: Murphy, Chair; Deluhery and Rensink

SSB 240

EDUCATION: Neuhauser, Chair; Connolly, Hammond, Kramer and Redfern

SSB 241

APPROPRIATIONS: Kibbie, Chair; Dvorsky, Kramer, Lind and Murphy

SSB 242

JUDICIARY: Giannetto, Chair; Fraise, McKean, Redfern and Vilsack

SSB 243

JUDICIARY: McKean, Chair; Fraise, Giannetto, Halvorson and Vilsack.

SSB 244

JUDICIARY: Neuhauser, Chair; Bartz, Hammond, Maddox and Vilsack

SSB 245

JUDICIARY: Hammond, Chair; Boettger, Drake, Giannetto and Vilsack

SSB 246

JUDICIARY: Szymoniak, Chair; Bartz, Giannetto, Hammond and Maddox

SSB 247

JUDICIARY: Bartz, Chair; Giannetto, Neuhauser, Redfern and Vilsack

SSB 248

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Maddox and Vilsack

SSB 249

JUDICIARY: Giannetto, Chair; Fraise, Maddox, McKean and Vilsack

SSB 250

JUDICIARY: Fraise, Chair; Boettger, Giannetto, Redfern and Vilsack

SSB 251

JUDICIARY: Vilsack, Chair; Boettger, Fraise, Giannetto and Maddox

SSB 252

JUDICIARY: Szymoniak, Chair; Bartz, Boettger, Hammond and Neuhauser

SSB 253

JUDICIARY: Hammond, Chair; Bartz, Boettger, Giannetto and Neuhauser

SSB 254

LOCAL GOVERNMENT: Halvorson, Chair; Black and Maddox

SSB 255

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

SSB 256

TRANSPORTATION: Lind, Chair; Dearden and Gettings

SSB 257

COMMERCE: Flynn, Chair; Douglas and Husak

SSB 258

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

SSB 259

COMMERCE: Hansen, Chair; Deluhery and Hedge

SSB 260

EDUCATION: Connolly, Chair; Kibbie and Redfern

SSB 261

COMMERCE: Deluhery, Chair; Douglas and Priebe

BILLS ASSIGNED TO COMMITTEE

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

S. F.	252	Education
S. F.	253	Transportation
S. F.	254	Judiciary

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 255 (LSB 1955), a bill for an act relating to the administration of the department of agriculture and land stewardship, providing for moneys previously appropriated to the department, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Judge, Bartz, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 256 (LSB 2344), a bill for an act providing for notification of pesticides.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Priebe, Judge, Bartz, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: *SENATE FILE 266 (SSB 241), 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, 15: Murphy, Boswell, Bisignano, Black, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Neuhauser and Vilsack. Nays, 8: Lind, Borlaug, Douglas, Iverson, Kramer, McLaren, Rensink and Tinsman. Absent or not voting, 2: Banks and Bartz.

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.

EDUCATION

Final Bill Action: SENATE JOINT RESOLUTION 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa abolishing the perpetual school support fund.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, 2: Kramer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 263 (SSB 184), a bill for an act requiring licensure of hospice programs and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 264 (SSB 48), a bill for an act requiring protective headgear for bicyclists and creating a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Szymoniak, Hammond, Boettger, Dvorksy, Kramer, Neuhauser and Tinsman. Nays, 3: Bartz, Hansen 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 Human Resources Committee on Senate File 264 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 257 (SSB 189), a bill for an act relating to public access to court records and providing for the Act's applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Giannetto, Vilsack, Bisignano, Fraise, Halvorson, Hammond, Neuhauser and Szymoniak. Nays, 6: McKean, Bartz, Boettger, Drake, Maddox and Redfern. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 258 (SSB 120), a bill for an act relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Giannetto, Vilsack, Bartz, Bisignano, Drake, Fraise, Halvorson, Hammond, Neuhauser and Szymoniak. Nays, 4: McKean, Boettger, Maddox and Redfern. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 194, a bill for an act relating to the use of a perpetual care and maintenance guarantee fund.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge and Ziemann. Nays, 2: McKean and Rittmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 259 (SSB 102), a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 3: Connolly, Drake and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 260 (SSB 152), a bill for an act relating to the certification of plumbers and heat, ventilation, and air conditioning professionals, and establishing fees and penalties, and providing for the use of such fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Bisignano, Dearden, Fink, Giannetto, Halvorson, Lundby and Sorensen. Nays, 3: Rittmer, Bennett and Lind. Absent or not voting, 3: Connolly, Drake and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 261 (SSB 170), a bill for an act relating to cost of play and value of prizes of games of skill and games of chance conducted at amusement concessions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Kibbie, Rittmer, Bisignano, Dearden, Fink, Giannetto, Lind, Lundby and Sorensen. Nays, 2: Bennett and Halvorson. Absent or not voting, 3: Connolly, Drake and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 257, by committee on Judiciary, a bill for an act relating to public access to court records and providing for the Act's applicability.

Read first time under Rule 28 and placed on calendar.

Senate File 258, by committee on Judiciary, a bill for an act relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records.

Read first time under Rule 28 and placed on calendar.

Senate File 259, by committee on State Government, a bill for an act relating to the practice of mortuary science, cremation, and licensing of funeral establishments and providing penalties.

Read first time under Rule 28 and placed on calendar.

Senate File 260, by committee on State Government, a bill for an act relating to the certification of plumbers and heat, ventilation, and air conditioning professionals, and establishing fees and penalties, and providing for the use of such fees.

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

Senate File 261, by committee on State Government, a bill for an act relating to cost of play and value of prizes of games of skill and games of chance conducted at amusement concessions.

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

Senate File 262, by Boswell, a bill for an act relating to establishing county economic development entities and providing tax credits.

Read first time under Rule 28 and assigned to the committee on **Small Business, Economic Development, and Tourism**

Senate File 263, by committee on Human Resources, a bill for an act requiring licensure of hospice programs and providing a penalty.

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

Senate File 264, by committee on Human Resources, a bill for an act requiring protective headgear for bicyclists, creating a bicycle safety fund, providing an effective date, and creating a penalty.

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

Senate File 265, by Gronstal, Deluhery, Lundby, and Redfern, a bill for an act relating to the electricity purchase or wheeling requirements for alternate energy production and small hydro facilities and providing an effective date.

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

Senate File 266, 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-3100	S.F.	233	Mike Connolly Richard F. Drake
S-3101	S.F.	140	Steven D. Hansen

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:42 a.m., until 9:00 a.m., Wednesday, March 8, 1995.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 8, 1995

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

Prayer was offered by the Reverend Ken Rummer, pastor of the First Presbyterian Church, Corning, Iowa.

The Journal of Tuesday, March 7, 1995, 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 March 7, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 253, a bill for an act relating to the transfer of lottery revenues to the general fund of the state and appropriating lottery revenues for purposes of the state fair and county fairs, and providing an effective date.

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

INTRODUCTION OF BILL

Senate File 267, by Giannetto, a bill for an act relating to drug testing of certain employees and prospective employees, and making penalties applicable.

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

MOTIONS TO RECONSIDER WITHDRAWN

House File 2

Senator Lind withdrew his motion to reconsider House File 2, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, 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 an effective date and for the Act's applicability, and amendment S—3089 filed by him on March 2, 1995, and found on page 528 of the Senate Journal.

Senator Gronstal withdrew his motion to reconsider by him on House File 2, offered and deferred on March 2, 1995.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kramer until she arrives on request of Senator Lind.

UNFINISHED BUSINESS (Deferred March 6, 1995)

Senate File 204

The Senate resumed consideration of Senate File 204, a bill for an act relating to the hours for sale of alcoholic beverages on Sundays, deferred March 6, 1995.

Senator Bartz offered amendment S—3099 filed by Senators Bartz, et al., on March 6, 1995, to pages 1 and 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3099 be adopted?" (S.F. 204) the vote was:

Ayes, 17:

Banks	Bartz	Boettger	Borlaug
Boswell	Douglas	Drake	Freeman
Halvorson	Hedge	Jensen	McKean
McLaren	Priebe	Rensink	Sorensen
Zieman			

Nays, 31:

Bennett	Bisignano	Black	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Hammond	Hansen	Horn
Husak	Iverson	Judge	Kibbie
Lind	Lundby	Maddox	Neuhauser
Palmer	Redfern	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	

Absent or not voting, 2:

Kramer	Murphy
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Amendment S—3099 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. 204) the vote was:

Ayes, 32:

Bisignano	Black	Boettger	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Hammond	Hansen	Horn	Iverson
Judge	Kibbie	Lind	Lundby
Maddox	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rife
Rittmer	Szymoniak	Tinsman	Vilsack

Nays, 17:

Banks	Bartz	Bennett	Borlaug
Boswell	Douglas	Drake	Freeman
Giannetto	Halvorson	Hedge	Husak
Jensen	McKean	Rensink	Sorensen
Zieman			

Absent or not voting, 1:

Kramer

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 173

On motion of Senator Black, Senate File 173, a bill for an act relating to eggs and poultry by reorganizing the statutory provisions and providing for the administration of the Iowa egg council, assessments and refunds, and the repeal of certain sections, and providing an effective date, was taken up for consideration.

Senator Black offered amendment S—3096 filed by him on March 6, 1995, to pages 1 and 8 of the bill and moved its adoption.

Amendment S—3096 was adopted by a voice vote.

Senator Black asked and received unanimous consent that House File 179 be substituted for Senate File 173 as amended.

House File 179

On motion of Senator Black, House File 179, a bill for an act relating to eggs and poultry by reorganizing the statutory provisions and providing for the administration of the Iowa egg council, assessments and refunds, and the repeal of certain sections, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 179) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn

Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Kramer

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

Senator Black asked and received unanimous consent that Senate File 173 be withdrawn from further consideration of the Senate.

Senate File 206

On motion of Senator Hammond, Senate File 206, a bill for an act striking Code language that conflicts with federal work-study program requirements and language relating to unfunded programs administered by the college student aid commission, and repealing from the Code certain unfunded programs administered by the college student aid commission, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 206) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson

Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Kramer

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

Senate File 156

On motion of Senator Vilsack, Senate File 156, a bill for an act relating to corporate, franchise, and insurance premiums tax credits for entities investing in a qualified venture capital company and providing applicability provisions, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Vilsack offered amendment S—3078 filed by the committee on Ways and Means on February 28, 1995, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3078 was adopted by a voice vote.

Senator Vilsack offered amendment S—3083 filed by him on March 1, 1995, to pages 1-4 of the bill and moved its adoption.

Amendment S—3083 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. 156) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky

Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Halvorson	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

Borlaug	Connolly	Gronstal	Hammond
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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 156, 204 and 206** and **House File 179** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 268, by Gronstal, a bill for an act defining licensed marriage and family therapists as professionals for the purposes of organization as professional limited liability companies.

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

Senate File 269, by Judge, Bartz, and Dvorsky, a bill for an act relating to the licensure of physician assistants and coverage of services provided by licensed physician assistants and licensed advanced registered nurse practitioners under a policy, contract, or plan providing for health care coverage.

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

Senate File 270, by Bisignano, Giannetto, and Lind, a bill for an act relating to providing an abstract of a conviction for transportation of open alcoholic beverage containers to the state department of transportation and excluding the offense from the jurisdiction of the juvenile court.

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

Senate File 271, by committee on Commerce, a bill for an act relating to the authorization of a bank office where a state bank may maintain its management and bookkeeping functions.

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

Senate File 272, by committee on Commerce, a bill for an act relating to the validity of a notarial act by an officer, director, or shareholder of a corporation and providing for retroactive application.

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

RECESS

On motion of Senator Horn, the Senate recessed at 10:06 a.m., until 3:30 p.m.

APPENDIX**STUDY BILLS RECEIVED****SSB 262 Judiciary**

To permit the court to find a person in contempt for failure to pay restitution after the period of probation, work release, parole, or the person's sentence has ended.

SSB 263 Judiciary

Relating to consortium claims under comparable fault.

SSB 264 Judiciary

To require that certain forcible felons serve at least eighty-five percent of the sentence imposed.

SSB 265 Judiciary

Relating to the issuance of mutual protective orders and prohibiting the imposition of court costs associated with the filing of a domestic abuse action for contempt or for a domestic abuse assault.

SSB 266 Judiciary

Eliminating joint and several liability in comparative fault actions.

SSB 267 Judiciary

Relating to the exhibition of humans.

SSB 268 Judiciary

Relating to the rate of interest charged on court judgments and decrees.

SSB 269 Judiciary

To permit the imposition of a one-year jail term as part of the sentence of a person who is convicted of an aggravated misdemeanor or greater offense, providing for payment of costs by the state, and providing for partial payment by the offender if work release is permitted.

SSB 270 Judiciary

Relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date.

SSB 271 Judiciary

Relating to collection of delinquent restitution payments.

SSB 272 State Government

Relating to real estate appraisers and requiring certification.

SSB 273 State Government

Relating to the statutory duties of the office of secretary of state, auditor of state, and treasurer of state, and providing effective date and implementation provisions.

SSB 274 Business & Labor

Relating to the confidentiality of trade secrets concerning the occupational safety and health law and providing for immediate and retroactive applicability.

SSB 275 Ways & Means

Relating to the duties of the county treasurer and providing effective and applicability dates.

REPORTS OF COMMITTEE MEETINGS**APROPRIATIONS**

Convened: March 7, 1995, 3:35 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Banks and Bartz (both excused).

Committee Business: Approved SSB 241 as a committee bill; discussed and deferred action on Senate Concurrent Resolution 18.

Adjourned: 5:07 p.m.

COMMERCE

Convened: March 7, 1995, 2:35 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 75, 76, 107 and 134 as committee bills.

Adjourned: 2:35 p.m.

EDUCATION

Convened: March 7, 1995, 1:37 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and recommended passage of Senate Joint Resolution 13.

Adjourned: 1:59 p.m.

HUMAN RESOURCES

Convened: March 7, 1995, 11:20 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSB 184 as a committee bill; amended and approved SSB 48 as a committee bill.

Adjourned: 12:03 p.m.

LOCAL GOVERNMENT

Convened: March 7, 1995, 2:36 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved Senate File 191 as a committee bill; recommended passage of Senate File 194; deferred action on SSBs 167 and 160.

Adjourned: 3:17 p.m.

STATE GOVERNMENT

Convened: March 7, 1995, 11:23 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen.

Members Absent: Connolly (excused), Drake and McLaren.

Committee Business: Assigned bills to subcommittees; approved SSBs 102, 152 and 170 as committee bills.

Adjourned: 11:28 a.m.

WAYS AND MEANS

Convened: March 7, 1995, 10:48 a.m.

Members Present: Palmer, Chair; Bennett, Ranking Member; Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: Husak, Vice Chair and Connolly (both excused).

Committee Business: Assigned bills to subcommittees; presentation by the Iowa department of revenue on the franchising law situation.

Adjourned: 11:15 a.m.

RESOLUTION ENROLLED, SIGNED AND SENT TO SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State's office this 7th day of March, 1995:

Senate Joint Resolution 6.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Fifty eighth grade students from Dallas Center-Grimes Junior High School, Grimes, Iowa, accompanied by Bill Wineland. Senator Maddox.

Twelfth grade students from Woodward-Granger High School, Woodward, Iowa, accompanied by Steve Richardson. Senator Maddox.

SUBCOMMITTEE ASSIGNMENTS

Senate File 179

WAYS AND MEANS: Szymoniak, Chair; Connolly and McLaren

Senate File 215

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair; Kibbie and Lundby

Senate File 254

JUDICIARY: Bisignano, Chair; Giannetto, McKean, Redfern and Vilsack

Senate File 262

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

SSB 215

WAYS AND MEANS: Szymoniak, Chair; Bennett, Iverson, Neuhauser and Vilsack

SSB 262

JUDICIARY: Neuhauser, Chair; Bartz, Giannetto, Maddox and Vilsack

SSB 263

JUDICIARY: Vilsack, Chair; Fraise; Giannetto, McKean and Redfern

SSB 264

JUDICIARY: Hansen, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 265

JUDICIARY: Szymoniak, Chair; Bartz, Boettger, Hammond and Neuhauser

SSB 266

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, Maddox and Redfern

SSB 267

JUDICIARY: Neuhauser, Chair; Bartz, Drake, Giannetto and Vilsack

SSB 268

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, Maddox and Redfern

SSB 269

JUDICIARY: Giannetto, Chair; Fraise, Maddox, McKean and Vilsack

SSB 270

JUDICIARY: Hammond, Chair; Bartz, Giannetto, Redfern and Vilsack

SSB 271

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, Maddox and Redfern

SSB 272

STATE GOVERNMENT: Bisignano, Chair; Bennett and Sorensen

SSB 273

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 274

BUSINESS AND LABOR: Dearden, Chair; Freeman and Giannetto

COMMITTEE REPORTS**BUSINESS AND LABOR**

Final Bill Action: SENATE FILE 188, a bill for an act relating to restricting the granting of public financial assistance to employers who solicit or advertise for permanent replacement employees.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Dearden, Gettings, Connolly, Dvorsky, Giannetto and Hammond. Nays, 2: Freeman and Iverson. Absent or not voting, 2: Banks and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 285 (SSB 196), a bill for an act relating to asbestos removal by providing for accreditation of training programs and requiring training for certain asbestos abatement workers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8 Dearden, Gettings, Connolly, Dvorsky, Freeman, Giannetto and Hammond and Iverson. Nays, none. Absent or not voting, 2: Banks and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMITTEE REPORT**COMMERCE**

Final Bill Action: SENATE FILE 271 (SSB 76), a bill for an act relating to the authorization of a bank office where a state bank may maintain its management and bookkeeping functions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 272 (SSB 107), a bill for an act relating to the validity of a notarial act by an officer, director, or shareholder of a corporation and providing for retroactive application.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 273 (SSB 134), a bill for an act relating to the administration of trusts and estates by corporate fiduciaries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 274 (SSB 75), a bill for an act relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 280 (formerly Senate File 191), a bill for an act authorizing townships to provide emergency medical services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 213, a bill for an act relating to handicapped parking and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Connolly, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, 1: Dearden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 283 (SSB 97), a bill for an act relating to the operation of all-terrain vehicles and snowmobiles on roads and applying penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

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

INTRODUCTION OF RESOLUTION

Senate Resolution 11, by Kibbie, Gettings, and Hansen, a resolution urging John Morrell and Company to honor its commitment to provide health care coverage to its retirees and their families.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 273, by committee on Commerce, a bill for an act relating to the administration of trusts and estates by corporate fiduciaries.

Read first time and placed on calendar.

Senate File 274, by committee on Commerce, a bill for an act relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

Read first time and placed on calendar.

Senate File 275, by Hammond and Drake, a bill for an act relating to the commitment of sexually violent predators to department of corrections' facilities.

Read first time and passed on file.

Senate File 276, by Hammond and Sorensen, a bill for an act relating to the appointment of guardians and conservators including providing for published notice of the proceedings and medical evaluation of the ward.

Read first time and passed on file.

Senate File 277, by Connolly, a bill for an act relating to the conduct of bingo games by qualified organizations and subjecting violators to an existing penalty.

Read first time and passed on file.

Senate File 278, by Black, a bill for an act providing that animals classified as ostriches, rheas, and emus are considered livestock.

Read first time and passed on file.

Senate File 279, by Dvorsky, a bill for an act making an appropriation for grants for independent living centers for persons with disabilities.

Read first time and passed on file.

Senate File 280, by committee on Local Government, a bill for an act authorizing townships to provide emergency medical services.

Read first time and placed on calendar.

Senate File 281, by Judge, a bill for an act relating to health care provider access under a managed care health plan or indemnity plan with a limited provider network.

Read first time and passed on file.

Senate File 282, by Fink, a bill for an act relating to child abuse investigations by prohibiting release of the identity of a reporter of child abuse.

Read first time and passed on file.

Senate File 283, by committee on Transportation, a bill for an act relating to the operation of all-terrain vehicles and snowmobiles on roads and applying penalties.

Read first time and placed on calendar.

Senate File 284, by Hansen, a bill for an act relating to the crime of forgery, by prohibiting the knowing possession of forged writings, including documents prescribed for entry into, stay, or employment in the United States, and providing penalties.

Read first time and passed on file.

Senate File 285, by committee on Business and Labor, a bill for an act relating to asbestos removal by providing for accreditation of training programs and requiring training for certain asbestos abatement workers.

Read first time and placed on calendar.

Senate File 286, by committee on Business and Labor, a bill for an act concerning workers' compensation by providing for the computing of gross weekly earnings for volunteer ambulance drivers, emergency medical technician trainees, and seasonal workers, and relating to judicial review of workers' compensation contested cases.

Read first time and placed on calendar.

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.	224	Transportation
S.F.	248	Appropriations
S.F.	264	Transportation

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	265	Natural Resources
S. F.	267	Business and Labor
S. F.	268	Commerce
S. F.	269	Human Resources
S. F.	270	Judiciary
S. F.	275	Judiciary
S. F.	276	Judiciary
S. F.	277	State Government
S. F.	278	Agriculture
S. F.	279	Appropriations
S. F.	281	Human Resources
S. F.	282	Human Resources
S. F.	284	Judiciary
S. R.	11	Business and Labor
H. F.	253	Appropriations

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: SENATE FILE 286 (SSB 127), a bill for an act concerning workers' compensation by providing for the computing of gross weekly earnings for volunteer ambulance drivers, emergency medical technician trainees, and seasonal workers, and relating to judicial review of workers' compensation contested cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Dearden, Gettings, Connolly, Dvorsky, Freeman, Giannetto, Hammond and Iverson. Nays, none. Absent or not voting, 2: Banks and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 215, a bill for an act relating to agricultural management account moneys and county grants for private rural water well, testing, sealing, and closure.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Rensink and Sorensen. Nays, none. Pass, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 30, a bill for an act relating to the fee for a combined hunting and fishing license and providing an effective date and applicability provision.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Fink, Black, Lundby, Banks, Borlaug, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 287, by Bartz, Borlaug, Banks, Zieman, Rensink, and Boettger, a bill for an act relating to jury instructions.

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

Senate File 288, by Redfern and McKean, a bill for an act to provide for life imprisonment for persons convicted of certain offenses.

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

AMENDMENTS FILED

S—3102	S. F.	207	Michael E. Gronstal
S—3103	H. F.	132	Johnie Hammond
S—3104	S. F.	266	John P. Kibbie

S-3105	S.F.	228	Dennis Black
S-3106	S.F.	208	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:51 p.m., until 9:00 a.m., Thursday, March 9, 1995.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 9, 1995

The Senate met in regular session at 9:07 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 Wednesday, March 8, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 289, by Maddox, a bill for an act relating to the disbursement of child support payments made to the clerk of court or to the collection services center and providing penalties and effective dates.

Read first time and passed on file.

Senate File 290, by committee on Transportation, a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing an effective date.

Read first time and placed on calendar.

Senate File 291, by committee on Transportation, a bill for an act relating to issuance of motor vehicle licenses by county treasurers and providing moneys to the counties for implementation of the Act.

Read first time and placed on calendar.

Senate File 292, by committee on Natural Resources, Environment and Energy, a bill for an act relating to the powers and duties of the department of natural resources by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas.

Read first time and placed on calendar.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 9:56 a.m., President Boswell presiding.

QUORUM CALL

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

The vote revealed 32 present, 18 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 234

On motion of Senator Black, Senate File 234, a bill for an act relating to the powers and duties of the department of natural resources by amending procedures for issuing and establishing fees for scientific collector's licenses or permits, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 234) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Gettings Sorensen

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

Senate File 207

On motion of Senator Connolly, Senate File 207, a bill for an act relating to the distribution and sale of beer, providing for the regulation of brewer and wholesaler agreements, prohibiting certain conduct, providing for the transfer of business assets, providing judicial remedies, specifying applicability, and providing for other properly related matters, was taken up for consideration.

Senator Gronstal offered amendment S—3102 filed by him on March 8, 1995, to pages 3 and 11 of the bill and moved its adoption.

Amendment S—3102 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. 207) the vote was:

Ayes, 47:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson.	Hammond	Hansen	Hedge

Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Banks	Rensink	Sorensen
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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 10:08 a.m. until the fall of the gavel.

The Senate resumed session at 10:32 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 8, 1995, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 15, a concurrent resolution requesting that the Congress of the United States direct the Health Care Financing Administration to establish a national policy no later than July 1, 1995, for Medicare reimbursement of telemedicine services (S—3109).

ALSO: That the House has on March 8, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 117, a bill for an act relating to cost of play and value of prizes of games of skill and games of chance conducted at amusement concessions.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 293, by committee on Judiciary, a bill for an act

relating to providing for a five-year minimum prison term for a person who uses a dangerous weapon in the commission of a forcible felony.

Read first time and placed on calendar.

Senate File 294, by Fink, a bill for an act relating to the amount of instructional support state aid and providing effective and applicability date provisions.

Read first time and passed on file.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 160

On motion of Senator Vilsack, Senate File 160, a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Borlaug offered amendment S—3108 filed by him from the floor to pages 1 and 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3108 be adopted?" (S.F. 160) the vote was:

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

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Maddox	Murphy	Neuhauser	Palmer
Priebe	Sorensen	Szymoniak	Vilsack

Amendment S—3108 lost.

Senator Borlaug offered amendment S—3107 filed by him from the floor to pages 6 and 8 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3107 be adopted?” (S.F. 160) the vote was:

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

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Priebe

Amendment S—3107 lost.

The Senate stood at ease at 10:55 a.m. until the fall of the gavel.

The Senate resumed session at 11:00 a.m., President Boswell presiding.

Senator Bartz offered amendment S—3084 filed by him on March 1, 1995, to pages 1, 4 and 9 of the bill.

Senator Bartz offered amendment S—3110 filed by Senators Bartz and Bisignano from the floor to amendment S—3084 and moved its adoption.

Amendment S—3110 was adopted by a voice vote.

Senator Vilsack raised the point of order that amendment S—3084 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3084 as amended out of order.

Senator Rife asked and received unanimous consent that action on **Senate File 160** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 207 and 234** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:20 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

SENATE APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/ NATURAL RESOURCES

Convened: March 8, 1995, 5:00 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member and Bennett.

Members Absent: Gettings.

Committee Business: Reviewed appropriations bill.

Adjourned: 6:45 p.m.

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 8, 1995, 7:43 a.m.

Members Present: Flynn, Chair; Giannetto, Vice Chair; Rensink, Ranking Member; Boettger and Dearden.

Members Absent: none.

Committee Business: Passed to full Appropriations federal block grant bill HSB 106. Senate committee members did not approve the House committee bill as amended but did approve the total budget target funding. Bill was passed to full Appropriations.

Adjourned: 8:45 a.m.

BUSINESS AND LABOR

Convened: March 8, 1995, 11:12 a.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Connolly, Dvorsky, Giannetto, Hammond and Iverson.

Members Absent: Banks and Maddox (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 188; approved SSBs 127 and 196 as committee bills.

Adjourned: 11:30 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 8, 1995, 1:45 p.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: none.

Committee Business: Assigned a bill to subcommittee; presentation by the deputy director of DED.

Adjourned: 2:35 p.m.

ETHICS

Convened: March 8, 1995, 1:40 p.m.

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

Members Absent: none.

Committee Business: Discussed and deferred action on SSB 175.

Adjourned: 2:25 p.m.

JUDICIARY

Convened: March 8, 1995, 2:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Presentation by the assistant attorney general on the attorney general's bill on economic remedies act legislation; amended and approved SSBs 42 and 129 as committee bills.

Adjourned: 3:45 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 8, 1995, 2:37 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 30 and Senate File 215; approved SSB 214 as a committee bill.

Adjourned: 2:54 p.m.

TRANSPORTATION

Convened: March 8, 1995, 10:15 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business: Approved SSBs 56, 176, 150 and 97 as committee bills; recommended passage of Senate File 213.

Adjourned: 10:57 a.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Sarah Anfinson, Pierson; Neil Bubke, Holstein; Cory Claussen, Ricketts and Jessica Miller, Denison: For receiving Norwest Bank Community Scholarship. Senator Bennett (3-2-95).

Coon Rapids Bayard's Readers Theatre — For receiving the Critic's Choice Award "Best in the State". Senator Douglas (2-23-95).

Travis Brant, Truro — For winning the 1995 Class 1-A 103 lb. division of the State Wrestling Tournament. Senator Douglas (2-26-95).

Greg Breeding, Winterset — For winning the 1995 Class 2-A 135 lb. division of the State Wrestling Tournament. Senator Douglas (2-26-95).

Eric Hart, Coon Rapids-Bayard — For second place in the 1995 Class 1-A 125 lb. division of the State Wrestling Tournament. Senator Douglas (2-26-95).

Justin Jeffs, Winterset — For winning the 1995 Class 2-A 130 lb. division of the State Wrestling Tournament. Senator Douglas (2-26-95).

The Greenfield Area Jaycees - For being named the No. 1 Chapter in Iowa. Senator Douglas (2-22-95).

Katharine Freeman, Mount Vernon — For 1st Place in the "Write Women Back Into History" essay contest. Senator Dvorsky (3-1-95).

Karen Packer, Marshalltown — For being recognized as Coping Magazine's 1995 National Volunteer "Hero" of the year. Senator Giannetto (3-11-95).

Sabina McGee, Independence — For celebrating her 100th birthday. Senator Murphy (2-15-95).

Nick McGrane, Manchester — For achieving the rank of Eagle Scout. Senator Murphy (3-6-95).

Katie Greiman, Waterloo — For receiving the 1995 "Write Women Back Into History" Edith Sackett Memorial Award. Senator Redfern (3-1-95).

Edward E. Conwell, Jr., Burlington — For achieving the rank of Eagle Scout. Senator Vilsack (3-10-95).

Kevin Brainard, Jr., Chris Gunderson and Kory Staff, Monona — For achieving the rank of Eagle Scout. Senator Zieman (2-5-95).

PRESENTATION OF VISITORS

Thirty twelfth grade students from English Valleys High School, North English, accompanied by Brian Newel. Senator Husak.

Fifty-four fifth grade students from Howe Elementary School, Des Moines, accompanied by Lynn Schumann. Senator Bisignano.

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 9th day of March, 1995:

Senate File 114.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 276 Ways and Means

Increasing the amount of the personal exemption credits under the state's individual income tax and providing effective and applicability date provisions.

SSB 277 Human Resources

Relating to child support collection, including the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions.

SSB 278 Judiciary

Relating to a conference on domestic violence.

SSB 279 Judiciary

Relating to the issuance of nonprofessional permits to carry concealed weapons, providing exemptions from liability, and providing a conditional effective date.

SSB 280 Judiciary

To require that all inmates of the institutions under the control of the department of corrections perform hard labor.

SSB 281 Judiciary

Related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, providing for public dissemination of registry information, and providing penalties.

SSB 282 State Government

Relating to the exemption of the statewide notification center and its vendors from sales, services, and use taxes and providing for the Act's effectiveness and retroactive applicability.

SSB 283 Commerce

Relating to patient access through managed care plans or indemnity plans with limited provider networks to health care providers authorized to utilize differential diagnosis and physical examinations to determine human ailments.

SSB 284 Commerce

Relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance.

SSB 285 Commerce

Relating to prohibiting certain restrictive covenants on real property relating to the installation or construction of an antennae.

SSB 286 Commerce

Relating to abandoned property subject to control by the treasurer of state.

SSB 287 Commerce

Relating to construction contractors by imposing penalties, regulating home improvement contractors by requiring a bond, and providing consumer remedies, and providing an effective date.

SSB 288 Commerce

Relating to construction mortgage liens.

SSB 289 Education

Relating to state assistance for schools, including the purchase of textbooks for public school and nonpublic school pupils, including the creation of a special textbook reserve within the school district's general fund, making an appropriation, and providing effective and applicability dates, and providing for a one hundred one percent budget guarantee for school districts.

SSB 290 Judiciary

Relating to open-end credit pursuant to a credit card, including the permissible over-limit or delinquency charges, the offering of credit unemployment insurance, and the time requirements for making certain payments.

SSB 291 Judiciary

Requiring mediation prior to the granting of a deferred judgment for certain nonviolent offenses.

SSB 292 Judiciary

Relating to the license reinstatement fee by establishing an administrative fee and providing for the use of the fee.

SSB 293 Judiciary

Creating the offense of theft of video rental property and establishing a penalty.

SSB 294 Human Resources

Relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers.

SSB 295 Human Resources

Relating to the establishment of an assisted living program within the department of elder affairs and providing penalties.

SSB 296 Human Resources

Relating to the establishment of practitioner review committees for the purposes of evaluating and monitoring practitioners who self-report physical or mental impairments.

SSB 297 Human Resources

Relating to the statute of limitations for minors.

SSB 298 Appropriations

Relating to and making appropriations to the department of justice, governor's substance abuse prevention coordinator, office of consumer advocate, board of parole, department of corrections,

judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for administration, the division of criminal investigation and bureau of identification, the division of narcotics enforcement, for undercover purchases, and for the state's fire marshal's office, of the department of public safety for the fiscal year beginning July 1, 1995, and providing effective dates.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 10

APPROPRIATIONS: Bisignano, Chair; Black and Douglas

Senate Resolution 11

BUSINESS AND LABOR: Gettings, Chair; Hammond and Maddox

Senate File 248

APPROPRIATIONS: Dvorsky, Chair; Flynn, Judge, Kramer and McLaren

Senate File 249

APPROPRIATIONS: Murphy, Chair; Banks and Black

Senate File 252

EDUCATION: Fink, Chair; Murphy and Rensink

Senate File 253

TRANSPORTATION: Fink, Chair; Connolly and Drake

Senate File 268

COMMERCE: Hansen, Chair; Gronstal and Lundby

Senate File 269

HUMAN RESOURCES: Kramer, Chair; Hansen and Szymoniak

Senate File 275

JUDICIARY: Hammond, Chair; Drake, Giannetto, McKean and Vilsack

Senate File 276

JUDICIARY: Hammond, Chair; Giannetto, McKean, Redfern and Vilsack

Senate File 277

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

Senate File 281

HUMAN RESOURCES: Bartz, Chair; Hammond and Hansen

Senate File 282

HUMAN RESOURCES: Dvorsky, Chair; Bartz and Hansen

Senate File 284

JUDICIARY: Hansen, Chair; Bisignano, Boettger, Giannetto and Maddox

House File 189

APPROPRIATIONS: Murphy, Chair; Dvorsky and Lind

SSB 277

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Dvorsky

SSB 278

JUDICIARY: Szymoniak, Chair; Bartz, Boettger, Hammond and Neuhauser

SSB 279

JUDICIARY: Fraise, Chair; Bartz, Drake, Giannetto and Vilsack

SSB 280

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, McKean and Vilsack

SSB 281

JUDICIARY: Bisignano, Chair; Giannetto, Maddox, McKean and Vilsack

SSB 282

STATE GOVERNMENT: Halvorson, Chair; Rittmer and Sorensen

SSB 283

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

SSB 284

COMMERCE: Palmer, Chair; Husak and Redfern

SSB 285

COMMERCE: Gettings, Chair; Deluhery and Freeman

SSB 286

COMMERCE: Deluhery, Chair; Hansen and Jensen

SSB 287

COMMERCE: Deluhery, Chair; Hansen and Redfern

SSB 288

COMMERCE: Deluhery, Chair; Hansen and Redfern

SSB 289

EDUCATION: Connolly, Chair; Kibbie and Redfern

SSB 290

JUDICIARY: Bisignano, Chair; Bartz, Giannetto, Maddox and Vilsack

SSB 291

JUDICIARY: Neuhauser, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 292

JUDICIARY: Vilsack, Chair; Drake, Giannetto, Maddox and Szymoniak

SSB 293

JUDICIARY: Maddox, Chair; Fraise, Giannetto, McKean and Vilsack

SSB 294

HUMAN RESOURCES: Vilsack, Chair; Szymoniak and Tinsman

SSB 295

HUMAN RESOURCES: Tinsman, Chair; Kramer and Szymoniak

SSB 296

HUMAN RESOURCES: Szymoniak, Chair; Bartz and Vilsack

SSB 297

HUMAN RESOURCES: Kramer, Chair; Szymoniak and Tinsman

SSB 298

APPROPRIATIONS: Fraise, Chair; Iverson and Murphy

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: *SENATE FILE 293 (SSB 42), a bill for an act relating to providing for a five-year minimum prison term for a person who uses a knife in the commission of a forcible felony.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Hansen, Maddox, Neuhauser and Redfern. Nays, 5: Bisignano, Fraise, Halvorson, Hammond and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 293 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 296 (SSB 129), a bill for an act relating to juvenile justice including the conditions under which a person under twenty-one years of age may consume alcoholic beverages in a home or on private property, providing for the automatic waiver of juveniles to adult court in certain circumstances, regarding the notification of schools by juvenile court officers of the taking into custody of a juvenile, and providing that the juvenile court may prohibit a juvenile from driving under certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 1: 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 296 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 292 (SSB 214), a bill for an act relating to the powers and duties of the department of natural resources by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 290 (SSB 150), a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 290 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 291 (SSB 56), a bill for an act relating to issuance of motor vehicle licenses by county treasurers and providing moneys to the counties for implementation of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gettings, Fraise, Black, Connolly, Dearden, Douglas, Fink and Halvorson. Nays, 4: Drake, Jensen, Lind and Rittmer.

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 291 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 298 (SSB 176), a bill for an act relating to weight restrictions for certain self-propelled machinery considered an implement of husbandry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gettings, Fraise, Black, Connolly, Dearden, Douglas, Fink, Jensen, Lind and Rittmer. Nays, 2: Drake and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:40 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 43 present, 7 absent and a quorum present.

The Senate stood at ease at 3:50 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 3:57 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 160

The Senate resumed consideration of Senate File 160, a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project, previously deferred.

Senator Iverson offered amendment S—3111 filed by him from the floor to page 2 of the bill.

Senator Vilsack offered amendment S—3113 filed by him from the floor to amendment S—3111 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3113 to amendment S—3111 be adopted?" (S.F. 160) the vote was:

Ayes, 27:

Bisignano
Dearden
Flynn
Gronstal

Black
Deluhery
Fraise
Halvorson

Boswell
Dvorsky
Gettings
Hammond

Connolly
Fink
Giannetto
Hansen

Horn
Murphy
Sorensen

Husak
Neuhauser
Szymoniak

Judge
Palmer
Vilsack

Kibbie
Priebe

Nays, 22:

Banks
Borlaug
Hedge
Lundby
Redfern
Tinsman

Bartz
Douglas
Iverson
Maddox
Rensink
Zieman

Bennett
Drake
Kramer
McKean
Rife

Boettger
Freeman
Lind
McLaren
Rittmer

Absent or not voting, 1:

Jensen

Amendment S—3113 was adopted.

Senator Iverson moved the adoption of amendment S—3111 as amended, which motion prevailed by a voice vote.

Senator Neuhauser offered amendment S—3112 filed by Senators Neuhauser and Vilsack from the floor to page 2 of the bill and moved its adoption.

Amendment S—3112 was adopted by a voice vote:

Senator Bartz offered amendment S—3116 filed by him from the floor to pages 1 and 9 of the bill.

(Action on amendment S—3116 and Senate File 160 was deferred.)

The Senate stood at ease at 4:15 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.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 22, by Giannetto, a concurrent resolution urging the Congress of the United States to allow retired members of the United States Armed Forces who have a service-connected disability to concurrently receive retired pay and disability compensation.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 295, by Szymoniak, a bill for an act relating to the taxation of sales of residential service contracts under the state sales, services, and use taxes.

Read first time and passed on file.

Senate File 296, by committee on Judiciary, a bill for an act relating to juvenile justice including the conditions under which a person under twenty-one years of age may consume alcoholic beverages in a home or on private property, providing for the automatic waiver of juveniles to adult court in certain circumstances, regarding the notification of schools by juvenile court officers of the taking into custody of a juvenile, and providing that the juvenile court may prohibit a juvenile from driving under certain circumstances.

Read first time and placed on calendar.

Senate File 297, by Hansen, a bill for an act establishing a microenterprise development Act.

Read first time and passed on file.

Senate File 298, by committee on Transportation, a bill for an act relating to implements of husbandry, concerning the definition of implements of husbandry and weight restrictions for certain implements of husbandry.

Read first time and placed on calendar.

Senate File 299, by Redfern, Lind, Banks, Bartz, Bennett, Bisignano, Black, Boettger, Borlaug, Boswell, Connolly, Dearden, Deluhery, Douglas, Drake, Freeman, Gettings, Giannetto, Gronstal, Hedge, Husak, Iverson, Jensen, Judge, Kibbie, Kramer, Lundby, Maddox, McKean, Murphy, Palmer, Priebe, Rensink, Rittmer, Sorensen, Szymoniak, Tinsman, Vilsack, and Ziemann, a bill for an act requiring the state board of regents to direct the institutions of higher learning under its control to schedule regular home-and-home competitions between the institutions' athletic teams.

Read first time and passed on file.

Senate File 300, by Deluhery, a bill for an act relating to the partial exemption 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 301, by Rife, a bill for an act relating to motorcycle education and providing an effective date and a retroactive applicability provision.

Read first time and passed on file.

Senate File 302, by Deluhery, a bill for an act relating to establishing an affordable housing program in the Iowa finance authority.

Read first time and passed on file.

Senate File 303, by Lind, a bill for an act defining residency for the purpose of purchasing a hunting, fishing, or fur harvester license.

Read first time and passed on file.

Senate File 304, by Tinsman and Szymoniak, a bill for an act relating to health care reform by establishing an income tax deduction, and providing an effective date and applicability provision.

Read first time and passed on file.

Senate File 305, by Deluhery, a bill for an act to require the state audit of certain intergovernmental entities.

Read first time and passed on file.

Senate File 306, by committee on State Government, a bill for an act authorizing governmental units to enter into guaranteed energy cost savings contracts.

Read first time and placed on calendar.

BUSINESS PENDING

Senate File 160

The Senate resumed consideration of Senate File 160, a bill for an act relating to establishing a local housing development program under the Iowa finance authority, authorizing the issuance of bonds to fund the program, and authorizing a city, county, or municipal housing agency to develop, own, and manage a local housing project, and amendment S—3116 by Senator Bartz to page 1 of the bill, previously deferred.

Senator Vilsack raised the point of order that amendment S—3116 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3116 out of order.

Senator Hedge offered amendment S—3115 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3115 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. 160) the vote was:

Ayes, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	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 Senate File 160 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 307, by committee on Human Resources, a bill for an act relating to public health by regulating tobacco sales and use and providing a penalty.

Read first time and placed on calendar.

Senate File 308, by Priebe, a bill for an act establishing a preference in the sale of nonresident hunting or fur harvester licenses to nonresidents who own land in this state.

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.	287	Judiciary
S.F.	288	Judiciary
S.F.	289	Human Resources
S.F.	294	Education
S.F.	295	Ways and Means
S.F.	297	Small Business, Econ. Dev. & Tourism
S.F.	299	State Government
S.F.	300	Ways and Means
S.F.	301	Transportation
S.F.	302	Small Business, Econ. Dev. & Tourism
S.F.	303	Natural Resources
S.F.	304	Ways and Means
S.F.	305	State Government
S.C.R.	22	State Government

PRESENTATION OF VISITORS

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

Forty-two fifth grade students from Lenox Elementary School, Lenox, Iowa. Senator Boswell.

COMPANION BILL RECEIVED

On March 9, 1995, **House File 117** was received and attached to companion **Senate File 261** on the Senate calendar.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 67, a bill for an act relating to requiring regulated utilities to maintain an office within the state.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe and Redfern. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 162, a bill for an act eliminating the minimum amount which must be borrowed under a home equity line of credit.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer and Priebe and Redfern. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 307 (SSB 149), a bill for an act relating to public health by regulating tobacco sales and use and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Dvorksy, Kramer, Neuhauser, Tinsman and Vilsack. Nays, 2: Bartz and Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 307 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 40, a bill for an act relating to exempting employees of the state fair authority from the state merit personnel system.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 64, a bill for an act relating to the sale price of alcoholic liquor by a class "E" liquor control licensee, and subjecting violators to criminal and civil penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kibbie, Bisignano, Connolly, Dearden, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, 4: Gronstal, Rittmer, Bennett and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 106, a bill for an act to provide disaster leave for certain state employees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3117.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 197, a bill for an act relating to the confidentiality of financial information provided to the department of agriculture and land stewardship and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 251, a bill for an act relating to the legal age for gambling, providing an effective date, and providing a retroactive applicability provision.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Lind, Lundby, McLaren and Sorensen. Nays, 2: Bennett and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 306 (SSB 235), a bill for an act authorizing governmental units to enter into guaranteed energy cost savings contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 309, by Tinsman, a bill for an act relating to the taxation of pensions for state individual income tax purposes and providing a retroactive applicability date provision.

Read first time under Rule 28 and passed on file.

AMENDMENTS FILED

S—3107	S.F.	160	Allen Borlaug
S—3108	S.F.	160	Allen Borlaug
S—3109	S. C. R.	15	House amendment
S—3110	S.F.	160	Merlin E. Bartz Tony Bisignano
S—3111	S.F.	160	Stewart E. Iverson, Jr.
S—3112	S.F.	160	Mary Neuhauser Tom Vilsack
S—3113	S.F.	160	Tom Vilsack
S—3114	S.F.	259	Albert Sorensen
S—3115	S.F.	160	H. Kay Hedge
S—3116	S.F.	160	Merlin E. Bartz
S—3117	S.F.	106	State Government

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:20 p.m., until 1:00 p.m., Monday, March 13, 1995.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 13, 1995

The Senate met in regular session at 1:17 p.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend Neil Solomonson, pastor of the Salem Lutheran Church, Andrew, Iowa.

The Journal of Thursday, March 9, 1995, 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 March 9, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 8, a concurrent resolution supporting the United Nations' recognition of the Republic of China on Taiwan.

This bill was read first time and passed on file.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 23, by Lind, a concurrent resolution urging support of public broadcasting in Iowa.

Read first time and passed on file.

Senate Concurrent Resolution 24, by Hammond, Drake, Gronstal, Connolly, Szymoniak, and Dvorsky, a concurrent resolution recognizing the Seventy-fifth Anniversary of the American Civil Liberties Union and the Sixtieth Anniversary of the Iowa Civil Liberties Union.

Read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 310, by Fink, a bill for an act relating to the requirements for a member to be eligible for benefits under the Iowa public employees' retirement system by defining the first month of entitlement, and providing effective and retroactive applicability date provisions.

Read first time and passed on file.

Senate File 311, by Tinsman, Kramer, Boettger, and Kibbie, a bill for an act relating to indicating a medical advance directive on a driver's license or nonoperator's identification card.

Read first time and passed on file.

Senate File 312, by Tinsman, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions.

Read first time and passed on file.

Senate File 313, by committee on State Government, a bill for an act relating to the relationship between a licensed real estate salesperson or broker and the parties to a transaction and providing an effective date.

Read first time and placed on calendar.

Senate File 314, by Fink, a bill for an act relating to enrollment in another district of an expelled or suspended student and providing an effective date.

Read first time and passed on file.

Senate File 315, by Tinsman and Sorensen, a bill for an act relating to mental health and developmental disabilities assistance by extending a moratorium on the number of intermediate care facility for the mentally retarded beds and requiring certain reporting activities of the state-county management committee, and providing an effective date.

Read first time and passed on file.

Senate File 316, by Fink, a bill for an act appropriating funds for staff development at the community colleges.

Read first time and passed on file.

Senate File 317, by Fink, a bill for an act relating to the establishment of special education weightings by the school budget review committee.

Read first time and passed on file.

Senate File 318, by Fink, a bill for an act relating to a budget guarantee under the state school foundation aid program for regular program district cost and special education support services district cost and providing an effective and applicability date provision.

Read first time and passed on file.

Senate File 319, by Bisignano, a bill for an act providing for access to founded and undetermined child abuse information.

Read first time and passed on file.

Senate File 320, by committee on Commerce, a bill for an act relating to the regulation of state banks and other financial institutions by the division of banking of the department of commerce.

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 43 present, 7 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lundby until she arrives on request of Senator Hedge and Senator Boswell for the day on request of Senator Horn.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senate File 266

On motion of Senator Kibbie, Senate File 266, 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.

(Action on Senate File 266 was deferred).

•SPECIAL GUEST

Senator Black introduced Roy Y. Y. Wu, Director General, Taipei Economic and Cultural Office in Chicago. Mr. Wu addressed the Senate with brief remarks, remembering his last visit when he presented a check from Taiwan for the flood relief program.

Mr. Wu's office has been instrumental in four procurement programs which have purchased over \$100 million in United States agriculture products. There are currently 700 students from Taiwan attending United States colleges and universities.

The Senate stood at ease at 1:50 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 2:45 p.m., President pro tempore Bisignano presiding.

The Senate stood at ease at 2:46 p.m. until the fall of the gavel.

The Senate resumed session at 2:59 p.m., President pro tempore Bisignano presiding.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

BUSINESS PENDING

Senate File 266

The Senate resumed consideration of Senate File 266, 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, previously deferred.

Senator Kramer offered amendment S—3121 filed by Senators Kramer, et al., from the floor to page 3 of the bill.

Senator Murphy raised the point of order that amendment S—3121 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3121 in order.

(Action on amendment S—3121 and Senate File 266 was deferred.)

The Senate stood at ease at 3:12 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:52 p.m., President pro tempore Bisignano 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.

CONFERENCE COMMITTEE REPORT RECEIVED

(Senate File 17)

A conference committee report signed by the following Senate and House members was filed March 13, 1995, on Senate File 17, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, 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 E. KRAMER
 JIM LIND
 MARY NEUHAUSER

On the Part of the House:

STEVE GRUBBS, Chair
 CHUCK GIPP
 DON GRIES
 C. ARTHUR OLLIE
 PHILIP WISE

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 17

Senate Connolly called up the conference committee report on Senate File 17, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions, filed on March 13, 1995, 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?" (S.F. 17) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Nays, 2:

Hedge Zieman

Absent or not voting, 1:

Boswell

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

Senator Horn asked and received unanimous consent that Senate File 17 be immediately messaged to the House.

BUSINESS PENDING

Senate File 266

The Senate resumed consideration of Senate File 266, 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 amendment S—3121 by Senators Kramer, et al., to page 3 of the bill, previously deferred.

Senator Kramer moved the adoption of amendment S—3121 and requested a record roll call.

On the question "Shall amendment S—3121 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, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 26:

Bisignano	Black	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn

Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Boswell

Amendment S—3121 lost.

Senator Lind offered amendment S—3122 filed by him from the floor to page 6 of the bill.

Senator Borlaug offered amendment S—3124 filed by Senators Borlaug, Hedge and Freeman from the floor to amendment S—3122 and moved its adoption.

Amendment S—3124 was adopted by a voice vote.

Senator Lind moved the adoption of amendment S—3122 as amended and requested a record roll call.

On the question "Shall amendment S—3122 as amended be adopted?" (S.F. 266) the vote was:

Ayes, 22:

Bennett	Black	Boettger	Borlaug
Connolly	Drake	Dvorsky	Halvorson
Hammond	Hansen	Iverson	Jensen
Kramer	Lind	Lundby	Maddox
Neuhauser	Redfern	Rife	Rittmer
Tinsman	Zieman		

Nays, 27:

Banks	Bartz	Bisignano	Dearden
Deluhery	Douglas	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Hedge	Horn	Husak
Judge	Kibbie	McKean	McLaren
Murphy	Palmer	Priebe	Rensink
Sorensen	Szymoniak	Vilsack	

Absent or not voting, 1:

Boswell

Amendment S—3122 lost.

Senator Connolly offered amendment S—3120 filed by him from the floor to page 22 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3120 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, 34:

Banks	Bartz	Bisignano	Boettger
Borlaug	Connolly	Dearden	Deluhery
Douglas	Drake	Flynn	Fraise
Freeman	Gettings	Giannetto	Halvorson
Hansen	Horn	Iverson	Jensen
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Priebe
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 14:

Bennett	Dvorsky	Fink	Gronstal
Hammond	Hedge	Husak	Judge
Kibbie	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 2:

Black	Boswell
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Amendment S—3120 was adopted.

Senator Kibbie offered amendment S—3104 filed by him on March 8, 1995, to page 23 of the bill and moved its adoption.

Amendment S—3104 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. 266) the vote was:

Ayes, 31:

Bartz	Bisignano	Black	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Lundby	Maddox	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Sorensen	Szymoniak	Vilsack	

Nays, 18:

Banks	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
McKean	McLaren	Rife	Rittmer
Tinsman	Zieman		

Absent or not voting, 1:

Boswell

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

Senator Horn asked and received unanimous consent that **Senate File 266** 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 13, 1995, adopted the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution 12, a joint resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a buffet dinner sponsored by the Des Moines Rotary Club and featuring the State Capitol restoration and providing an effective date.

INTRODUCTION OF BILLS

Senate File 321, by Hansen, a bill for an act relating to the election of officers of the general assembly.

Read first time and passed on file.

Senate File 322, by McKean, a bill for an act relating to the date of the primary election.

Read first time and passed on file.

Senate File 323, by Rife, a bill for an act relating to the expansion of the volunteer physician program to apply to charitable organizations.

Read first time and passed on file.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

SENATE APPROPRIATIONS ON AGRICULTURE AND NATURAL RESOURCES

Convened: March 9, 1995, 6:30 p.m.

Members Present: Black, Chair; Priebe, Vice Chair; Banks, Ranking Member; Bennett and Gettings.

Members Absent: none.

Committee Business: Final vote on appropriations bill.

Adjourned: 6:45 p.m.

SENATE APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 9, 1995, 1:05 p.m.

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

Members Absent: Deluhery (excused).

Committee Business: Discussed budget bill; adopted proposed spending figures.

Adjourned: 1:37 p.m.

COMMERCE

Convened: March 9, 1995, 2:35 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: Bisignano (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 213 as a committee bill; recommended passage of Senate Files 162 and 67.

Adjourned: 3:05 p.m.

EDUCATION

Convened: March 9, 1995, 1:51 p.m.

Members Present: Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Fink, Iverson, Kramer, Murphy, Rensink, Szymoniak and Tinsman.

Members Absent: Connolly, Chair; Dvorsky, Hammond, Lind and Neuhauser (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:53 p.m.

ETHICS

Convened: March 9, 1995, 1:05 p.m.

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

Members Absent: none.

Committee Business: Pending complaint.

Recessed: 2:13 p.m.

Reconvened: March 9, 1995, 3:50 p.m.

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

Members Absent: none.

Committee Business: Pending complaint.

Adjourned: 3:54 p.m.

HUMAN RESOURCES

Convened: March 9, 1995, 11:20 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Amended and approved SSB 149 as a committee bill; presentation by the DHS on mental retardation.

Adjourned: 12:01 p.m.

STATE GOVERNMENT

Convened: March 9, 1995, 11:25 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 161 as a committee bill; approved SSB 235 as a committee bill; recommended passage of Senate File 106 as amended; recommended passage of Senate Files 40, 64, 197 and 251.

Adjourned: 12:06 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Szymoniak from 104 residents of Polk County opposing reinstatement of the death penalty.

The following petitions favoring issuance of motor vehicle licenses by county treasurers were presented and placed on file by:

Senator Douglas from 18 residents of Guthrie County.
Senator Douglas from 99 residents of Madison County.
Senator Priebe from 272 residents of Wright County.
Senator Sorensen from 192 residents of Greene County.
Senator Zieman from 238 residents of Allamakee County.
Senator Zieman from 173 residents of Fayette County.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued certificates of recognition as follows:

Joe Melssen, Dubuque — For over 41 years of dedicated service on the Dubuque Fire Department. Senator Connolly (3-28-95).

The Jim Potter Family, Dubuque — For Jim's 20 years of faithful, loyal and dedicated service to the Dubuque Fire Department. Senator Connolly (3-28-95).

Gerald Steil, Dubuque — For over 29 years of dedicated service on the Dubuque Fire Department. Senator Connolly (3-28-95).

Rudy Vera, Dubuque — For over 28 years of dedicated service on the Dubuque Fire Department. Senator Connolly (3-28-95).

James Coonley, Sr., Hampton — For Iowa Commissioner's Award Excellence in Traffic Safety. Senator Iverson (3-13-95).

Rylan Vust, South Hamilton Community High School — For fourth place in the 171 lb. division of the State Wrestling Tournament. Senator Iverson (3-13-95).

Jesup High School Boys' Basketball Team — For going to the Boys' State high school basketball tournament. Senator Murphy (3-9-95).

Oelwein High School Boys' Basketball Team — For going to the Boys' State high school basketball tournament. Senator Murphy (3-9-95).

West Central High School Girls' Basketball Team — For going to the Girls' State high school basketball tournament. Senator Murphy (3-9-95).

West Central High School Boys' Basketball Team — For going to the Boys' State high school basketball tournament. Senator Murphy (3-9-95).

STUDY BILLS RECEIVED

SSB 277.1 Human Resources

Relating to child support collection, including the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions.

SSB 299 Judiciary

Relating to probate including the lien period for estates which have not been administered, the amount which may be passed to a minor without appointing a conservator, the distribution of an interstate estate to the parents, and special use trusts.

SSB 300 State Government

Relating to the waiver of certain state agency actions affecting city and county government.

SSB 301 Natural Resources

Providing for licensing requirements for certain commercial applicators of pesticides.

SSB 302 Natural Resources

Providing limited immunity for persons responding to oil spills.

SSB 303 Natural Resources

Relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

SSB 304 Local Government

Prohibiting a city with public safety employees under civil service from contracting with or granting a franchise to private contractors for those public safety jobs without a public referendum.

SSB 305 State Government

Relating to the merit system classification of employees of statewide elected officials.

SSB 306 State Government

Relating to the reimbursement of therapeutically certified optometrists under certain agreements or contracts providing for the payment of health care expenses.

SSB 307 Judiciary

Relating to the activities of clerks of the district court, and providing additional court fees.

SSB 308 Judiciary

Relating to juries and imposing penalties.

SSB 309 Judiciary

Relating to commutation of sentences of persons who have been sentenced to life imprisonment.

SSB 310 Judiciary

Relating to imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on scheduled fines and forfeitures, and providing for the appropriation and disposition of the proceeds from the civil penalty and from the surcharge for prisons and jails.

SSB 311 Judiciary

Relating to the crime of assault, by changing the elements of assault without intent but causing injury, creating the crimes of intentional assault causing injury and assault causing serious injury, and providing penalties.

SSB 312 Local Government

Relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other properly related matters, and providing effective dates.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 22**

STATE GOVERNMENT: Giannetto, Chair; Drake and Kibbie

Senate File 224

TRANSPORTATION: Gettings, Chair; Fink and Lind

Senate File 230

WAYS AND MEANS: Murphy, Chair; Drake and Neuhauser

Senate File 264

TRANSPORTATION: Gettings, Chair; Fink and Lind

Senate File 265

NATURAL RESOURCES: Gronstal, Chair; Deluhery, Fink, Freeman and Lundby

Senate File 270

JUDICIARY: Bisignano, Chair; Boettger, Fraise, Giannetto and McKean

Senate File 287

JUDICIARY: Bartz, Chair; Boettger, Giannetto, Neuhauser and Vilsack

Senate File 288

JUDICIARY: Giannetto, Chair; Bisignano, McKean, Redfern and Vilsack

Senate File 289

HUMAN RESOURCES: Neuhauser, Chair; Boettger and Hammond

Senate File 297SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Palmer,
Chair; Bennett and Vilsack**Senate File 299**

STATE GOVERNMENT: Lind, Chair; Giannetto and Kibbie

Senate File 301

TRANSPORTATION: Gettings, Chair; Fink and Lind

Senate File 302SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Vilsack,
Chair; Hansen and Ziemann**Senate File 305**

STATE GOVERNMENT: Gronstal, Chair; Bennett and Connolly

SSB 275

WAYS AND MEANS: Szymoniak, Chair; Connolly and Hedge

SSB 277.1

HUMAN RESOURCES: Neuhauser, Chair; Bartz and Dvorsky

SSB 299

JUDICIARY: Redfern, Chair; Giannetto, McKean, Neuhauser and Vilsack

SSB 300

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 301

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Dearden, Chair; Judge and Lundby

SSB 302

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair; Fink and Lundby

SSB 303

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Dearden and Rensink

SSB 304

LOCAL GOVERNMENT: Fraise, Chair; Black and Maddox

SSB 305

STATE GOVERNMENT: Dearden, Chair; Halvorson and Lundby

SSB 306

STATE GOVERNMENT: Fink, Chair; Halvorson and Lundby

BILLS ASSIGNED TO COMMITTEE

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

S.F.	308	Natural Resources
S.F.	309	Ways and Means
S.F.	310	State Government
S.F.	311	Transportation

S. F.	312	Human Resources
S. F.	314	Education
S. F.	315	Human Resources
S. F.	316	Appropriations
S. F.	317	Education
S. F.	318	Education
S. F.	319	Judiciary
S. F.	321	Rules and Administration
S. C. R.	23	Communications & Information Policy
S. C. R.	24	Human Resources
H. C. R.	8	Rules and Administration

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 13, 1995, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 114 — An act relating to anabolic steroids and the Iowa Uniform Controlled Substances Act.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *SENATE FILE 320 (SSB 213), a bill for an act relating to the regulation of state banks and other financial institutions by the division of banking of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 1: Bisignano.

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 Committee on Senate File 320 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 313 (SSB 161), a bill for an act relating to the relationship between a licensed real estate salesperson or broker and the parties to a transaction and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3118	S.F.	232	Jim Lind
S—3119	S.F.	296	Tom Vilsack
S—3120	S.F.	266	Mike Connolly
S—3121	S.F.	266	Mary E. Kramer
			Mary Lou Freeman
			Jim Lind
			Mary A. Lundby
			Allen Borlaug
			Wilmer Rensink
			Merlin Bartz
S—3122	S.F.	266	Jim Lind
S—3123	S.F.	251	Merlin E. Bartz
S—3124	S.F.	266	Allen Borlaug
			H. Kay Hedge
			Mary Lou Freeman

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Tuesday, March 14, 1995.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 14, 1995

The Senate met in regular session at 9:06 a.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend Paul Wilcox, pastor of the Monroe Chapel and First United Methodist Church, Harlan, Iowa.

The Journal of Monday, March 13, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell until he arrives on request of Senator Horn.

BILLS ASSIGNED TO COMMITTEE

The Chair announced the assignment of the following bills to committee:

S. F.	322	State Government
S. F.	323	Human Resources

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.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Joint Resolution 13** be referred from the Regular Calendar to the committee on **State Government**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 233

On motion of Senator Drake, Senate File 233, a bill for an act relating to the suspension and revocation of driver's licenses and providing penalties for violations of out-of-service orders, was taken up for consideration.

Senator Connolly offered amendment S—3100 filed by Senators Connolly and Drake on March 7, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3100 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 233) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Grönstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Boswell

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

Senate File 140

On motion of Senator Hansen, Senate File 140, a bill for an act to legalize the proceedings taken by the board of directors of the Cedar Rapids Community School District concerning the sale of certain school district property and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Hansen offered amendment S—3101 filed by him on March 7, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3101 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 140) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Boswell Lundby

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
(Ways and Means Calendar)

Senate File 167

On motion of Senator Priebe, Senate File 167, a bill for an act relating to the state sales tax on auxiliary attachments for self-propelled and non-self-propelled farm machinery and equipment, was taken up for consideration.

Senator Priebe asked and received unanimous consent that House File 149 be substituted for Senate File 167.

House File 149

On motion of Senator Priebe, House File 149, a bill for an act relating to the state sales tax on auxiliary attachments for self-propelled and non-self-propelled farm machinery and equipment, 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. 149) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Boswell

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

Senator Priebe asked and received unanimous consent that **Senate File 167** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 140, 233** and **House File 149** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 324, by Husak, a bill for an act relating to the Iowa communications network and providing for the connection of certain Part III users by certified local exchange companies.

Read first time and passed on file.

RECESS

On motion of Senator Horn, the Senate recessed at 9:50 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

SENATE APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 13, 1995, 5:10 p.m.

Members Present: Hammond, Chair; Szymoniak, Vice Chair; Tinsman, Ranking Member; Deluhery and Rittmer.

Members Absent: none.

Committee Business: Amended and approved LSB 1988, DHS budget bill.

Adjourned: 6:15 p.m.

STUDY BILLS RECEIVED

SSB 240.1 Education

Relating to child development assistance.

SSB 298.1 Appropriations

Relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, and the governor's substance abuse prevention coordinator, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability.

SSB 313 Local Government

Relating to the modification of urban renewal plans by removing property from the urban renewal area designed in the plan.

SSB 314 Local Government

Relating to instruments filed or recorded with the county recorder.

SSB 315 Human Resources

Relating to the imposition of an additional fee for application for a marriage license and appropriating the fees to fund the displaced homemaker program.

SSB 316 Local Government

Authorizing the appointment of a city board of review by certain cities.

SSB 317 Local Government

Relating to notice requirements for voluntary annexation of property by a city.

SSB 318 Judiciary

Relating to juvenile justice by excluding certain violations from the jurisdiction of the juvenile court and providing for the notification of school officials when a juvenile is taken into custody for certain delinquent acts and providing a conditional effective provision.

SSB 319 Education

Relating to school finance by increasing the foundation base level for special education, providing for additional enrollment for transportation costs based upon a sparsity factor, and providing additional state aid for school districts with schools which have a percentage of pupils eligible for free or reduced price lunches in excess of the state average, and making appropriations and providing effective date provisions.

SSB 320 Judiciary

Relating to the placement of persons on probation, by providing an administrative procedure for review of certain modifications of probation, and providing for judicial review.

SSB 321 Judiciary

To establish a cause of action for persons who incur damages as a result of illegal drug use, providing for a rebuttable presumption, joinder of parties, a right of contribution, and

temporary stays of proceedings pending criminal investigations or prosecutions.

SSB 322 Natural Resources

Relating to alkaline manganese batteries.

SSB 323 Education

Establishing a grant program to support school-to-work efforts and making an appropriation.

SSB 324 Natural Resources

Relating to the powers and duties of the department of natural resources by amending procedures for granting easements and leases by the natural resource commission.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 24

HUMAN RESOURCES: Hammond, Chair; Bartz and Neuhauser

Senate Joint Resolution 13

STATE GOVERNMENT: Kibbie, Chair; Connolly and Lind

Senate File 267

BUSINESS AND LABOR: Dearden, Chair; Banks and Gettings

Senate File 278

AGRICULTURE: Black, Chair; Fraise and Zieman

Senate File 310

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

Senate File 311

TRANSPORTATION: Douglas, Chair; Dearden and Gettings

Senate File 312

HUMAN RESOURCES: Szymoniak, Chair; Tinsman and Vilsack

SSB 307

JUDICIARY: McKean, Chair; Fraise, Giannetto, Maddox and Vilsack

SSB 308

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, McKean and Redfern

SSB 309

JUDICIARY: Neuhauser, Chair; Boettger, Giannetto, McKean and Vilsack

SSB 310

JUDICIARY: Vilsack, Chair; Bisignano, Giannetto, McKean and Redfern

SSB 311

JUDICIARY: Giannetto, Chair; Bisignano, McKean, Redfern and Vilsack

SSB 313

LOCAL GOVERNMENT: Halvorson, Chair; Fink and McKean

SSB 314

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Maddox

Senate File 315

HUMAN RESOURCES: Tinsman, Chair; Dvorsky and Hansen

Senate File 319

JUDICIARY: Szymoniak, Chair; Bisignano, Boettger, Giannetto and Maddox

Senate File 321

RULES AND ADMINISTRATION: Gronstal, Chair; Boswell and Kramer

Senate File 322

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

House Concurrent Resolution 8

RULES AND ADMINISTRATION: Gettings, Chair; Boswell and Lind

SSB 298.1

APPROPRIATIONS: Fraise, Chair; Iverson and Murphy

SSB 312

LOCAL GOVERNMENT: Sorensen, Chair; Fraise and Rittmer

SSB 315

HUMAN RESOURCES: Hammond, Chair; Neuhauser and Tinsman

SSB 316

LOCAL GOVERNMENT: Fink, Chair; Black and Zieman

SSB 317

LOCAL GOVERNMENT: Black, Chair; Halvorson and McKean

SSB 318

JUDICIARY: Maddox, Chair; Bisignano, Drake, Fraise and Giannetto

SSB 320

JUDICIARY: Halvorson, Chair; Giannetto, McKean, Redfern and Vilsack

SSB 321

JUDICIARY: Giannetto, Chair; Bisignano, Maddox, Redfern and Vilsack

SSB 322

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Dearden, Chair; Fink and Lundby

LSB 2606

AGRICULTURE: Priebe, Chair; Banks and McLaren

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 210, a bill for an act creating a lien arising from the care and feeding of livestock in a custom cattle feedlot.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Judge, Bartz, Banks, Black, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Ziemann. Nays, none. Absent or not voting, 3: Boswell, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 278, a bill for an act providing that animals classified as ostriches, rheas, and emus are considered livestock.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Judge, Bartz, Banks, Black, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Ziemann. Nays, none. Absent or not voting, 3: Boswell, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE RESOLUTION 9, a senate resolution recognizing the 100th anniversary of the founding of the chiropractic profession.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 24, a concurrent resolution recognizing the seventy-fifth anniversary of the American Civil Liberties Union and the sixtieth anniversary of the Iowa Civil Liberties Union.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 315, a bill for an act relating to mental health and developmental disabilities assistance by extending a moratorium on the number of intermediate care facility for the mentally retarded beds and requiring

certain reporting activities of the state-county management committee, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE JOINT RESOLUTION 16, a joint resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a reception in conjunction with the annual meeting of the National Association of State Auditors, Comptrollers, and Treasurers.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Horn, Rife, Gronstal, Husak and Kramer. Nays, 3: Bisignano, Gettings and Lind. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa abolishing the perpetual school support fund.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Bennett.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 299, a bill for an act requiring the state board of regents to direct the institutions of higher learning under its control to schedule regular home-and-home competitions between the institutions' athletic teams.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, 1: McLaren. Absent or not voting, 1: Bennett.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 331 (SSB 232), a bill for an act changing the number of state employees required to activate automatic payroll deduction for payment of professional or trade association dues or fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Bennett.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:37 p.m., President pro tempore Bisignano presiding.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 16, by committee on Rules and Administration, a joint resolution authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a reception in conjunction with the annual meeting of the National Association of State Auditors, Comptrollers, and Treasurers.

Read first time and placed on calendar.

INTRODUCTION OF BILLS

Senate File 325, by Boettger, a bill for an act relating to the location of the office of the commission of veterans affairs, and providing an effective date.

Read first time and passed on file.

Senate File 326, by Douglas, a bill for an act providing for the dual enrollment of children who are of school age.

Read first time and passed on file.

Senate File 327, by Iverson and Husak, a bill for an act providing for the regulation of animal feeding operations by providing for manure management practices, and providing for the application of penalties.

Read first time and passed on file.

Senate File 328, by Borlaug, a bill for an act providing immunity from liability for volunteers providing services for a charitable purpose on an individual basis.

Read first time and passed on file.

Senate File 329, by Borlaug, a bill for an act allowing county general fund appropriations for closure and postclosure care of a sanitary disposal project.

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

Senate File 330, by Borlaug, a bill for an act to provide a mandatory term of imprisonment without the possibility of parole for the use or the threatening display of a firearm in the commission of a forcible felony.

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

Senate File 331, by committee on State Government, a bill for an act changing the number of state employees required to activate automatic payroll deduction for payment of professional or trade association dues or fees.

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

Senate File 332, by Judge, a bill for an act relating to the annual salaries of certain state department heads and subordinate public officers and employees, providing for properly related matters, and providing an effective date.

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

Senate File 333, by committee on Agriculture, a bill for an act relating to notice requirements required for work involving drainage and levee districts and water districts.

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

Senate File 334, by committee on Agriculture, a bill for an act relating to animal feeding operations.

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.	324	Communications & Information Policy
S. F.	325	State Government
S. F.	326	Education
S. F.	327	Natural Resources
S. F.	328	Judiciary
S. F.	329	Local Government
S. F.	330	Judiciary
S. F.	332	State Government

INTRODUCTION OF BILLS

Senate File 335, by committee on State Government, a bill for an act relating to the merit system classification of employees of statewide elected officials.

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

Senate File 336, by committee on State Government, a bill for an act requiring that a publication whose standards are incorporated by reference in agency rulemaking be purchased and provided by the agency to the administrative rules coordinator for deposit in the state law library.

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

Senate File 337, by committee on State Government, a bill for an act relating to publishing notice of outdated unpaid state warrants.

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

Senate File 338, by committee on State Government, a bill for an act relating to the regulation of games of skill, games of chance, and amusement devices, and subjecting violators to penalties.

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

Senate File 339, by committee on State Government, a bill for an act relating to the reimbursement of therapeutically certified optometrists under certain agreements or contracts providing for the payment of health care expenses.

Read first time under Rule 28 and placed on calendar.

Senate File 340, by Black, a bill for an act relating to the condemnation of property for an urban renewal project.

Read first time under Rule 28 and passed on file.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 333 (SSB 203), a bill for an act relating to notice requirements required for work involving drainage and levee districts and water districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Judge, Bartz, Banks, Black, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 3: Boswell, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 334 (LSB 2606), a bill for an act relating to animal feeding operations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Priebe, Judge, Bartz, Banks, Black, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Zieman. Nays, none. Absent or not voting, 3: Boswell, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 314, a bill for an act relating to enrollment in another district of an expelled or suspended student and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3126.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 101, a bill for an act relating to bond issuance elections and authorizing the imposition of an income surtax to partially fund certain bonds issued by a county, city, school district, or community college and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge and Rittmer. Nays, 2: McKean and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 335 (SSB 305), a bill for an act relating to the merit system classification of employees of statewide elected officials.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Bennett.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 336 (SSB 25), a bill for an act requiring that a publication whose standards are incorporated by reference in agency rulemaking be purchased and provided by the agency to the administrative rules coordinator for deposit in the state law library.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, and Sorensen. Nays, none. Absent or not voting, 3: Bennett, Bisignano and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 337 (SSB 234), a bill for an act relating to publishing notice of outdated unpaid state warrants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, and Sorensen. Nays, none. Absent or not voting, 3: Bennett, Bisignano and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 338 (SSB 40), a bill for an act relating to the regulation of games of skill, games of chance, and amusement devices, and subjecting violators to penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Halvorson, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 1: Giannetto.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 339 (SSB 306), a bill for an act relating to the reimbursement of therapeutically certified optometrists under certain agreements or contracts providing for the payment of health care expenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen. Nays, 2: Bennett and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3125	S. F.	285	Tom Vilsack
S—3126	S. F.	314	Education

ADJOURNMENT

On motion of Senator Judge, the Senate adjourned at 3:50 p.m., until 9:00 a.m., Wednesday, March 15, 1995.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 15, 1995

The Senate met in regular session at 9:13 a.m., President Boswell presiding.

Prayer was offered by the Reverend Gary Van Heukelom, pastor of the First Reformed Church, Sibley, Iowa.

The Journal of Tuesday, March 14, 1995, 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 14, 1995, adopted the conference committee report and passed **Senate File 17**, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions.

ALSO: That the House has on March 14, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 438, a bill for an act relating to the establishment of the state percent of growth under the state school foundation formula.

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

INTRODUCTION OF BILLS

Senate File 341, by committee on Commerce, a bill for an act relating to delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer.

Read first time and placed on calendar.

Senate File 342, by Lind, a bill for an act directing the department of human services to apply for a federal medical assistance waiver for an exception to recovery of medical assistance from a recipient's estate.

Read first time and passed on file.

Senate File 343, by Dvorsky and Banks, a bill for an act appropriating gambling receipts for low-income weatherization programs.

Read first time and passed on file.

Senate File 344, by committee on Local Government, a bill for an act prohibiting a city with public safety employees under civil service from contracting with or granting a franchise to private contractors for those public safety jobs without a public referendum.

Read first time and placed on calendar.

Senate File 345, by Jensen and Borlaug, a bill for an act relating to the foundation property tax levy and increase in and the funding of the foundation base for purposes of the state school foundation program, the increase in the state sales, services, use, and the automobile rental excise taxes, making appropriations, and providing effective date and applicability provisions.

Read first time and passed on file.

RECESS

On motion of Senator Husak, the Senate recessed at 9:16 a.m., until 3:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 14, 1995, 8:01 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Ziemann.

Members Absent: Boswell, McLaren and Palmer (all excused).

Committee Business: Approved SSB 203 and LSB 2606 as committee bills; recommended passage of Senate Files 210 and 278.

Adjourned: 8:33 a.m.

APPROPRIATIONS

Convened: March 14, 1995, 10:01 a.m.

Members Present: Murphy, Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Discussed SSB 298.1.

Recessed: 11:00 a.m.

Reconvened: March 14, 1995, 12:12 p.m.

Members Present: Murphy, Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Amended SSB 298.1 and ordered redrafted for final approval as a committee bill.

Adjourned: 1:25 p.m.

COMMERCE

Convened: March 14, 1995, 1:35 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Douglas, Flynn, Freeman, Hedge, Priebe and Redfern.

Members Absent: Bisignano, Gettings, Gronstal, Husak, Lundby (excused) and Palmer (excused).

Committee Business: Approved SSBs 210, 180 and 261 as committee bills; amended and approved SSB 286 — redrafted as LSB 2454.

Adjourned: 1:47 p.m.

EDUCATION

Convened: March 14, 1995, 2:36 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Murphy (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 21 and 314 as amended; approved SSB 260 as a committee bill.

Adjourned: 3:30 p.m.

HUMAN RESOURCES

Convened: March 14, 1995, 11:10 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of Senate Resolution 9, Senate Concurrent Resolution 24 and Senate File 315; approved SSBs 188 and 296 as committee bills; amended and approved SSBs 216.1 and 233 as committee bills.

Adjourned: 11:57 a.m.

JUDICIARY

Convened: March 14, 1995, 3:55 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Amended and approved SSBs 183 and 112; recommended passage of Senate File 239; recommended passage of Senate File 120 as amended; deferred action on Senate File 165; approved SSBs 219, 177, 267, 262, 264, 278, 280, 245 and 115.

Adjourned: 5:40 p.m.

LOCAL GOVERNMENT

Convened: March 14, 1995, 1:35 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 101; Senate File 47 failed recommendation for passage; approved SSBs 160, 304, 167 and 254 as committee bills.

Adjourned: 2:34 p.m.

RULES AND ADMINISTRATION

Convened: March 14, 1995, 1:35 p.m.

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

Members Absent: Boswell, Vice Chair (excused).

Committee Business: Approved proposed committee joint resolution authorizing consumption of alcoholic beverages in the State Capitol for NASACT meeting; excused certain governor's appointees from introduction before the Senate.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: March 14, 1995, 11:12 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Approved SSBs 234, 25, 232, 305, 306 and 40 as committee bills; recommended passage of Senate File 299 and Senate Joint Resolution 13; amended SSB 103 and ordered redrafted for final approval as a committee bill; SSB 231 failed committee approval; assigned bills to subcommittees.

Adjourned: 11:55 a.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 15th day of March, 1995:

Senate Joint Resolution 12.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED**SSB 325 Natural Resources**

Relating to infectious waste.

SSB 326 Human Resources

Relating to the time period for hearing on an application for hospitalization of a person alleged to be seriously mentally impaired.

SSB 327 Transportation

Relating to overweight vehicles and permits.

SSB 328 Local Government

Relating to the source of payment of the fee and expenses of a county medical examiner related to services provided for a person whose death affects the public interest.

SSB 329 Local Government

Relating to the exclusion of certain nonprofit transitional housing from landlord-tenant agreements and remedies and providing an effective date.

SSB 330 Judiciary

Relating to structured fines, establishing a civil penalty and surcharge, providing for the distribution of fines, and establishing effective and repeal dates.

SSB 331 Natural Resources

Relating to erosion occurring on the site of construction projects by providing civil penalties for violations and for the appropriation and use of the civil penalties.

SSB 332 Natural Resources

Relating to solid waste by removing penalties for failure to meet waste reduction and recycling goals, removing wine and alcoholic liquor as mandatory deposit beverages, requesting the allocation of landfill alternative grant moneys, and making encouragement of curbside re the state.

SSB 333 Natural Resources

Relating to underground storage tanks by increasing the environmental protection charge, providing for the use of risk-based corrective action standards, expanding property transfer insurance and loan guarantees, extending the compliance date for upgrade requirements, creating marketability and innocent landowner funds and providing benefits, requiring certification of groundwater professionals and creating a penalty, requiring a study, and providing for repeals, and implementation, effective date, and retroactive applicability provisions.

SSB 334 Education

Providing for technology for classrooms for the twenty-first century.

SSB 335 State Government

Relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system.

SSB 336 State Government

Relating to gambling on excursion gambling boats and at pari-mutuel racetracks by limiting the issuance of gambling licenses on excursion gambling boats, by authorizing the commission to determine gambling games at pari-mutuel racetracks, and by providing an effective date.

SSB 337 Human Resources

Relating to payment of expenses for persons with mental retardation.

SUBCOMMITTEE ASSIGNMENTS**Senate File 294**

EDUCATION: Fink, Chair; Deluhery and Rensink

Senate File 314

EDUCATION: Fink, Chair; Connolly and Rensink

Senate File 317

EDUCATION: Fink, Chair; Deluhery and Redfern

Senate File 318

EDUCATION: Connolly, Chair; Fink and Redfern

Senate File 323

HUMAN RESOURCES: Kramer, Chair; Dvorsky and Szymoniak

Senate File 325

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

Senate File 326

EDUCATION: Murphy, Chair; Connolly and Redfern

Senate File 328

JUDICIARY: Vilsack, Chair; Boettger, Drake, Fraise and Giannetto

Senate File 329

LOCAL GOVERNMENT: Sorensen, Chair; Judge and McKean

Senate File 330

JUDICIARY: Fraise, Chair; Giannetto, McKean, Redfern and Vilsack

Senate File 332

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 240.1

EDUCATION: Neuhauser, Chair; Connolly, Hammond, Kramer and Redfern

SSB 319

EDUCATION: Connolly, Chair; Kibbie and Redfern

SSB 323

EDUCATION: Kibbie, Chair; Connolly and Kramer

SSB 324

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Priebe, Chair; Black and Hedge

SSB 325

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Gronstal, Chair; Deluhery and Lundby

SSB 326

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Vilsack

SSB 327

TRANSPORTATION: Gettings, Chair; Black and Drake

SSB 328

LOCAL GOVERNMENT: Rittmer, Chair; Fraise and Sorensen

SSB 329

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Maddox

SSB 330

JUDICIARY: Giannetto, Chair; Hammond, McKean, Redfern and Vilsack

SSB 331

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Black, Chair; Kibbie and Lundby

SSB 332

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Fink, Chair; Lundby and Sorensen

SSB 333

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Gronstal, Chair; Banks, Deluhery, Fink and Lundby

SSB 334

EDUCATION: Connolly, Chair; Dvorsky and Redfern

SSB 337

HUMAN RESOURCES: Szymoniak, Chair; Hansen and Tinsman

AFTERNOON SESSION

The Senate reconvened at 3:35 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 346, by committee on Human Resources, a bill for an act relating to the establishment of practitioner review committees for the purposes of evaluating and monitoring practitioners who self-report physical or mental impairments.

Read first time and placed on calendar.

Senate File 347, by committee on Human Resources, a bill for an act relating to the third-party payment of health care coverage costs for preventive care services and mental health and substance abuse treatment services.

Read first time and placed on calendar.

Senate File 348, by committee on Human Resources, a bill for an act relating to the defining of "surgery" for the purposes of the health-related professions chapter of the Code by specifying procedures, services, and treatments considered to be "surgery".

Read first time and placed on calendar.

Senate File 349, by committee on Judiciary, a bill for an act to require that certain forcible felons serve at least eighty-five percent of the sentence imposed.

Read first time and placed on calendar.

Senate File 350, by Bartz, a bill for an act providing for alternative or dual diagnoses in mental health and substance abuse involuntary commitments.

Read first time and passed on file.

Senate File 351, by committee on Local Government, a bill for an act authorizing certain cities to appoint additional members to certain city commissions.

Read first time and placed on calendar.

Senate File 352, by committee on Human Resources, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions.

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

Senate File 353, by committee on Judiciary, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor.

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

Senate File 354, by Szymoniak, a bill for an act relating to autopsies of certain children under the age of two years.

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

Senate File 355, by McLaren, a bill for an act relating to the Iowa communications network by requesting certain information of Part III users which are school districts, accredited nonpublic schools, and public libraries, requiring certain costs to be the basis for rates charged to certain authorized users, requiring the development of requests for proposals, limiting access to the network under certain agreements, and requiring certain information to be provided to the general assembly.

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

Senate File 356, by McLaren, Husak, Redfern, Kibbie, and Jensen, a bill for an act relating to the Iowa communications network by providing an appropriation for Part III pilot project connections which are school districts, accredited nonpublic schools, and public libraries, requiring certain costs to be the basis for rates charged to certain authorized users, and requiring the development of a request for proposals.

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

Senate File 357, by McLaren, a bill for an act relating to the Iowa communications network by providing an appropriation for Part III connections for authorized users which are school districts, accredited nonpublic schools, and public libraries.

Read first time and passed on file.

Senate File 358, by committee on Judiciary, a bill for an act relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status.

Read first time and placed on calendar.

Senate File 359, by committee on Judiciary, a bill for an act providing for the modification of no-contact orders in domestic abuse cases in certain circumstances.

Read first time and placed on calendar.

Senate File 360, by committee on Local Government, a bill for an act to increase the fee for the transfer of property in county transfer records.

Read first time and placed on calendar.

Senate File 361, by Fink, a bill for an act relating to the establishment of pilot projects for reducing faculty workload inequities at the community colleges, making an appropriation, and providing an effective date.

Read first time and passed on file.

Senate File 362, by Fink, a bill for an act to establish a program providing grants to community colleges to reduce the reliance on part-time faculty members and making an appropriation.

Read first time and passed on file.

Senate File 363, by Fink, a bill for an act relating to providing additional state aid by the school budget review committee to school districts with unusual circumstances.

Read first time and passed on file.

Senate File 364, by Black, a bill for an act relating to the assessment of certain property used as a residence for purposes of property taxation, and providing for the Act's applicability.

Read first time and passed on file.

Senate File 365, by committee on Judiciary, a bill for an act increasing the scheduled fines for certain motor vehicle operation violations.

Read first time and placed on calendar.

Senate File 366, by committee on Judiciary, a bill for an act relating to the exhibition of humans.

Read first time and placed on calendar.

Senate File 367, by committee on Judiciary, a bill for an act relating to domestic abuse and victim protection and providing a penalty, a delayed effective date, and a conditional effective date.

Read first time and placed on calendar.

Senate File 368, by committee on Education, a bill for an act relating to school finances by establishing a formula for determining the state percent of growth for purposes of the state school foundation program, increasing the regular program district cost guarantee for the school budget year commencing July 1, 1995, making an appropriation, and by providing effective and applicability date provisions.

Read first time and placed on calendar.

Senate File 369, by committee on Judiciary, a bill for an act relating to a conference on domestic violence.

Read first time and placed on calendar.

Senate File 370, by committee on Local Government, a bill for an act eliminating the requirement for the rotation of names on election ballots.

Read first time and placed on calendar.

Senate File 371, by committee on Judiciary, a bill for an act relating to prohibiting a polygraph examination of a victim of sexual abuse as a precondition to an investigation by a law enforcement agency.

Read first time and placed on calendar.

Senate File 372, by committee on Judiciary, a bill for an act relating to the exemption for attorneys who have provided abstract services under the title guaranty program.

Read first time and placed on calendar.

Senate File 373, by committee on Judiciary, a bill for an act to permit the court to find a person in contempt for failure to pay restitution after the period of probation, work release, parole, or the person's sentence has ended.

Read first time and placed on calendar.

Senate File 374, by Lundby, a bill for an act establishing a deadline for the department of personnel to transmit information to individuals receiving retirement allowances under the Iowa public employees' retirement system for federal and state income tax purposes.

Read first time and passed on file.

APPENDIX

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: SENATE RESOLUTION 11, a resolution urging John Morrell and Company to honor its commitment to provide health care coverage to its retirees and their families.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3131.

Final Vote: Ayes, 9: Dearden, Gettings, Freeman, Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox. Nays, none. Absent or not voting, 1: Banks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 196, a bill for an act establishing a self-employment assistance program and providing an effective date and a termination date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3132.

Final Vote: Ayes, 10: Dearden, Gettings, Freeman, Banks, Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 341 (SSB 210), a bill for an act relating to delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Hedge, Priebe and Redfern. Nays, none. Absent or not voting, 6: Bisignano, Gettings, Gronstal, Husak, Lundby and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 368 (SSB 260), a bill for an act relating to school finances by establishing a formula for determining the state percent of growth for purposes of the state school foundation program, increasing the regular program district cost guarantee for the school budget year commencing July 1, 1995, making an appropriation, and by transferring Iowa educational excellence program phase III moneys to phase II and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Connolly, Kibbie, Deluhery, Dvorsky, Fink, Hammond, Neuhauser and Szymoniak. Nays, 6: Redfern, Iverson, Kramer, Lind, Rensink and Tinsman. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Education Committee on Senate File 368 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 346 (SSB 296), a bill for an act relating to the establishment of practitioner review committees for the purposes of evaluating and monitoring practitioners who self-report physical or mental impairments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 347 (SSB 188), a bill for an act relating to the third-party payment of health care coverage costs for preventive care services and mental health and substance abuse treatment services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Neuhauser, Tinsman and Vilsack. Nays, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 348 (SSB 233), a bill for an act relating to the defining of "surgery" for the purposes of the health-related professions chapter of the Code by specifying procedures, services, and treatments considered to be "surgery" and by providing for expansion of the definition through rulemaking procedures utilized by the board of medical examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman 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 Human Resources Committee on Senate File 348 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 352 (SSB 216.1), a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, 2: Boettger and Bartz.

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 352 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 120, a bill for an act requiring that prison inmates obtain a general equivalency diploma prior to the granting of parole or work release, and providing exceptions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3127.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 239, a bill for an act relating to the provision of mediation in dissolution of marriage proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 349 (SSB 264), a bill for an act to require that certain forcible felons serve at least eighty-five percent of the sentence imposed.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 353 (SSB 280), a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 358 (SSB 112), a bill for an act relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak 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 Judiciary Committee on Senate File 358 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 359 (SSB 115), a bill for an act providing for the modification of no-contact orders in domestic abuse cases in certain circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 365 (SSB 177), a bill for an act increasing the scheduled fines for certain motor vehicle operation violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Giannetto, McKean, Boettger, Fraise, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, 4: Bartz, Bisignano, Drake and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 366 (SSB 267), a bill for an act relating to the exhibition of humans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 367 (SSB 183), a bill for an act relating to domestic abuse and victim protection and providing a penalty and a conditional effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, McKean, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none. Pass, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 367 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 369 (SSB 278), a bill for an act relating to a conference on domestic violence.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 371 (SSB 245), a bill for an act relating to prohibiting a polygraph examination of a victim of senaul abuse as a precondition to an investigation by a law enforcement agency.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 372 (SSB 219), a bill for an act relating to the exemption for attorneys who have provided abstract services under the title guaranty program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Giannetto, Boettger, Fraise, Halvorson, Hammond, Hansen, Neuhauser, Redfern and Szymoniak. Nays, 6: Vilsack, McKean, Bartz, Bisignano, Drake and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 373 (SSB 262), a bill for an act to permit the court to find a person in contempt for failure to pay restitution after the period of probation, work release, parole, or the person's sentence has ended.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 136, a bill for an act relating to the creation of real estate improvement districts, providing for the election of boards of trustees, providing for the powers and duties of the trustees, authorizing the issuance of general obligation bonds and revenue bonds, authorizing the imposition of ad valorem property taxes, special assessments, and fees, and making provisions for other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Sorensen, Fink, Black, Fraise, Halvorson and Judge. Nays, 3: Maddox, McKean and Rittmer. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 198, a bill for an act relating to studies and reports of county land preservation and use commissions, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean and Rittmer. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 344 (SSB 304), a bill for an act prohibiting a city with public safety employees under civil service from contracting with or granting a franchise to private contractors for those public safety jobs without a public referendum.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, 1: Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 351 (SSB 160), a bill for an act authorizing certain cities to appoint additional members to certain city commissions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 360 (SSB 254), a bill for an act to increase the fee for the transfer of property in county transfer records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 370 (SSB 167), a bill for an act eliminating the requirement for the rotation of names on election ballots.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Local Government Committee on Senate File 370 and they were attached to the committee report.

TRANSPORTATION

Final Bill Action: SENATE FILE 214, a bill for an act to provide greater protection for consumers who purchase or lease motor vehicles and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3130.

Final Vote: Ayes, 12: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 243, a bill for an act relating to motor vehicle abandonment and registration.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 311, a bill for an act relating to indicating a medical advance directive on a driver's license or nonoperator's identification card.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

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

H.F. 438 Education

AMENDMENTS FILED

S-3127	S.F.	120	Judiciary
S-3128	S.F.	293	Rod Halvorson
S-3129	S.F.	290	Rod Halvorson
S-3130	S.F.	214	Transportation
S-3131	S.R.	11	Business and Labor
S-3132	S.F.	196	Business and Labor

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:43 p.m., until 9:00 a.m., Thursday, March 16, 1995.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 16, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by Father Eugene Murray, pastor of the Holy Family Parish, Emmetsburg, Iowa.

The Journal of Wednesday, March 15, 1995, was approved.

INTRODUCTION OF BILLS

Senate File 375, by committee on Commerce, a bill for an act relating to abandoned property subject to control by the treasurer of state.

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

Senate File 376, by committee on Commerce, a bill for an act relating to the regulation of credit unions by authorizing additional powers and defining certain business relationships and establishing a penalty.

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

Senate File 377, by committee on Commerce, a bill for an act relating to the payment of patronage dividends by cooperative associations which are public utilities.

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

Senate File 378, by committee on Transportation, a bill for an act relating to tinted windows and making a penalty applicable.

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

Senate File 379, by Lundby, a bill for an act relating to harboring a runaway, exempting a parent, guardian, or custodian of a juvenile who is a chronic runaway from financial liability for the acts of the juvenile, establishing penalties, and creating a delinquent act.

Read first time and passed on file.

Senate File 380, by Lundby and Judge, a bill for an act concerning employment discrimination on the basis of political activity and providing a penalty.

Read first time and passed on file.

Senate File 381, by Lundby, Iverson, and Bisignano, a bill for an act to permit the receipt of food, beverages, registration, or scheduled entertainment by legislators and legislative employees at group events to which all legislators are invited.

Read first time and passed on file.

Senate File 382, by Lundby, a bill for an act relating to foster care.

Read first time and passed on file.

SPECIAL GUESTS

Senator Kibbie introduced Tracy Nelson from Emmetsburg, Miss Shamrock of 1995. She was accompanied by her parents, Mr. and Mrs. Dick Nelson and grandparents, Mr. and Mrs. Chuck Nelson.

Tracy addressed the Senate with brief remarks.

Senator Kibbie introduced the Honorable Ned O'Keefe, T.D., a member of the Fianna Fail Party who has served as a spokesman for industry for five years. He has served in the Dail since 1982, and is currently serving in the Senate.

Mr. O'Keefe is associated with many agricultural related programs and is a member of the Gaelic Athletic Association. He was accompanied by his wife, Ann.

Mr. O'Keefe addressed the Senate with remarks about the similarities between the Iowa and the Irish farmers. He stated that Ireland is dependent on Iowa soy, corn and grain products to assist in combating shortages in Ireland. He noted that three generations of Irish immigrants have brought the tradition of hospitality to Iowa.

Senator Kibbie introduced the following Irish Dancers present in the northwest gallery:

Brooke Jones, Joanne McNally, Eryn Mehan, Denise Stafford, Erin Wentzel, Margy Jo Wentzel, Rachel Lowman, Amanda Brown, Katie Orr, Melissa Jones, Christy Rouse, Laura Fog, and coach Kelly Vanosbree.

BILL ASSIGNED TO COMMITTEE

President Boswell announced that **Senate File 354** was assigned to the committee on **Human Resources**.

RECESS

On motion of Senator Husak, the Senate recessed at 9:25 a.m., until 2:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	340	Local Government
S. F.	342	Human Resources
S. F.	343	Appropriations
S. F.	345	Ways and Means
S. F.	350	Judiciary
S. F.	355	Communications & Information Policy
S. F.	356	Appropriations
S. F.	357	Appropriations
S. F.	361	Appropriations
S. F.	362	Appropriations
S. F.	363	Education
S. F.	364	Local Government
S. F.	374	State Government
S. F.	379	Judiciary
S. F.	380	Business & Labor
S. F.	381	Ethics
S. F.	382	Human Resources

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: March 15, 1995, 11:10 a.m.

Members Present: Judge, Chair; Sorensen, Vice Chair; Bartz, Ranking Member and Lundby.

Members Absent: Horn (excused).

Committee Business: Presentation by Legislative Fiscal Bureau.

Adjourned: 12:05 p.m.

BUSINESS AND LABOR

Convened: March 15, 1995, 11:05 a.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Banks, Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox.

Members Absent: none.

Committee Business: Recommended passage of Senate Resolution 11 and Senate File 196 as amended; amended and approved SSB 274 as a committee bill.

Adjourned: 11:40 a.m.

COMMERCE

Convened: March 15, 1995, 1:34 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: Jensen, Ranking Member (excused).

Committee Business: Amended and approved SSB 259 as a committee bill; approved SSBs 226, 181 and 58 as committee bills.

Adjourned: 2:25 p.m.

EDUCATION

Convened: March 15, 1995, 2:36 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Lind (excused).

Committee Business: Approved SSBs 239, 208, 240.1, 323, 334 and 319 as committee bills; deferred action on SSB 236.

Adjourned: 3:27 p.m.

ETHICS

Convened: March 15, 1995, 8:35 a.m.

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

Members Absent: none.

Committee Business: Approved SSB 175 as a committee bill.

Adjourned: 9:10 a.m.

JUDICIARY

Convened: March 15, 1995, 3:40 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Amended and approved SSBs 307, 270 and 243 as committee bills; deferred action on SSBs 217, 145 and Senate File 165; approved SSBs 31, 308, 271, 247 and 309 as committee bills; recommended passage of Senate Files 284 and 254; amended and approved Senate Files 242 and 199 as committee bills; approved SSB 242 as a committee bill without recommendation.

Adjourned: 5:30 p.m.

LOCAL GOVERNMENT

Convened: March 15, 1995, 1:35 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean and Rittmer.

Members Absent: Zieman.

Committee Business: Assigned bills to subcommittees; approved SSBs 316, 328 and 317 as committee bills; deferred action on SSB 81; recommended passage of Senate Files 136 and 198; amended and approved SSBs 166 and 312 as committee bills.

Recessed: 2:39 p.m.

Reconvened: March 16, 1995, 8:07 a.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Fraise, Judge, McKean, Rittmer and Zieman.

Members Absent: Black and Halvorson.

Committee Business: Approved SSB 314 as a committee bill; SSBs 255, 27 and Senate File 220 failed committee approval.

Adjourned: 8:40 a.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 15, 1995, 3:57 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen.

Members Absent: Hedge (excused) and Priebe.

Committee Business: Assigned bills to subcommittees; approved SSBs 333, 322, 325 and 302 as committee bills; amended and approved SSB 332 as a committee bill; deferred action on SSB 331.

Adjourned: 4:30 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 15, 1995, 9:34 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Borlaug, Giannetto, Kibbie, Maddox and Sorensen.

Members Absent: Flynn, McKean, Palmer, Szymoniak and Vilsack (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:37 a.m.

TRANSPORTATION

Convened: March 15, 1995, 9:35 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer.

Members Absent: none.

Committee Business: Approved SSB 256 as a committee bill; recommended passage of Senate Files 311 and 243; recommended passage of Senate File 214 as amended.

Adjourned: 10:05 a.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Dr. Beth K. Bruening be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

STEVEN D. HANSEN

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *SENATE FILE 375 (SSB 286), a bill for an act relating to abandoned delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Hedge, Priebe and Redfern. Nays, none. Absent or not voting, 6: Bisignano, Gettings, Gronstal, Husak, Lundby 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 Commerce Committee on Senate File 375 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 376 (SSB 180), a bill for an act relating to the regulation of credit unions by authorizing additional powers and defining certain business relationships and establishing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Hedge, Priebe and Redfern. Nays, none. Absent or not voting, 6: Bisignano, Gettings, Gronstal, Husak, Lundby and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 377 (SSB 261), a bill for an act relating to the payment of patronage dividends by cooperative associations which are public utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Hansen, Jensen, Douglas, Flynn, Freeman, Hedge, Priebe and Redfern. Nays, none. Absent or not voting, 6: Bisignano, Gettings, Gronstal, Husak, Lundby and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 21, a bill for an act eliminating the twenty-four hour notice to students prior to a periodic search of students' lockers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3133.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, 1: Dvorsky. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 254, a bill for an act providing that the sheriff may charge for room and board provided to county prisoners and providing for the creation and filing of a room and board reimbursement lien.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, 1: Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 284, a bill for an act relating to the crime of forgery, by prohibiting the knowing possession of forged writings, including documents prescribed for entry into, stay, or employment in the United States, and providing penalties:

Recommendation: DO PASS.

Final Vote: Ayes, 15: Giannetto, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 378 (SSB 256), a bill for an act relating to tinted windows and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, 1: Connolly.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m., President Boswell presiding.

INTRODUCTION OF BILLS

Senate File 383, by committee on Business and Labor Relations, a bill for an act relating to the occupational safety and health law by providing for the confidentiality of trade secrets and for state tort claims liability and providing an effective date.

Read first time and placed on calendar.

Senate File 384, by committee on State Government, a bill for an act relating to regulation of food establishments and providing for fees and penalties.

Read first time and placed on calendar.

Senate File 385, by committee on Local Government, a bill for an act authorizing the appointment of a city board of review by certain cities.

Read first time and placed on calendar.

Senate File 386, by committee on Judiciary, a bill for an act relating to restitution in certain traffic offenses which are simple misdemeanors.

Read first time and placed on calendar.

Senate File 387, by committee on Natural Resources, Environment and Energy, a bill for an act providing limited immunity for persons responding to oil spills.

Read first time and placed on calendar.

Senate File 388, by committee on Education, a bill for an act relating to child development assistance.

Read first time and placed on calendar.

Senate File 389, by committee on Education, a bill for an act providing for technology for classrooms for the twenty-first century.

Read first time and placed on calendar.

Senate File 390, by committee on Education, a bill for an act relating to the Iowa arts and cultural enhancement and endowment program and foundation.

Read first time and placed on calendar.

APPENDIX

STUDY BILLS RECEIVED

SSB 338 Communications & Information Policy

Relating to the Iowa communications network by making an appropriation to be used for Part III connections.

SSB 339 Judiciary

Relating to notice requirements for certain hearings regarding juveniles and custody and visitation of a child designated a child in need of assistance.

SSB 340 Human Resources

Relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 23

COMMUNICATIONS AND INFORMATION POLICY: Flynn, Chair; Hansen and Redfern

Senate File 324

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

Senate File 354

HUMAN RESOURCES: Hansen, Chair; Boettger and Szymoniak

SSB 175

ETHICS: Husak and Hedge, Chairs; Drake, Gettings, McKean and Neuhauser

SSB 335

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer

SSB 336

STATE GOVERNMENT: Bisignano, Chair; Fink and Lind

SSB 338

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

SSB 339

JUDICIARY: Bisignano, Chair; Bartz, Boettger, Giannetto and Vilsack

SSB 340

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

LSB 2446

AGRICULTURE: Judge, Chair; Fraise and Hedge

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Steve Dolezal, Cedar Rapids — For achieving the rank of Eagle Scout. Senator McKean (3-19-95).

INTRODUCTION OF BILLS

Senate File 391, by committee on Local Government, a bill for an act relating to the payment of medical costs of temporary prisoners.

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

Senate File 392, by committee on Local Government, a bill for an act relating to notice requirements for voluntary annexation of property by a city.

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

Senate File 393, by committee on Education, a bill for an act relating to school finance by increasing the foundation base level for special education, providing for additional enrollment for transportation costs based upon a sparsity factor, and providing

additional state aid for school districts with schools which have a percentage of pupils eligible for free or reduced price lunches in excess of the state average, and making appropriations and providing effective date provisions.

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

Senate File 394, by committee on Local Government, a bill for an act relating to instruments filed or recorded with the county recorder.

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

Senate File 395, by committee on Judiciary, a bill for an act relating to juries and imposing penalties.

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

Senate File 396, by committee on Judiciary, a bill for an act relating to limited liability companies.

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

Senate File 397, by committee on Judiciary, a bill for an act providing for enhanced penalties for unlawful possession of controlled substances offenses and providing a conditional effective date.

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

Senate File 398, by committee on Judiciary, a bill for an act relating to commutation of sentences of persons who have been sentenced to life imprisonment.

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

Senate File 399, by committee on Judiciary, a bill for an act relating to providing false information on a uniform citation and complaint and making an existing penalty applicable.

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

Senate File 400, by committee on Commerce, a bill for an act providing for the reincorporation of nonprofit corporations and providing for retroactive applicability and effective dates.

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

Senate File 401, by committee on Commerce, a bill for an act relating to consumer-related actions.

Read first time under Rule 28 and placed on calendar.

Senate File 402, by committee on Agriculture, a bill for an act relating to brands registered by the department of agriculture and land stewardship and providing for penalties.

Read first time under Rule 28 and placed on calendar.

Senate File 403, by committee on Judiciary, a bill for an act relating to collection of delinquent restitution payments.

Read first time under Rule 28 and placed on calendar.

Senate File 404, by committee on Natural Resources, Environment and Energy, a bill for an act relating to solid waste by removing wine and alcoholic liquor as mandatory deposit beverages, requesting the allocation of landfill alternative grant moneys, and making encouragement of curbside recycling a public policy of the state.

Read first time under Rule 28 and placed on calendar.

Senate File 405, by committee on Natural Resources, Environment and Energy, a bill for an act relating to infectious waste.

Read first time under Rule 28 and placed on calendar.

Senate File 406, by committee on Education, a bill for an act extending the periods in which an accredited nonpublic school may apply to the department of education to waive the requirement that the school provide an articulated sequential elementary-secondary guidance program and the requirement that the school provide a media services program.

Read first time under Rule 28 and placed on calendar.

Senate File 407, by committee on Natural Resources, Environment and Energy, a bill for an act relating to alkaline manganese batteries.

Read first time under Rule 28 and placed on calendar.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 402 (LSB 2446), a bill for an act relating to brands registered by the department of agriculture and land stewardship and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR

Final Bill Action: *SENATE FILE 383 (SSB 274), a bill for an act relating to the confidentiality of trade secrets concerning the occupational safety and health law and providing for immediate and retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dearden, Gettings, Connolly, Dvorsky, Giannetto, Hammond and Maddox. Nays, 3: Freeman, Banks and Iverson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Business and Labor Committee on Senate File 383 and they were attached to the committee report.

COMMERCE

Final Bill Action: SENATE FILE 400 (SSB 226), a bill for an act providing for the reincorporation of nonprofit corporations and providing for retroactive applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 401 (SSB 181), a bill for an act relating to consumer-related actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE CONCURRENT RESOLUTION 23, a concurrent resolution urging support of public broadcasting in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Dvorsky, Deluhery, McLaren, Flynn, Hansen and Redfern. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 388 (SSB 240.1), a bill for an act eliminating the twenty-four hour notice to students prior to a periodic search of students' lockers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 389 (SSB 334), a bill for an act providing for technology for classrooms for the twenty-first century.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 390 (SSB 208), a bill for an act relating to the Iowa arts and cultural enhancement and endowment program and foundation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 2: Kramer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 393 (SSB 319), a bill for an act relating to school finance by increasing the foundation base level for special education, providing for additional enrollment for transportation costs based upon a sparsity factor, and providing additional state aid for school districts with schools which have a percentage of pupils eligible for free or reduced price lunches in excess of the state average, and making appropriations and providing effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 406 (SSB 239), a bill for an act extending the periods in which a school or school district may apply to the department of education to waive the requirement that the school or school district provide an articulated sequential elementary-secondary guidance program and the requirement that the school or school district provide a media services program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Hammond, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 4: Fink, Iverson, Kramer and 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 406 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 168, a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 282, a bill for an act relating to child abuse investigations by prohibiting release of the identity of a reporter of child abuse.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 323, a bill for an act relating to the expansion of the volunteer physician program to apply to charitable organizations.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Tinsman and Vilsack. Nays, none. Pass, 1: Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 354, a bill for an act relating to autopsies of certain children under the age of two years.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Kramer and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 386 (SSB 31), a bill for an act relating to restitution in certain traffic offenses which are simple misdemeanors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 395 (SSB 308), a bill for an act relating to juries and imposing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 396 (SSB 247), a bill for an act relating to limited liability companies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 397 (formerly Senate File 199), a bill for an act providing for enhanced penalties for unlawful possession of controlled substances offenses and providing a conditional effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 398 (SSB 309), a bill for an act relating to commutation of sentences of persons who have been sentenced to life imprisonment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: McKean.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 399 (formerly Senate File 242), a bill for an act relating to providing false information on a uniform citation and complaint and making an existing penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 403 (SSB 271), a bill for an act relating to collection of delinquent restitution payments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 385 (SSB 316), a bill for an act authorizing the appointment of a city board of review by certain cities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean and Rittmer. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 391 (SSB 166), a bill for an act relating to the payment of medical costs of temporary prisoners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean and Rittmer. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: 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 391 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 392 (SSB 317), a bill for an act relating to notice requirements for voluntary annexation of property by a city.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean and Rittmer. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 394 (SSB 314), a bill for an act relating to instruments filed or recorded with the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Fraise, Judge, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 2: Black and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: SENATE FILE 387 (SSB 302), a bill for an act providing limited immunity for persons responding to oil spills.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Hedge and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 404 (SSB 332), a bill for an act relating to solid waste by removing wine and alcoholic liquor as mandatory deposit beverages, requesting the allocation of landfill alternative grant moneys, and making encouragement of curbside recycling a public policy of the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Black, Lundby, Banks, Borlaug, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen. Nays, 2: Dearden and Deluhery. Absent or not voting, 2: Hedge 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 Natural Resources, Environment and Energy on Senate File 404 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 405 (SSB 325), a bill for an act relating to infectious waste.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Kibbie, Rensink and Sorensen. Pass, 1: Judge. Absent or not voting, 2: Hedge 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 Natural Resources, Environment and Energy Committee on Senate File 405 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 407 (SSB 322), a bill for an act relating to alkaline manganese batteries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Hedge and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 164, a bill for an act relating to the meetings of the commission on the status of African-Americans.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Bennett and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 384 (SSB 103), a bill for an act relating to regulation of food establishments and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bisignano, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 3: Bennett, Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 2:42 p.m., until 2:00 p.m., Monday, March 20, 1995.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 20, 1995

The Senate met in regular session at 2:05 p.m., President Boswell presiding.

Prayer was offered by the Reverend Charles B. Hawkins, pastor of the Regular Baptist Church, Mt. Ayr, Iowa.

The Journal of Thursday, March 16, 1995, was approved.

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was received:

February 15, 1995

John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

In a letter to you dated February 14, 1994, Paul S. Stave, Spencer, Clay County, of the Accountancy Examining Board was inadvertently listed as one of the names to be withdrawn from Senate consideration for confirmation because of the provisions of the Ethics law. His name should not have been included on this list and he should have been considered for senate confirmation for his reappointment term to the Accountancy Examining Board beginning May 1, 1993, and ending April 30, 1996.

Therefore, we ask that he be considered for confirmation by the Senate during this session.

Sincerely,
TERRY E. BRANSTAD
Governor

Communication was read and 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:

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 1995 Code of Iowa sections:

As members of the Accountancy Examining Board pursuant to Section 542C.3 for terms beginning May 1, 1995, and ending April 30, 1998:

Jean E. Kruse, Cedar Rapids, Linn County, for reappointment; John M. Sklenar, Carroll, Carroll County, for appointment and Dorothy L. Votroubek, Davenport, Scott County, for reappointment.

James Smith, Des Moines, Polk County, for reappointment as the Administrator of the Division of Community Action Agencies pursuant to Section 216A.2 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Donald W. Westergard, Indianola, Warren County, for reappointment as the Administrator of the Division of Persons with Disabilities pursuant to Section 216A.2 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Romelle H. Slaughter, Des Moines, Polk County, for appointment as the Administrator of the Division on the Status of African-Americans pursuant to Section 216A.2 for a term beginning February 10, 1995, and to serve at the pleasure of the Governor.

Charlotte B. Nelson, Des Moines, Polk County, for reappointment as the Administrator of the Division on the Status of Women pursuant to Section 216A.2 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Major General Warren G. Lawson, Johnston, Polk County, for reappointment as Adjutant General pursuant to Section 29A.11 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

For appointment as members of the Alcoholic Beverages Commission pursuant to Section 123.5:

Dr. Suzanne B. Mulder, Ames, Story County, for a term beginning May 1, 1995, and ending April 30, 2000, and Shirley M. Woodsmall, Ankeny, Polk County, for a term beginning March 1, 1995, and ending April 30, 1999.

For reappointment as members of the Architectural Examining Board pursuant to Section 544A.1 for terms beginning May 1, 1995, and ending April 30, 1998:

Carolyn E. Olsen, Minden, Pottawattamie County, and Norman H. Rudi, Ames, Story County.

As members of the Athletic Trainer Advisory Board pursuant to Section 152D.7:

Alan J. Beste, Boone, Boone County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Margaret Susan Cigelman, Urbandale, Polk County, for appointment for a term beginning May 2, 1995, and ending April 30, 1997; Danny T. Foster, Iowa City, Johnson County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998, and Denise A. Harklau, Ames, Story County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

Alan L. Thompson, Ames, Story County, for reappointment as a member of the Board of Barber Examiners pursuant to Section 147.14(1) for a term beginning May 1, 1995, and ending April 30, 1998.

For reappointment as members of the Board of Behavioral Science Examiners pursuant to Section 147.14(13) for terms beginning May 1, 1995, and ending April 30, 1998:

Mary M. Conway, Emmetsburg, Palo Alto County; Linda S. Trudeau, Carroll, Carroll County, and Stanton L. Visser, Rock Valley, Sioux County.

Dr. Ronald C. Evans, Waukee, Dallas County, for reappointment as a member of the Board of Chiropractic Examiners pursuant to Section 147.14(8) for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Board of Corrections pursuant to Section 904.104 for terms beginning May 1, 1995, and ending April 30, 1999:

Frances V. Colston, West Des Moines, Polk County, for appointment; Kenneth R. Hoeffle, Davenport, Scott County, for appointment; Jim R. Schwiesow, Orange City, Sioux County, for reappointment and Allan W. Vander Hart, Jesup, Buchanan County, for appointment.

Susanne E. Wolrab, Cedar Rapids, Linn County, for reappointment as a member of the Board of Cosmetology Arts and Sciences Examiners pursuant to Section 147.14(14), for a term beginning May 1, 1995, and ending April 30, 1998.

For reappointment as members of the Board of Dental Examiners pursuant to Section 147.14(4) for terms beginning May 1, 1995, and ending April 30, 1998:

Dr. Jerry C. Prael, Sioux City, Woodbury County; Dr. James A. Raecker, Waterloo, Black Hawk County, and Dr. Fred A. Riddle, Jr., Iowa City, Johnson County.

Margaret B. Tait, Ames, Story County, for reappointment as a member of the Board of Dietetic Examiners pursuant to Section 147.14 (11) for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Board of Educational Examiners pursuant to Section 272.3:

Mary M. Conrad, Fort Dodge, Webster County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999; Dr. Gerald L. Cowell, Creston, Union County, for appointment for a term beginning May 1, 1995, and ending April 30, 1999; James E. Ehmen, Cedar Falls, Black Hawk County, for appointment for a term beginning May 1, 1995, and ending April 30, 1998; Jacqueline M. Parkin, Fairfield Jefferson County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999, and Ann R. Shaw, Indianola, Warren County, for appointment for a term beginning March 9, 1995, and ending April 30, 1997.

For reappointment 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, 1995, and ending April 30, 1998:

Richard T. Clark, Fort Dodge, Webster County, and Ronald G. Richer, Urbandale, Polk County.

As members of the Board of Medical Examiners pursuant to Section 147.14(2):

Dr. James M. Caterine, Waukee, Dallas County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Mary C. Hodges, Wapello, Louisa County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Dr. Dale R. Holdiman, Sioux City, Woodbury County, for appointment for a term beginning May 1, 1995, and ending April 30, 2000, and Dr. Teresa A. Mock, Mason City, Cerro Gordo County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

James W. Barr, Fort Madison, Lee County, for reappointment as a member of the Board of Mortuary Science Examiners pursuant to Section 147.14(1), for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Board of Nursing Examiners pursuant to Section 147.14(3):

Rodmon C. Bell, Burlington, Des Moines County, for appointment for a term beginning March 10, 1995, and ending April 30, 1996; Regene L. Osborne, Sioux City, Woodbury County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Richard A. Petersen, Sioux City, Woodbury County, for appointment for a term beginning March 8, 1995, and ending April 30, 1998, and Guy W. Richardson, Jefferson, Greene County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Board of Optometry Examiners pursuant to Section 147.14(6):

Jane F. Ecklund, Jefferson, Greene County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Brenda S. Neville, Cambridge, Story County, for appointment for a term beginning February 23, 1995, and ending April 30, 1997, and Dr. Robert H. Sharp, Atlantic, Cass County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

Barbara Binnie, Des Moines, Polk County, for reappointment as a member of the Board of Parole pursuant to Section 904A.3 for a term beginning May 1, 1995, and ending April 30, 1999.

For reappointment as members of the Board of Pharmacy Examiners pursuant to Section 147.14(5) for terms beginning May 1, 1995, and ending April 30, 1998:

Jay J. Cayner, Iowa City, Johnson County, and Phyllis A. Miller, Leon, Decatur County.

As members of the Board of Physical and Occupational Therapy Examiners for terms beginning May 1, 1995, and ending April 30, 1998:

Diana R. Brower, Saint Ansgar, Mitchell County, for reappointment and Eric G. Jacobs, Cedar Rapids, Linn County, for appointment.

For appointment as members of the Board of Physician Assistant Examiners pursuant to Section 147.14(12) for terms beginning May 1, 1995, and ending April 30, 1998:

Dr. Patricia A. Banwart, West Bend, Palo Alto County, and Mark G. Davis, Algona, Kossuth County.

Dr. William W. Gronen, Waterloo, Black Hawk County, for appointment as a member of the Board of Podiatry Examiners pursuant to Section 147.14(1), for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Board of Psychology Examiners pursuant to Section 147.14(7):

Connie L. Schmett, Clive, Polk County, for appointment for a term beginning March 10, 1995, and ending April 30, 1995, and for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

Dr. Dan L. Rogers, Fort Dodge, Webster County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

For reappointment as members of the Board of Social Work Examiners pursuant to Section 147.14(1) for terms beginning May 1, 1995, and ending April 30, 1998:

Richard Matland, Glenwood, Mills County, and Kathleen M. Morgan, Des Moines, Polk County.

Alan K. Heidecker, Sioux Center, Sioux County, and Dorothy L. McKee, Decorah, Winneshiek County, for reappointment as members of the Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(9) for a term beginning May 1, 1995, and ending April 30, 1998.

Allan T. Thoms, Dubuque, Dubuque County, for appointment as Chairperson of the Utilities Board pursuant to Section 474.1 for a term beginning May 1, 1995, and ending April 30, 1997.

Dr. Therese M. Vaughan, Des Moines, Polk County, for reappointment as the Commissioner of Insurance pursuant to Section 505.2 for a term beginning May 1, 1995, and ending April 30, 1999.

Dr. Edward Stanek, Des Moines, Polk County, for reappointment as the Commissioner of the Lottery pursuant to Section 99E.3 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

John C. Wellman, Des Moines, Polk County, for reappointment as a member of the Commission for the Blind pursuant to Section 216B.2 for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Commission of Elder Affairs pursuant to Section 231.11:

Bertrum Bidne, Northwood, Worth County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999; Harold B. Davis, Sioux City, Woodbury County, for appointment for a term beginning March 10, 1995, and ending April 30, 1997, and Elmer H. Vermeer, Sioux Center, Sioux County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999.

For reappointment as members of the Commission of Veterans Affairs pursuant to Section 35A.2 for terms beginning May 1, 1995, and ending April 30, 1999:

Mildred R. Dawson, Cedar Rapids, Linn County, and Larry J. Jatho, Des Moines, Polk County.

For reappointment as members of the Commission on Community Action Agencies pursuant to Section 216A.92A for terms beginning May 1, 1995, and ending April 30, 1998:

Lois H. Eichacker, Fort Madison, Lee County; Merl McFarlane, Oelwein, Fayette County, and Stephanie A. Stebens, Davenport, Scott County.

As members of the Commission on the Deaf pursuant to Section 216A.112 for terms beginning May 1, 1995, and ending April 30, 1998:

Polly A. Adam, Des Moines, Polk County, for appointment; Donna S. Hansen, Waterloo, Black Hawk County for appointment, and Marvin W. Tuttle, Des Moines, Polk County, for reappointment.

For reappointment as members of the Community Health Management Information System Governing Board pursuant to Section 144C.4 for terms beginning May 1, 1995, and ending April 30, 1998:

Dennis L. Billings, Johnston, Polk County, and John M. Comstock, Clarion, Wright County.

As members of the Council on Human Services pursuant to Section 217.2:

Dennis D. Killion, Red Oak, Montgomery County, for reappointment for a term beginning May 1, 1995, and ending April 30, 2001; Gregg R. Narber, Des Moines, Polk County, for appointment for a term beginning May 1, 1995, and ending April 30, 2001, and Dianne L. Paca, Garner, Hancock County, for appointment for a term beginning March 1, 1995, and ending April 30, 1999.

For reappointment as members of the County Finance Committee pursuant to Section 333A.2 for terms beginning May 1, 1995, and ending April 30, 1999:

Christine M. Van Meter, Des Moines, Polk County, and Sharon L. Winchell, Atlantic, Cass County.

For appointment as members of the Credit Union Review Board pursuant to Section 533.53 for terms beginning May 1, 1995, and ending April 30, 1998:

Patricia A. Berding, Sioux City, Woodbury County, and Diane L. Kollasch, Spirit Lake, Dickinson County.

Christopher G. Atchison, Des Moines, Polk County, for reappointment as Director of Public Health pursuant to Section 135.2 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Gerald D. Bair, Ankeny, Polk County, for reappointment as Director of Revenue and Finance pursuant to Section 421.2 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

R. Creig Slayton, Des Moines, Polk County, for reappointment as Director of the Department for the Blind pursuant to Section 216B.2 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

William H. Jackson, Des Moines, Polk County, for reappointment as the Director of the Department of Cultural Affairs pursuant to Section 303.1 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Betty L. Grandquist, Des Moines, Polk County, for reappointment as Director of the Department of Elder Affairs pursuant to Section 231.22 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Larry J. Wilson, Des Moines, Polk County, for reappointment as Director of the Department of Natural Resources pursuant to Section 455A.3 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Karen L. Wall, Sioux City, Woodbury County, for appointment as a member of the Drug Abuse Prevention and Education Advisory Council pursuant to Section 80E.2 for a term beginning May 1, 1995, and ending April 30, 1999.

For reappointment as members of the Engineering and Land Surveying Examining Board pursuant to Section 542B.3 for terms beginning May 1, 1995, and ending April 30, 1998:

Dwayne C. Garber, Beaman, Grundy County, and Anne W. McKeown, Council Bluffs, Pottawattamie County.

As members of the Environmental Protection Commission pursuant to Section 455A.6 for terms beginning May 1, 1995, and ending April 30, 1999:

Kathryn J. Draeger, Bronson, Woodbury County, for appointment; Charlotte Mohr, Eldridge, Scott County, for reappointment; Gary C. Priebe, Algona, Kossuth County, for reappointment, and Esther M. Strother, Mount Vernon, Linn County, for appointment.

Ted R. Chapler, Des Moines, Polk County, for reappointment as the Executive Director of the Iowa Finance Authority pursuant to Section 16.6 for a term beginning May 1, 1995, and to serve at the pleasure of the Governor.

Margaret P. Borgen, Des Moines, Polk County, for reappointment as a member of the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2 for a term beginning May 1, 1995, and ending April 30, 2001.

For reappointment as members of the Indigent Defense Advisory Commission pursuant to Section 13B.2A for terms beginning May 1, 1995, and ending April 30, 1998:

Carlynn D. Grupp, Mason City, Cerro Gordo County; A. Patricia Houlihan, Des Moines, Polk County, and Richard P. Tekippe, New Hampton, Chickasaw County.

As members of the Investment Board of the IPERS pursuant to Section 97B.8 for terms beginning May 1, 1995, and ending April 30, 2001:

Kathy G. Kahue, Hamburg, Fremont County, for reappointment, and Bruce G. Kelley, Des Moines, Polk County, for appointment.

Dr. Donald R. Jacobi, Harlan, Shelby County, for reappointment as a member of the Iowa Board of Veterinary Medicine pursuant to Section 169.5 for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board pursuant to Section 455G.4:

Cathy A. Rottinghaus, Cedar Falls, Black-Hawk County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999, and Jacklyn K. Van Ekeren, Des Moines, Polk County, for appointment for a term beginning March 13, 1995, and ending April 30, 1997.

For reappointment as members of the Iowa Council on Human Investment pursuant to Section 8A.2 for terms beginning May 1, 1995, and ending April 30, 1998:

Lois H. Eichacker, Fort Madison, Lee County; Elaine A. Pfalzgraf, Cedar Falls, Black Hawk County, and Charese E. Yanney, Sioux City, Woodbury County.

For reappointment as members of the Iowa Economic Development Board pursuant to Section 15.103 for terms beginning May 1, 1995, and ending April 30, 1999:

Ann Jorgensen, Garrison, Benton County, and Eldon E. Leonard, Ankeny, Polk County.

Cindy Raspiller, Cedar Rapids, Linn County, for reappointment as a member of the Iowa Emergency Response Commission pursuant to Section 30.2 for a term beginning May 1, 1995, and ending April 30, 1998.

Geraldine M. Leinen, Davenport, Scott County, for appointment as a member of the Iowa Ethics and Campaign Disclosure Board pursuant to Section 68B.32 for a term beginning March 10, 1995, and ending April 30, 1998.

For reappointment as members of the Iowa Finance Authority pursuant to Section 16.2 for terms beginning May 1, 1995, and ending April 30, 2001:

James W. Balmer, Iowa City, Johnson County; Darwin T. Lynner, Jr., Des Moines, Polk County, and Roosevelt Taylor, Waterloo, Black Hawk County.

For reappointment as members of the Iowa Grain Indemnity Fund Board pursuant to Section 203D.4 for terms beginning May 1, 1995, and ending April 30, 1998:

Terry W. Evans, Corning, Adams County, and Bruce A. Yungclas, Webster City, Hamilton County.

Kathryn A. Thieleke, Grimes, Polk County, for appointment as a member of the Iowa Higher Education Loan Authority pursuant to Section 261A.5 for a term beginning February 8, 1995, and ending April 30, 1998.

For appointment as members of the Iowa Law Enforcement Academy Council pursuant to Section 80B.6:

Donald S. Lynn, Bettendorf, Scott County, for a term beginning May 1, 1995, and ending April 30, 1999, and Thomas S. Mullin, Sioux City, Woodbury County, for a term beginning March 9, 1995, and ending April 30, 1998.

As members of the Iowa State Civil Rights Commission pursuant to Section 216.3 for terms beginning May 1, 1995, and ending April 30, 1999:

Bernard L. Bidne, Northwood, Worth County, for appointment and Sally M. O'Donnell, Sioux City, Woodbury County, for reappointment.

For reappointment as members of the Landscape Architectural Examining Board pursuant to Section 544B.3:

Alfred C. Bohling, Jr., Columbus Junction, Louisa County, for a term beginning May 1, 1995, and ending April 30, 1998, and Diana Hoogestraat, Glenwood, Mills County, for a term beginning May 1, 1995, and ending April 30, 1998.

For reappointment as members of the Lottery Board pursuant to Section 99E.5 for terms beginning May 1, 1995, and ending April 30, 1999:

Connie M. Alt, Cedar Rapids, Linn County, and Ross M. Sutton, Urbandale, Polk County.

As members of the Mental Health and Developmental Disabilities Commission pursuant to Section 225C.5:

Sharon Blair, Des Moines, Polk County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Myrna L. Langerud, Lake Mills, Winnebago County, for appointment for a term beginning March 10, 1995, and ending April 30, 1996; Barbara J. Lips, Fayette, Fayette County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Jean E. Oxley, Marion, Linn County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998; Steven Reuter, Sumner, Bremer County, for appointment for a term beginning May 1, 1995, and ending April 30, 1998, and Beverly Zieman, Postville, Allamakee County, for appointment for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Narcotics Enforcement Advisory Council pursuant to Section 80E.3 for terms beginning May 1, 1995, and ending April 30, 1999:

Yale H. Jarvis, Washington, Washington County, for appointment; Lori Lewis, Mason City, Cerro Gordo County, for reappointment and Lt. Russell C. Underwood, Johnston, Polk County, for appointment.

For reappointment as members of the Natural Resource Commission pursuant to Section 455A.2 for terms beginning May 1, 1995, and ending April 30, 2001:

Marian L. Kieffer, Bellevue, Jackson County, and Joan C. Schneider, Okoboji, Dickinson County.

As members of the Personnel Commission pursuant to Sections 19A.4 and 19A.6:

Dorothy F. Carpenter, West Des Moines, Polk County, for appointment for a term beginning February 7, 1995, and ending April 30, 2001; Merlin D. Hulse, Clarence, Cedar County, for reappointment for a term beginning May 1, 1995, and ending April 30, 2000, and Hubert W. Winebrenner, Clive, Polk County, for appointment for a term beginning February 7, 1995, and ending April 30, 1999.

As members of the Prevention of Disabilities Policy Council pursuant to Section 225B.3 for terms beginning May 1, 1995, and ending April 30, 1998:

Monica H. Kurtz, Des Moines, Polk County, for appointment; Jerry D. Stilwell, West Des Moines, Polk County, for reappointment and Carol A. Watson, Iowa City, Johnson County, for reappointment.

As members of the Real Estate Appraiser Examining Board pursuant to Section 543D.4 for terms beginning May 1, 1995, and ending April 30, 1998:

Terrence D. Culver, Des Moines, Polk County, for appointment; David R. Hicks, Hampton, Franklin County, for reappointment and Cathy G. Jones, Ankeny, Polk County, for appointment.

Terry W. Rogers, Council Bluffs, Pottawattamie County, for appointment as a member of the Real Estate Commission pursuant to Section 543B.8 for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Renewable Fuels and Coproducts Advisory Committee pursuant to Section 159A.4:

Myron D. Carlson, Oskaloosa, Mahaska County, for appointment for a term beginning March 10, 1995, and ending April 30, 1995, and for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

David L. Holmes, Johnston, Polk County, for appointment for a term beginning March 6, 1995, and ending April 30, 1997.

Eric C. Seuren, West Des Moines, Polk County, for appointment for a term beginning March 6, 1995, and ending April 30, 1996.

Earl L. Howard, Bloomfield, Davis County, for reappointment as a member of the Respiratory Care Advisory Committee pursuant to Section 152B.13 for a term beginning May 1, 1995, and ending April 30, 1998.

As members of the Small Business Advisory Council pursuant to Section 15.108(7h):

Sarah A. Falb, West Union, Fayette County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999; Frances S. Fleck, West Moines, Polk County, for appointment for a term beginning May 1, 1995, and ending April 30, 1996, and Leona E. Westphal, Corning, Adams County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999.

For reappointment as members of the State Board of Examiners for Nursing Home Administrators pursuant to Section 155.2 for terms beginning May 1, 1995, and ending April 30, 1998:

Warren D. Rippey, Des Moines, Polk County, and Patricia E. Tiarks, Sidney, Fremont County.

For appointment as members of the State Board of Regents pursuant to Section 262.2 for terms beginning May 1, 1995, and ending April 30, 2001:

David J. Fisher, West Des Moines, Polk County; Ellengray C. Kennedy, Bancroft, Kossuth County, and Beverly A. Smith, Waterloo, Black Hawk County.

Gayle N. Vogel, Knoxville, Marion County, for appointment as a member of the State Board of Tax Review pursuant to Section 421.1 for a term beginning May 1, 1995, and ending April 30, 2001.

As members of the State Citizen Foster Care Review Board pursuant to Section 237.16:

Lil M. Perry, Washington, Washington County, for appointment for a term beginning March 13, 1995, and ending April 30, 1997, and Harriet Vande Hoef, Harris, Osceola County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1999.

For appointment as members of the State Health Facilities Council pursuant to Section 135.62 for terms beginning May 1, 1995, and ending April 30, 2001:

Patricia A. Hofmaster, West Des Moines, Polk County, and Dr. Harry C. Rasdal, Spencer, Clay County.

For appointment as members of the State Judicial Nominating Commission pursuant to Section 46.1 for terms beginning May 1, 1995, and ending April 30, 2001:

Donald Culp, Fort Madison, Lee County; Carol A. Golden, Marion, Linn County, and Lee W. Holt, Spencer, Clay County.

As members of the State Racing and Gaming Commission pursuant to Section 99D.5:

Richard Canella, Fort Madison, Lee County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998, and Bradley R. Peyton, Urbandale, Polk County, for appointment for a term beginning March 14, 1995, and ending April 30, 1997.

As members of the State Soil Conservation Committee pursuant to Section 161A.4 for terms beginning May 1, 1995, and ending April 30, 2001:

Mary J. Boote, Hull, Sioux County, for appointment and Mary Ann B. Drish, Brighton, Washington County, for reappointment.

Thomas L. Aller, Cedar Rapids, Linn County, for appointment as a member of the State Transportation Commission pursuant to Section 307.3 for a term beginning May 1, 1995, and ending April 30, 1999.

Allan T. Thoms, Dubuque, Dubuque County, for appointment as a member of the Utilities Board pursuant to Section 474.1 for a term beginning May 1, 1995, and ending April 30, 2001.

As members of the Wallace Technology Transfer Foundation of Iowa pursuant to Section 15E.154:

Steven S. Berger, Wellman, Washington County, for appointment for a term beginning February 21, 1995, and ending April 30, 1995, and for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

Nadine S. Drennan, New Sharon, Mahaska County, for appointment for a term beginning February 21, 1995, and ending April 30, 1995, and for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

Marlys D. Johnson, Akron, Plymouth County, for reappointment for a term beginning May 1, 1995, and ending April 30, 1998.

Sincerely,
TERRY E. BRANSTAD
Governor

Communications were read and referred to the committee on
Rules and Administration.

COMMUNICATION FROM THE ATTORNEY GENERAL

The following communication from the State Attorney General was received:

March 9, 1995

The Honorable Leonard Boswell
President of the Senate
State Capitol
L O C A L

Dear President Boswell:

Pursuant to Iowa Code Sections 2.32 and 475A.1, I hereby appoint James Maret, Des Moines, Polk County, to an additional term of four years as Consumer Advocate for the State of Iowa. Mr. Maret has served the State well for 14 years as Consumer Advocate. He is in important part of the leadership team of this department and

has played a significant role in protecting the consumers of Iowa. I ask that the Senate give timely consideration to this appointment.

Sincerely yours,
THOMAS J. MILLER
Attorney General

Communication was received and referred to the committee on
Rules and Administration.

COMMUNICATION RECEIVED

The following communication from the Iowa Telecommunications and Technology Commission was received:

February 8, 1995

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

On behalf of the Iowa Telecommunications and Technology Commission, it is my pleasure to submit to the Senate for their consideration the appointment as executive director of the Iowa Telecommunications and Technology Commission, Mr. Harold M. Thompson, Johnston, Polk County, pursuant to Section 8D.4, Code of Iowa.

Sincerely,
ROBERT F. BAUR, Chairman
Iowa Telecommunications and
Technology Commission.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were received:

March 15, 1994

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

Pursuant to 1995 Iowa Code Section 2.32(4), the expired appointments of Alice Jenkins and Ann Kaven to the Community Health Management Information System Governing Board are being deferred because no appropriate candidates have been found for these positions.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the expired appointments of Robert Kramme and Duane VandeHoef to the County Finance Board are being deferred because no appropriate candidates have been found for these positions.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the appointment for the expired position on the Higher Education Strategic Planning Council is being deferred. At this time, appropriate candidates are still under consideration.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the expiring appointment to the Iowa State Civil Rights Commission is being deferred because no appropriate candidate has been found for this position at this time.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the three appointments expiring 4/30/95 for the Job Service Advisory Council are being deferred at this time as it is our understanding legislation is being considered to repeal this board.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the expiring appointment to the School Budget Review Committee is being deferred because no appropriate candidate has been found for this position at this time.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the appointments expiring 4/30/95 for the Title Guaranty Division Board are being deferred at this time as it is our understanding legislation is being considered to repeal this board.

ALSO:

Pursuant to 1995 Iowa Code Section 2.32(4), the appointments expiring 4/30/95 for the Well Contractors' Council are being withdrawn at this time because qualifications have been met according to Iowa Code Section 455B.190A.3(b)(c) and this board will be dissolved.

Sincerely,
TERRY E. BRANSTAD
Governor

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 16, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 158, a bill for an act to provide conformity to the definition of travel trailers.

ALSO: That the House has on March 16, 1995, passed the following bills in which, the concurrence of the Senate is asked:

House File 139, a bill for an act relating to the disclosure of the methods used by insurance companies and nonprofit health service corporations to determine the usual and customary fees for dental care benefit coverages.

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

House File 186, 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**.

INTRODUCTION OF BILLS

Senate File 408, by committee on Judiciary, a bill for an act establishing economic and other penalties for certain criminal activity.

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

Senate File 409, by committee on Judiciary, a bill for an act relating to the activities of clerks of the district court, and providing additional court fees.

Read first time and placed on calendar.

Senate File 410, by committee on Commerce, a bill for an act relating to health care and health care coverage by establishing a health education and advocacy program, by requiring certain disclosure by providers of health care coverage, prohibiting the use of premium income for certain purposes, and establishing complaint procedures.

Read first time and placed on calendar.

Senate File 411, by committee on Commerce, a bill for an act relating to authorization of price regulation for utilities providing communications services.

Read first time and placed on calendar.

Senate File 412, by committee on Communications and Information Policy, a bill for an act relating to the Iowa communications network by making an appropriation to be used for Part III connections.

Read first time and placed on calendar.

Senate File 413, by committee on Natural Resources, Environment and Energy, a bill for an act relating to underground storage tanks by increasing the environmental protection charge, providing for the use of risk-based corrective action standards, expanding property transfer insurance and loan guarantees, extending the compliance date for upgrade requirements, creating marketability and innocent landowner funds and providing benefits, requiring certification of groundwater professionals and creating a penalty, requiring a study, and providing for repeals, and implementation, effective date, and retroactive applicability provisions.

Read first time and placed on calendar.

Senate File 414, by committee on Natural Resources, Environment and Energy, a bill for an act defining residency for the purpose of purchasing a hunting, fishing, or fur harvester license.

Read first time and placed on calendar.

Senate File 415, by committee on Natural Resources, Environment and Energy, a bill for an act relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

Read first time and placed on calendar.

Senate File 416, by committee on Judiciary, a bill for an act relating to structured fines, establishing a civil penalty and surcharge, providing for the distribution of fines, and establishing effective and repeal dates.

Read first time and placed on calendar.

Senate File 417, by committee on Judiciary, a bill for an act relating to the crime of assault, by changing the elements of assault without intent but causing injury, creating the crimes of intentional assault causing injury and assault causing serious injury, and providing penalties.

Read first time and placed on calendar.

Senate File 418, by committee on Judiciary, a bill for an act to permit the imposition of a one-year jail term as part of the sentence of a person who is convicted of an aggravated misdemeanor or greater offense, providing for payment of costs by the state, and providing for partial payment by the offender if work release is permitted.

Read first time and placed on calendar.

Senate File 419, by committee on Judiciary, a bill for an act to establish a cause of action for persons who incur damages as a result of illegal drug use, providing for a rebuttable presumption,

joinder of parties, a right of contribution, and temporary stays of proceedings pending criminal investigations or prosecutions.

Read first time and placed on calendar.

Senate File 420, by committee on Education, a bill for an act establishing school-to-work programs focusing on career pathways for students and making an appropriation.

Read first time and placed on calendar.

Senate File 421, by committee on Commerce, a bill for an act relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance.

Read first time and placed on calendar.

Senate File 422, by committee on Local Government, a bill for an act relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other properly related matters, and providing effective 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 48 present, 2 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 the committee on **Ways and Means**:

House File 30 and Senate Files 101, 136, 260, 307, 360, 367 and 384.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 174

On motion of Senator Dvorsky, Senate File 174, a bill for an act relating to health facilities under the purview of the department of inspections and appeals, was taken up for consideration.

Senator Dvorsky withdrew amendment S—3079 filed by him on February 28, 1995, to page 1 of the bill.

Senator Dvorsky offered amendment S—3098 filed by him on March 6, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3098 was adopted by a voice vote.

Senator Hansen offered amendment S—3081 filed by him on March 1, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3081 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 174) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 178

On motion of Senator Hammond, Senate File 178, a bill for an act relating to emergency medical services, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on Senate File 178 be deferred.

Senate File 223

On motion of Senator Hammond, Senate File 223, a bill for an act providing for notification of certain persons receiving public assistance of tax suspension provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 223) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 31

On motion of Senator Halvorson, Senate File 31, a bill for an act relating to lighted headlamps and windshield wiper operation, and making a penalty applicable, with report of committee

recommending amendment and passage, was taken up for consideration.

Senator Halvorson offered amendment S—3086 filed by the committee on Transportation on March 1, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3086 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 31) the vote was:

Ayes, 24:

Bennett	Black	Boswell	Dearden
Deluhery	Douglas	Drake	Fraise
Gettings	Halvorson	Hammond	Hedge
Horn	Husak	Jensen	Judge
Lundby	McKean	Neuhauser	Redfern
Rittmer	Szymoniak	Vilsack	Zieman

Nays, 26:

Banks	Bartz	Bisignano	Boettger
Borlaug	Connolly	Dvorsky	Fink
Flynn	Freeman	Giannetto	Gronstal
Hansen	Iverson	Kibbie	Kramer
Lind	Maddox	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Sorensen	Tinsman		

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 141

On motion of Senator Fraise, Senate File 141, a bill for an act relating to notice for vacating and closing roads, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—3087 filed by the committee on Transportation on March 1, 1995, to page 1 of the bill.

Senator Hedge asked and received unanimous consent that action on amendment S—3087 and **Senate File 141** be deferred.

Senate File 232

On motion of Senator Drake, Senate File 232, a bill for an act prohibiting persons under the age of eighteen from riding and prohibiting operators from allowing persons under the age of eighteen from riding on any portion of a motor vehicle unintended for use of passengers and providing a penalty, was taken up for consideration.

Senator Drake offered amendment S—3097 filed by him on March 6, 1995, to page 1 of the bill and asked and received unanimous consent that action on the amendment be deferred.

Senator Lind offered amendment S—3118 filed by him on March 13, 1995 to page 1 and the title page of the bill and moved its adoption.

Amendment S—3118 was adopted by a voice vote.

With the adoption of amendment S—3118, the Chair ruled amendment S—3097, previously deferred, out of order.

Senator Deluhery asked and received unanimous consent that action on **Senate File 232** be deferred.

Senate File 202

On motion of Senator Hansen, Senate File 202, a bill for an act relating to public health issues, including certain birth certificates and licensing of athletic trainers, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 202) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 236

On motion of Senator Fraise, Senate File 236, a bill for an act relating to salvage and wrecked motor vehicles, 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. 236) the vote was:

Ayes, 34:

Bennett	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Lind
Lundby	Neuhauser	Palmer	Priebe
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 16:

Banks	Bartz	Boettger	Borlaug
Giannetto	Hammond	Hedge	Iverson
Kramer	Maddox	McKean	McLaren
Murphy	Redfern	Rensink	Rife

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

BUSINESS PENDING

Senate File 141

The Senate resumed consideration of Senate File 141, a bill for an act relating to notice for vacating and closing roads, and amendment S—3087 by the committee on Transportation, previously deferred.

Senator Bartz offered amendment S—3137 filed by him from the floor to amendment S—3087 and moved its adoption.

Amendment S—3137 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—3087 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 141) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Vilsack
Zieman			

Nays, 1:

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 247

On motion of Senator Fink, Senate File 247, a bill for an act relating to plastic garbage can liners with recycled content, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 247) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 258

On motion of Senator Vilsack, Senate File 258, a bill for an act relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 258** be deferred.

Senate File 213

On motion of Senator Jensen, Senate File 213, a bill for an act relating to handicapped parking and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that action on **Senate File 213** be deferred.

Senate File 271

On motion of Senator Husak, Senate File 271, a bill for an act relating to the authorization of a bank office where a state bank may maintain its management and bookkeeping functions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 271) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Sorensen

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

BUSINESS PENDING

Senate File 258

The Senate resumed consideration of Senate File 258, a bill for an act relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records, previously deferred.

Senator Szymoniak offered amendment S—3138 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3138 was adopted by a voice vote.

Senator Vilsack asked and received unanimous consent that action on **Senate File 258** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 272

On motion of Senator Hansen, Senate File 272, a bill for an act relating to the validity of a notarial act by an officer, director, or shareholder of a corporation and providing for retroactive application, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 272) the vote was:

Ayes, 33:

Bisignano	Black	Boswell	Connolly
Dearden	Deluherly	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Hedge	Horn
Husak	Jensen	Kibbie	Kramer
Lundby	Maddox	Murphy	Palmer
Redfern	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 17:

Banks	Bartz	Bennett	Boettger
Borlaug	Hammond	Iverson	Judge
Lind	McKean	McLaren	Neuhauser
Priebe	Rensink	Rife	Rittmer
Zieman			

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

BUSINESS PENDING

Senate File 258

The Senate resumed consideration of Senate File 258, a bill for an act relating to the adoption of uniform fees to be charged an attorney for duplicate health care provider records, previously deferred.

Senator Kibbie offered amendment S—3142 filed by Senators Kibbie and Priebe from the floor to page 1 of the bill and moved its adoption.

Amendment S—3142 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. 258) the vote was:

Ayes, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

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 274

On motion of Senator Gronstal, Senate File 274, a bill for an act relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date, 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. 274) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 283

On motion of Senator Black, Senate File 283, a bill for an act relating to the operation of all-terrain vehicles and snowmobiles on roads and applying penalties, was taken up for consideration.

Senator Black offered amendment S—3139 filed by him from the floor to page 2 of the bill.

Senator Black asked and received unanimous consent that action on amendment S—3139 and Senate File 283 be deferred.

Senate File 285

On motion of Senator Connolly, Senate File 285, a bill for an act relating to asbestos removal by providing for accreditation of training programs and requiring training for certain asbestos abatement workers, was taken up for consideration.

Senator Vilsack offered amendment S—3125 filed by him on March 14, 1995, to page 5 of the bill and moved its adoption.

Amendment S—3125 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. 285) the vote was:

Ayes, 36:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lundby
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 14:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Hedge
Kramer	Lind	Maddox	Rensink
Rife	Tinsman		

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 Hammond, Senate File 286, a bill for an act concerning workers' compensation by providing for the computing of gross weekly earnings for volunteer ambulance drivers, emergency medical technician trainees, and seasonal workers, and relating to judicial review of workers' compensation contested cases, was taken up for consideration.

Senator Maddox offered amendment S—3143 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3143 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 286) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Bartz	Hedge	Iverson
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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 298

On motion of Senator Gettings, Senate File 298, a bill for an act relating to implements of husbandry, concerning the definition of implements of husbandry, and weight restrictions for certain implements of husbandry, 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. 298) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 36, a bill for an act relating to public water supply system fees.

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

House File 113, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals.

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

House File 154, a bill for an act relating to the exemption of certain dentists and dental hygienists from state licensing requirements.

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

House File 252, a bill for an act relating to the regulation of real estate brokers and salespersons.

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

House File 257, a bill for an act relating to the administration of trusts and estates by corporate fiduciaries.

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

INTRODUCTION OF BILLS

Senate File 423, by committee on Commerce, a bill for an act relating to delayed deposit services businesses and providing penalties.

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

Senate File 424, by committee on State Government, a bill for an act relating to membership and administration of the board of the statewide police and fire retirement system and providing an effective date.

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

Senate File 425, by committee on State Government, a bill for an act relating to gambling on excursion gambling boats and at pari-mutuel racetracks by limiting the issuance of gambling licenses on excursion gambling boats, by authorizing the

commission to determine gambling games at pari-mutuel racetracks, and by providing an effective date.

Read first time and placed on calendar.

Senate File 426, by committee on State Government, a bill for an act creating a commission of Asian-Pacific persons within the department of human rights.

Read first time and placed on calendar.

Senate File 427, by committee on State Government, a bill for an act relating to authorizing the payment of salaries to senior judges, providing for a maximum retirement annuity amount paid to senior judges, and providing effective and applicability dates.

Read first time and placed on calendar.

Senate File 428, by committee on Judiciary, a bill for an act to provide for the reciprocal rendition of prisoners as witnesses in criminal proceedings and providing an effective date.

Read first time and placed on calendar.

Senate File 429, by committee on Human Resources, a bill for an act relating to advanced registered nurse practitioners by providing for coverage of services provided by such practitioners under a policy or contract providing for health care coverage.

Read first time and placed on calendar.

Senate File 430, by committee on Human Resources, a bill for an act relating to the time period for hearing on an application for hospitalization of a person alleged to be seriously mentally impaired.

Read first time and placed on calendar.

Senate File 431, by committee on Human Resources, a bill for an act relating to child support collection, including the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions.

Read first time and placed on calendar.

Senate File 432, by committee on Judiciary, a bill for an act relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date.

Read first time and placed on calendar.

Senate File 433, by committee on Human Resources, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions.

Read first time and placed on calendar.

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:

Danny T. Foster and Dr. Mary A. Khowassah as members of the Athletic Trainer Advisory Board.

Teresa A. Mock as a member of the Board of Medical Examiners.

Pamela W. Vap as a member of the Community Health Management Information System Governing Board.

Terrance G. Townsend as a member of the Environmental Protection Commission.

Thomas G. Kunz as a member of the Iowa Seed Capital Corporation.

Robert J. DeSmidt, Gilbert C. Hoogendoorn, Jean E. Oxley and Robert E. Petersen as members of the Mental Health and Developmental Disabilities Commission.

Joan C. Schneider as a member of the Natural Resource Commission.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Renzink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 15

Senator Flynn called up for consideration Senate Concurrent Resolution 15, a concurrent resolution requesting that the Congress of the United States direct the Health Care Financing Administration to establish a national policy no later than July 1, 1995, for Medicare reimbursement of telemedicine services, amended by the House, and moved that the Senate concur in House amendment S—3109 filed by March 9, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Flynn moved that the resolution as amended by the House and concurred in by the Senate, be adopted, which motion prevailed by a voice vote and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 174, 202, 223, 141, 236, 247, 271, 272, 258, 274, 285, 286 and 298 be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 434, by committee on Ethics, a bill for an act relating to state government ethics and lobbying, by changing the definitions of lobbyist and client, amending the ethics and campaign disclosure board complaint process, amending the two-year ban on activities by certain former state officers and employees, and making changes related to the filing of personal financial disclosure statements.

Read first time and placed on calendar.

Senate File 435, by committee on State Government, a bill for an act relating to the exemption of certain dentists and dental hygienists from state licensing requirements.

Read first time and placed on calendar.

Senate File 436, by committee on Human Resources, a bill for an act relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers, for certain publicly operated facilities or programs, and for certain purposes of public employers.

Read first time and placed on calendar.

Senate File 437, by committee on State Government, a bill for an act relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system.

Read first time and placed on calendar.

Senate File 438, by committee on Judiciary, a bill for an act relating to juvenile justice including notice requirements for certain hearings and authorizing associate juvenile judges to perform marriage ceremonies.

Read first time and placed on calendar.

Senate File 439, by committee on Judiciary, a bill for an act relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date.

Read first time and placed on calendar.

Senate File 440, by committee on Judiciary, a bill for an act relating to probate including the lien period for estates which have not been administered, the amount which may be passed to a minor without appointing a conservator, the distribution of an intestate estate to the parents, and special use trusts.

Read first time and placed on calendar.

Senate File 441, by committee on Human Resources, a bill for an act relating to payment of expenses for persons with mental retardation.

Read first time and placed on calendar.

Senate File 442, by committee on Judiciary, a bill for an act to prohibit the release of persons convicted of a class "B" forcible felony on parole or work release.

Read first time and placed on calendar.

Senate File 443, by committee on Judiciary, a bill for an act to prohibit assaults upon peace officers and fire fighters by providing penalties and enhancing penalties for resisting or obstructing peace officers and fire fighters who are performing their duties.

Read first time and placed on calendar.

Senate File 444, by committee on Judiciary, a bill for an act relating to the sentencing of criminal defendants, by requiring an assessment of risk posed by a defendant to the presentence

investigations, by permitting the court to waive imposition of mandatory minimum penalties for certain drug offenders, providing for imposition of alternative sentences within the parameters of the indeterminate term established for an offense, and providing that appeal of certain sentences be by writ of certiorari.

Read first time and placed on calendar.

Senate File 445, by committee on Commerce, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing fees and use of those fees, and providing penalties.

Read first time and placed on calendar.

APPENDIX

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 410 (SSB 211), a bill for an act relating to health care and health care coverage by establishing a health education and advocacy program, by requiring certain disclosure by providers of health care coverage, prohibiting the use of premium income for certain purposes, and establishing complaint procedures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 411 (SSB 58), a bill for an act relating to authorization of price regulation for utilities providing communications services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Hansen, Bisignano, Flynn, Freeman, Gronstal, Lundby, Palmer and Redfern. Nays, 4: Douglas, Gettings, Husak and Priebe. Absent or not voting, 2: Jensen and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 421 (SSB 284), a bill for an act relating to entities and subject matter under the regulatory authority of the securities bureau of the division of insurance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Deluhery, Hansen, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 3: Jensen, Bisignano and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: SENATE FILE 412 (SSB 338), a bill for an act relating to the Iowa communications network by making an appropriation to be used for Part III connections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Dvorsky, Deluhery, McLaren, Flynn, Hansen and Redfern. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: *SENATE FILE 420 (SSB 323), a bill for an act establishing a grant program to support school-to-work efforts and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. 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 420 and they were attached to the committee report.

ETHICS

Final Bill Action: *SENATE FILE 434 (SSB 175), a bill for an act relating to state government ethics and lobbying, by changing the definition of lobbyist, amending the ethics and campaign disclosure board complaint process, amending the two-year ban on activities by certain former state officers and employees, revising personal financial disclosure statement requirements, and making other changes related to the filing of personal financial disclosure statements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Husak, Neuhauser, Hedge, Drake, Gettings and McKean. 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 Ethics Committee on Senate File 434 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 429 (SSB 146), a bill for an act relating to advanced registered nurse practitioners by providing for coverage of services provided by such practitioners under a policy or contract providing for health care coverage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer and Vilsack. Nays, none. Absent or not voting, 2: Neuhauser and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 430 (SSB 326), a bill for an act relating to the time period for hearing on an application for hospitalization of a person alleged to be seriously mentally impaired.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Kramer and Neuhauser,

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 431 (SSB 277.1), a bill for an act relating to child support collection, including the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Neuhauser, Tinsman and Vilsack. Nays, 2: Hansen and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 433 (SSB 340), a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 436 (SSB 294), a bill for an act relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman 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 Human Resources Committee on Senate File 436 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 441 (SSB 337), a bill for an act relating to payment of expenses for persons with mental retardation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Szymoniak, Hammond, Boettger, Bartz, Hansen, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Dvorksy, Kramer and Neuhauser.

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 Committee on Senate File 441 and they were attached to the committee report.

JUDICIARY

Final Bill Action: SENATE FILE 408 (SSB 242), a bill for an act establishing economic and other penalties for certain criminal activity.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 409 (SSB 307), a bill for an act relating to the activities of clerks of the district court, and providing additional court fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 409 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 416 (SSB 330), a bill for an act relating to structured fines, establishing a civil penalty and surcharge, providing for the distribution of fines, and establishing effective and repeal dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 417 (SSB 311), a bill for an act relating to the crime of assault, by changing the elements of assault without intent but causing injury, creating the crimes of intentional assault causing injury and assault causing serious injury, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 418 (SSB 269), a bill for an act to permit the imposition of a one-year jail term as part of the sentence of a person who is convicted of an aggravated misdemeanor or greater offense, providing for payment of costs by the state, and providing for partial payment by the offender if work release is permitted.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 419 (SSB 321), a bill for an act to establish a cause of action for persons who incur damages as a result of illegal drug use, providing for a rebuttable presumption, joinder of parties, a right of contribution, and temporary stays of proceedings pending criminal investigations or prosecutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 428 (SSB 131), a bill for an act to provide for the reciprocal rendition of prisoners as witnesses in criminal proceedings and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 432 (SSB 270), a bill for an act relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 432 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 438 (SSB 132), a bill for an act relating to juvenile justice including notice requirements for certain hearings, the duties of the sheriff regarding transportation of juveniles, and authorizing associate juvenile judges to perform marriage ceremonies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

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 438 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 439 (formerly Senate File 211), a bill for an act relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

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 439 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 440 (SSB 299), a bill for an act relating to probate including the lien period for estates which have not been administered, the amount which may be passed to a minor without appointing a conservator, the distribution of an intestate estate to the parents, and special use trusts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 442 (formerly Senate File 133), a bill for an act to prohibit the release of persons convicted of a forcible felony on parole or work release.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 2: Bisignano and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 442 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 443 (formerly Senate File 86), a bill for an act to prohibit assaults upon peace officers and fire fighters by providing penalties and enhancing penalties for resisting or obstructing peace officers and fire fighters who are performing their duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

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 443 and they were attached to the committee report.

LOCAL GOVERNMENT

Final Bill Action: *SENATE FILE 422 (SSB 312), a bill for an act relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other properly related matters, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Sorensen, Fink, Black, Fraise, Halvorson and Rittmer. Nays, 2: Maddox and McKean. Absent or not voting, 2: Judge and Zieman.

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 422 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: *SENATE FILE 413 (SSB 333), a bill for an act relating to underground storage tanks by increasing the environmental protection charge, providing for the use of risk-based corrective action standards, expanding property transfer insurance and loan guarantees, extending the compliance date for upgrade requirements, creating marketability and innocent landowner funds and providing benefits, requiring certification of groundwater professionals and creating a penalty, requiring a study, and providing for repeals, and implementation, effective date, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Hedge 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 Natural Resources, Environment and Energy Committee on Senate File 413 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 414 (formerly Senate File 303), a bill for an act defining residency for the purpose of purchasing a hunting, fishing, or fur harvester license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Hedge 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 Natural Resources, Environment and Energy on Senate File 414 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 415 (SSB 303), a bill for an act relating to certain property interests by providing for the return of certain subsurface property rights to the surface owner and ancillary surface property rights to adjacent landowners when subsurface rights are relinquished by the person who has obtained underground natural gas storage rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Black, Lundby, Dearden, Deluhery, Freeman, Gronstal, Judge, Kibbie, Rensink and Sorensen. Nays, none. Absent or not voting, 4: Banks, Borlaug, Hedge or Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 73, a bill for an act requiring licensure of certain social workers, providing an effective date, imposing fees, and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3134.

Final Vote: Ayes, 11: Gronstal, Kibbie, Rittmer, Bisignano, Dearden, Drake, Giannetto, Halvorson, Lundby, McLaren and Sorensen. Nays, 1: Fink. Absent or not voting, 3: Bennett, Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 424 (LSB 2615), a bill for an act relating to membership and administration of the board of the statewide police and fire retirement system and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby and Sorensen. Nays, none. Absent or not voting, 2: Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 425 (SSB 336), a bill for an act relating to gambling on excursion gambling boats and at pari-mutuel racetracks by limiting the issuance of gambling licenses on excursion gambling boats, by authorizing the commission to determine gambling games at pari-mutuel racetracks, and by providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake and Fink. Nays, 4: Giannetto, Halvorson, McLaren and Sorensen. Pass, 1: Lundby. Absent or not voting, 2: Bennett and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 426 (SSB 231), a bill for an act creating a commission of Asian-Pacific persons within the department of human rights.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Bennett and Lind.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 427 (SSB 153), a bill for an act relating to authorizing the payment of salaries to senior judges, providing for a maximum retirement annuity amount paid to senior judges, and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby and Sorensen. Nays, none. Absent or not voting, 2: Lind and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 435 (SSB 67), a bill for an act relating to the exemption of certain dentists and dental hygienists from state licensing requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bisignano, Dearden, Drake, Giannetto, Halvorson, Fink, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 3: Bennett, Connolly and 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 State Government Committee on Senate File 435 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 437 (SSB 335), a bill for an act relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen. 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 State Government Committee on Senate File 437 and they were attached to the committee report.

PETITIONS

The following petitions were presented and placed on file by:

Senator Flynn from 163 residents of Dubuque County favoring legislation to rescind the taxation of pension income for state income tax purposes.

The following petitions favoring issuance of motor vehicle licenses by county treasurers were presented and placed on file by:

Senator Iverson from 419 residents of Hamilton County.

Senator Iverson from 272 residents of Wright County.

Senator McLaren from 308 residents of Montgomery County.

The following petitions favoring reestablishing funding for the Older Iowans' Legislature were presented and placed on file by:

Senator Dearden from 137 residents of Polk County.

Senator Palmer from 79 residents of Polk County.

Senator Szymoniak from 78 residents of Polk County.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 17, 1995, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE JOINT RESOLUTION 12 — Authorizing the temporary use and consumption of alcoholic beverages in the State Capitol in conjunction with a buffet dinner sponsored by the Des Moines Rotary Club and featuring the State Capitol restoration and providing an effective date.

STUDY BILL RECEIVED

SSB 341 Ways and Means

Relating to the assessment of certain long distance telephone companies for purposes of property taxation.

SUBCOMMITTEE ASSIGNMENTS

Senate File 237**WAYS AND MEANS: Murphy, Chair; Deluhery and McLaren****Senate File 279****APPROPRIATIONS: Kibbie, Chair; Dvorsky and Kramer****Senate File 295****WAYS AND MEANS: Murphy, Chair; Connolly and Hedge****Senate File 300****WAYS AND MEANS: Palmer, Chair; Bennett and Deluhery****Senate File 304****WAYS AND MEANS: Murphy, Chair; Bennett and Palmer****Senate File 309****WAYS AND MEANS: Palmer, Chair; Bennett and Deluhery****Senate File 316****APPROPRIATIONS: Kibbie, Chair; Dvorsky and Kramer****Senate File 345****WAYS AND MEANS; Murphy, Chair; Connolly and Drake****Senate File 355****COMMUNICATIONS & INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren****SSB 276****WAYS AND MEANS: Palmer, Chair; Drake and Vilsack****SSB 341****WAYS AND MEANS: Palmer, Chair; Drake and Husak**

BILLS ASSIGNED TO COMMITTEE

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

H.F.	186	Appropriations
H.F.	252	State Government

COMPANION BILLS RECEIVED.

On March 20, 1995, **House File 113** was received and attached to companion **Senate File 231** on the Senate calendar.

On March 20, 1995, **House File 257** was received and attached to companion **Senate File 273** on the Senate calendar.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 423 (SSB 225), a bill for an act relating to delayed deposit services businesses and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none. Absent or not voting, 2: Jensen and Hedge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 445 (SSB 259), a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing fees and use of those fees, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Deluhery, Hansen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern. 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 Commerce Committee on Senate File 445 and they were attached to the committee report.

JUDICIARY

Final Bill Action: *SENATE FILE 444 (SSB 141), a bill for an act relating to the sentencing of criminal defendants, by requiring an assessment of risk posed by a defendant to the presentence investigations, by permitting the court to waive imposition of mandatory minimum penalties for certain drug offenders, and providing for imposition of alternative sentences within the parameters of the indeterminate term established for an offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

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 444 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 446 (SSB 243), a bill for an act relating to the possession or use of alcohol while operating a motor vehicle by requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, excluding the revocation from application of certain motor vehicle financial responsibility requirements, providing for minimum periods of license revocation, providing a scheduled fine for possession of an open alcohol container while operating a motor vehicle, providing for the impoundment or immobilization of motor vehicles driven or owned by persons convicted of operating while intoxicated and being a second or subsequent offender, providing criminal penalties, and other related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 446 and they were attached to the committee report.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: *SENATE FILE 447 (SSB 331), a bill for an act relating to erosion occurring on the site of construction projects by providing civil penalties for violations and for the appropriation and use of the civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Fink, Black, Lundby, Banks, Borlaug, Dearden, Freeman, Gronstal, Judge, Kibbie and Rensink. Nays, 2: Deluhery and Sorensen. Absent or not voting, 2: Hedge 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 Natural Resources, Environment and Energy Committee on Senate File 447 and they were attached to the committee report.

INTRODUCTION OF BILLS

Senate File 446, by committee on Judiciary, a bill for an act relating to the possession or use of alcohol while operating a motor vehicle by requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, excluding the revocation from application of certain motor vehicle financial responsibility requirements, providing for minimum periods of license revocation, providing a scheduled fine for possession of an open alcohol container while operating a motor vehicle, providing for the impoundment or immobilization of motor vehicles driven or owned by persons convicted of operating while intoxicated and being a second or subsequent offender, providing criminal penalties, and other related matters.

Read first time under Rule 28 and placed on calendar.

Senate File 447, by committee on Natural Resources, Environment and Energy, a bill for an act relating to erosion occurring on the site of construction projects by providing civil penalties for violations and for the appropriation and use of the civil penalties.

Read first time under Rule 28 and placed on calendar.

AMENDMENTS FILED

S—3134	S.F.	73	State Government
S—3135	S.F.	10	Jack Rife
S—3136	S.F.	375	Michael E. Gronstal
S—3137	S.F.	141	Merlin E. Bartz
S—3138	S.F.	258	Elaine Szymoniak
S—3139	S.F.	283	Dennis Black
S—3140	S.F.	232	Berl E. Priebe
S—3141	S.F.	232	Berl E. Priebe
S—3142	S.F.	258	John P. Kibbie
			Berl E. Priebe
S—3143	S.F.	286	O. Gene Maddox
S—3144	S.F.	178	Johnie Hammond
S—3145	S.F.	290	Don E. Gettings
S—3146	S.F.	290	Jim Lind
			Mary Lundby
			Richard F. Drake
S—3147	S.F.	3667	Merlin E. Bartz
S—3148	S.F.	368	Stewart E. Iverson, Jr.
			Maggie Tinsman

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:10 p.m., until 9:00 a.m., Tuesday, March 21, 1995.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 21, 1995

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

Prayer was offered by the University of Northern Iowa Concert Chorale, directed by Dr. Bruce Chamberlain, Cedar Falls, Iowa. The students are Robin Heldt, Tom Davies, Sara VanOverbeke, Paul Carstensen and John Pauly all of Ankeny, and Hillary Kirkpatrick of Urbandale.

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 20, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 258, a bill for an act relating to drug testing of certain employees and applicants for employment, providing for employer defenses, and making penalties applicable.

This bill was read first time and passed on file.

INTRODUCTION OF BILL

Senate File 448, by committee on Agriculture, a bill for an act relating to livestock, by providing for the regulation of animal feeding operations, providing fees and expenditures, providing a property tax credit and an appropriation for livestock and poultry production facilities, and providing a penalty.

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 50 present, none absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 225

On motion of Senator Sorensen, Senate File 225, a bill for an act eliminating requirements for competitive bids regarding the printing of election ballots, 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. 225) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Gronstal

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

Senate File 226

On motion of Senator Fraise, Senate File 226, a bill for an act relating to the disposition of valueless mobile homes, modular homes, and manufactured homes, was taken up for consideration.

Senator Fraise offered amendment S—3093 filed by him on March 2, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3093 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 226) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Maddox

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

Senate File 227

On motion of Senator Fraise, Senate File 227, a bill for an act providing for the compilation and dissemination of jail population reports, 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. 227) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 228

On motion of Senator Black, Senate File 228, a bill for an act relating to the statewide notification center by providing that the center is subject to the open meetings and public records law, requiring certain financial information to be reported, establishing an audit requirement, and providing a penalty, was taken up for consideration.

Senator Black offered amendment S—3105 filed by him on March 8, 1995, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3105 was adopted by a voice vote.

Senator Black moved that the bill be read the last time now and placed upon its passage, 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, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rife

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

UNFINISHED BUSINESS (Deferred March 20, 1995)

Senate File 213

The Senate resumed consideration of Senate File 213, a bill for an act relating to handicapped parking and providing a penalty, deferred March 20, 1995.

Senator Bisignano offered amendment S—3155 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3155 was adopted by a voice vote.

Senator Dearden offered amendment S—3149 filed by him from the floor to pages 5, 6 and 11 of the bill.

Senator Dearden asked and received unanimous consent that action on amendment S—3149 and **Senate File 213** be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 215

On motion of Senator Black, Senate File 215, a bill for an act relating to agricultural management account moneys and county grant for private rural water well, testing, sealing, and closure, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 215) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 280

On motion of Senator Sorensen, Senate File 280, a bill for an act authorizing townships to provide emergency medical services, was taken up for consideration.

President pro tempore Bisignano took the chair at 10:07 a.m.

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. 280) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 290

On motion of Senator Gettings, Senate File 290, a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing an effective date, was taken up for consideration.

Senator Halvorson offered amendment S—3129 filed by him on March 15, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3129 was adopted by a voice vote.

Senator Lind offered amendment S—3146 filed by Senators Lind, Lundby and Drake on March 20, 1995, to pages 12-14 of the bill.

Senator Vilsack asked and received unanimous consent that action on amendment S—3146 be deferred.

Senator Bartz offered amendment S—3157 filed by him from the floor to pages 12-14 and 18 of the bill and called for a division:

Division S—3157A: Page 1, lines 2-22.

Division S—3157B: Page 1, lines 23-31.

Division S—3157C: Page 1, lines 32-50; page 2; page 3, lines 1-28 and lines 31-34.

Division S—3157D: Page 3, lines 29 and 30.

Senator Bartz asked and received unanimous consent that action on division S—3157A be deferred.

Senator Bartz moved the adoption of division S—3157B, which motion prevailed by a voice vote.

Senator Bartz moved the adoption of division S—3157C, which motion prevailed by a voice vote.

Senator Bartz withdrew division S—3157A, previously deferred.

Senator Bartz moved the adoption of division S—3157D, which motion prevailed by a voice vote.

Senator Gettings offered amendment S—3145 filed by him on March 20, 1995, to page 13 of the bill and moved its adoption.

Amendment S—3145 was adopted by a voice vote.

Senator Rife offered amendment S—3158 filed by him from the floor to pages 11, 12 and 18 of the bill and moved its adoption.

Amendment S—3158 was adopted by a voice vote.

Senator McKean withdrew amendment S—3156 filed by him from the floor to pages 11, 18 and the title page of the bill.

Senator McKean offered amendment S—3160 filed by Senators McKean, Drake and Gettings from the floor to pages 11, 18 and the title page of the bill and moved its adoption.

Amendment S—3160 was adopted by a voice vote.

Senator Lind asked and received unanimous consent to withdraw amendment S—3146, previously deferred.

Senator Priebe filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3129 to Senate File 290 was adopted by the Senate on March 21, 1995.

Senator Priebe asked and received unanimous consent that action on **Senate File 290** be deferred.

Senate File 320

On motion of Senator Deluhery, Senate File 320, a bill for an act relating to the regulation of state banks and other financial institutions by the division of banking of the department of commerce, was taken up for consideration.

Senator Gronstal offered amendment S—3159 filed by him from the floor to pages 17, 22, 31, 85, 99 and 107 of the bill and moved its adoption.

Amendment S—3159 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. 320) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn

Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 Black, Senate File 278, a bill for an act providing that animals classified as ostriches, rheas, and emus are considered livestock, with report of committee recommending passage, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, 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, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhy	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 Fink, Senate File 314, a bill for an act relating to enrollment in another district of an expelled or suspended student and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Judge took the chair at 11:07 a.m.

Senator Kibbie asked and received unanimous consent to withdraw amendment S—3126 filed by the committee on Education on March 14, 1995, to page 2 and the title page of the bill.

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

On the question "Shall the bill pass?" (S.F. 314) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Murphy

Absent or not voting, 4:

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

Senate File 315

On motion of Senator Tinsman, Senate File 315, a bill for an act relating to mental health and developmental disabilities assistance by extending a moratorium on the number of intermediate care facility for the mentally retarded beds and requiring certain reporting activities of the state-county management committee, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 315) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

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

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senate Resolution 9

On motion of Senator Tinsman, Senate Resolution 9, a senate resolution recognizing the 100th anniversary of the founding of the chiropractic profession, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of Senate Resolution 9, which motion prevailed by a voice vote.

Senate Concurrent Resolution 24

On motion of Senator Hammond, Senate Concurrent Resolution 24, a concurrent resolution recognizing the seventy-fifth anniversary of the American Civil Liberties Union and the sixtieth anniversary of the Iowa Civil Liberties Union, with report of committee recommending passage, was taken up for consideration.

Senator Hammond moved the adoption of Senate Concurrent Resolution 24, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 214

On motion of Senator Fraise, Senate File 214, a bill for an act to provide greater protection for consumers who purchase or lease motor vehicles and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—3130 filed by the committee on Transportation on March 15, 1995, to page 3 of the bill.

Senator Fraise offered amendment S—3154 filed by him from the floor to amendment S—3130 and moved its adoption.

Amendment S—3154 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—3130 as amended, which motion prevailed by a voice vote.

Senator Bartz offered amendment S—3151 filed by him from the floor to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3151 be adopted?" (S.F. 214) the vote was:

Ayes, 18:

Banks	Bartz	Bennett	Dvorsky
Flynn	Freeman	Iverson	Kramer
Lind	Lundby	Maddox	McKean
Priebe	Rife	Rittner	Sorensen
Tinsman	Zieman		

Nays, 32:

Bisignano	Black	Boettger	Borlaug
Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Fink	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Jensen	Judge	Kibbie
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Szymoniak	Vilsack

Amendment S—3151 lost.

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

On the question "Shall the bill pass?" (S.F. 214) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean

McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 239

On motion of Senator Vilsack, Senate File 239, a bill for an act relating to the provision of mediation in dissolution of marriage proceedings, 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. 239) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

President Boswell took the chair at 11:52 a.m.

Senate File 311

On motion of Senator Douglas, Senate File 311, a bill for an act relating to indicating a medical advance directive on a driver's license or nonoperator's identification card, with report of committee recommending passage, was taken up for consideration.

Senator Douglas offered amendment S—3150 filed by her from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3150 was adopted by a voice vote.

Senator Douglas moved that the bill be read the last time now and placed upon its passage, 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, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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.

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.	413	Ways and Means
S. F.	412	Appropriations
S. F.	420	Appropriations

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 225, 226, 227, 228, 215, 280, 320, 278, 314, 315, 214, 239, 311 and Senate Concurrent Resolution 24 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 12:15 p.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 16, 1995, 8:30 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Husak, McLaren, Sorensen and Zieman.

Members Absent: Hedge and Palmer (both excused).

Committee Business: Approved LSBs 1586 and 2446 as committee bills.

Adjourned: 8:49 a.m.

COMMERCE

Convened: March 16, 1995, 10:57 a.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern.

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

Committee Business: Approved SSBs 284, 211 and 225 as committee bills; amended and approved SSB 283 as a committee bill.

Adjourned: 11:13 a.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 16, 1995, 10:11 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen and Redfern.

Members Absent: Jensen (excused).

Committee Business: Assigned bills to subcommittees; amended and approved SSB 338 as a committee bill; recommended passage of Senate Concurrent Resolution 23; presentation by the director of telecommunications at UNI regarding the ICN.

Adjourned: 10:45 a.m.

ETHICS

Convened: March 16, 1995, 10:13 a.m.

Members Present: Husak, Chair; Neuhauser, Vice Chair; Drake, Gettings and McKean.

Members Absent: Hedge, Ranking Member (excused).

Committee Business: General discussion.

Adjourned: 10:30 a.m.

HUMAN RESOURCES

Convened: March 16, 1995, 11:26 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSBs 146, 337, 354, 294, 315, 295, 326, 147 and 277.1 as committee bills; recommended passage of Senate Files 354, 323, 168 and 282; SSB 297 failed committee approval; placed SSB 340 on calendar as a committee bill without recommendation.

Adjourned: 1:27 p.m.

JUDICIARY

Convened: March 16, 1995, 1:37 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: Bisignano (excused).

Committee Business: Approved SSBs 311, 321, 269, 5, 110, 330, 299 and 131 as committee bills; amended and approved Senate Files 133, 211 and 86 as committee bills; amended and approved SSBs 141, 132, 145 and 279 as committee bills; deferred action on SSB 217.

Adjourned: 2:40 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 16, 1995, 1:45 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Judge, Priebe, Rensink and Sorensen.

Members Absent: Hedge (excused) and Priebe.

Committee Business: Approved SSBs 331 and 303 as committee bills; Senate File 265 failed recommendation for passage; approved Senate File 303 as a committee bill.

Adjourned: 2:25 p.m.

RULES AND ADMINISTRATION

Convened: March 20, 1995, 1:35 p.m.

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

Members Absent: Kramer and Lind.

Committee Business: Assigned governor's appointees to subcommittees.

Adjourned: 1:40 p.m.

STATE GOVERNMENT

Convened: March 16, 1995, 11:26 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen.

Members Absent: Lind (excused).

Committee Business: Approved SSBs 103, 336 and 231 as committee bills; recommended passage of Senate File 164; amended and approved Senate File 73 as a committee bill; amended and approved SSB 67 as a committee bill.

Recessed: 12:07 p.m.

Reconvened: March 16, 1995, 2:47 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby, McLaren and Sorensen.

Members Absent: Lind (excused).

Committee Business: Amended and approved SSB 335 as a committee bill; approved SSB 153 and LSB 2615 as committee bills.

Adjourned: 3:27 p.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Donald Armentrout, Irwin — For retiring from the National Guard after 23 years of service. Senator Boettger (3-15-95).

Irene Green, Harlan — For being named 1995 Harlan Mother of the Year. Senator Boettger (3-15-95).

Leo Humphrey, Irwin — For receiving the School Administrator's Award from the Board of Control, Iowa High School Athletic Association. Senator Boettger (3-18-95).

J. Ed Foraker, Iowa City — For being named "Central District Elementary Physical Educator" by National Association for Sports and Physical Education. Senator Dvorsky (3-17-95).

Leo Driscoll, Bethany Home — For celebrating his 100th birthday. Senator Flynn (3-26-95).

Saints Peter and Paul Church, Petersburg — For becoming a property listed on the National Register of Historic Places as Awarded by the State Historical Society of Iowa. Senator Flynn (3-16-95).

Jamie Halsne, Northeast Community School — For being a member of the First Team All-Tournament 1995 Girls' State Basketball Tournament. Senator Iverson (3-16-95).

Trisha Heiden, Northeast Hamilton Community School — For being Captain of First Team All-Tournament 1995 Girls' State Basketball Tournament. Senator Iverson (3-16-95).

Northeast Hamilton Girls' Basketball team and coaches — For Class 1A Championship Runner-Up 1995 Girls' State Basketball Tournament. Senator Iverson (3-17-95).

Coach Larry Korver, Northwestern College — For exemplary 28 year tenure as Northwestern's football coach. Senator Rensink (3-17-95).

Sibley Ocheyedan, Lady Generals — For 2nd place, Class 2A Girls' State Basketball Tournament. Senator Rensink (3-11-95).

PRESENTATION OF VISITORS

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

Fifty fifth grade students from Nevada Middle School, Nevada, accompanied by Rhonda Braley and Pat Sullivan. Senator Giannetto.

Fifty ninth grade students from Southeast Polk High School, Runnells, accompanied by Bob O'Brien and Jerry Waage. Senator Palmer.

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 20, 1995:

AGRICULTURE

Terry W. Evans and Bruce A. Yungclas as members of the Iowa Grain Indemnity Fund Board.

Mary J. Boote and Mary Ann B. Drish as members of the State Soil Conservation Committee.

COMMERCE

Allan T. Thoms as a member and Chairperson of the Utilities Board.

Dr. Theresa M. Vaughan as Commissioner of Insurance.

James Maret as Consumer Advocate.

Patricia A. Berding and Diane L. Kollasch as members of the Credit Union Review Board.

COMMUNICATIONS AND INFORMATION POLICY

Harold M. Thompson as Executive Director of the Iowa Telecommunications and Technology Commission.

EDUCATION

Mary M. Conrad, Dr. Gerald L. Cowell, James E. Ehmen, Jacqueline M. Parkin and Ann R. Shaw as members of the Board of Educational Examiners.

William H. Jackson as Director of the Department of Cultural Affairs.

Margaret P. Borgen as a member of the First in the Nation in Education Foundation Governing Board.

Kathryn A. Thieleke as a member of the Iowa Higher Education Loan Authority.

David J. Fisher, Ellengray G. Kennedy and Beverly A. Smith as members of the State Board of Regents.

ETHICS

Geraldine M. Leinen as a member of the Iowa Ethics and Campaign Disclosure Board.

HUMAN RESOURCES

Charlotte B. Nelson as Administrator of the Division on the Status of Women.

Donald W. Westergard as Administrator of the Division of Persons with Disabilities.

James Smith as Administrator of the Division of Community Action Agencies.

Alan J. Beste, Margaret Susan Cigelman, Danny T. Foster and Denise A. Harklau as members of the Athletic Trainer Advisory Board.

Mary M. Conway, Linda S. Trudeau and Stanton L. Visser as members of the Board of Behavioral Science Examiners.

Dr. Patricia A. Banwart and Mark G. Davis as members of the Board of Physician Assistant Examiners.

John C. Wellman as a member of the Commission for the Blind.

Bertrum Bidne, Harold B. Davis and Elmer H. Vermeer as members of the Commission of Elder Affairs.

Polly A. Adam, Donna S. Hansen and Marvin W. Tuttle as members of the Commission on the Deaf.

Lois Eichacker, Merl McFarlane and Stephanie A. Stebens as members of the Commission on Community Action Agencies.

Dennis L. Billings and John M. Comstock as members of the Community Health Management Information System Governing Board.

Dennis D. Killion, Gregg R. Narber and Dianne L. Paca as members of the Council on Human Services.

Christopher G. Atchison as Director of Public Health.

R. Creig Slayton as Director of the Department for the Blind.

Betty L. Grandquist as Director of the Department of Elder Affairs.

Lois H. Eichacker, Elaine A. Pfalzgraf and Charese E. Yanney as members of the Iowa Council on Human Investment.

Sharon Blair, Myrna L. Langerud, Barbara J. Lips, Jean E. Oxley, Steven Reuter and Beverly Zieman as members of the Mental Health and Developmental Disabilities Commission.

Monica H. Kurtz, Jerry D. Stilwell and Carol A. Watson as members of the Prevention of Disabilities Policy Council.

Lil M. Perry and Harriet Vande Hoef as members of the State Citizen Foster Care Review Board.

Patricia A. Hofmaster and Dr. Harry C. Rasdal as members of the State Health Facilities Council.

JUDICIARY

Francis V. Colston, Kenneth R. Hoefle, Jim R. Schwiesow and Allan W. Vander Hart as members of the Board of Corrections.

Barbara Binnie as a member of the Board of Parole.

Karen L. Wall as a member of the Drug Abuse Prevention and Education Advisory Council.

Carlynn D. Grupp, A. Patricia Houlihan and Richard P. Tekippe as members of the Indigent Defense Advisory Commission.

Bernard L. Binde and Sally M. O'Donnell as members of the Iowa State Civil Rights Commission.

Yale H. Jarvis, Lori Lewis and Lt. Russell C. Underwood as members of the Narcotics Enforcement Advisory Council.

Donald Culp, Carol A. Golden and Lee W. Holt as members of the State Judicial Nominating Commission.

LOCAL GOVERNMENT

Sharon L. Winchell and Christine M. Van Meter as members of the County Finance Committee.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Larry J. Wilson as Director of the Department of Natural Resources.

Kathryn J. Draeger, Charlotte Mohr, Gary C. Priebe and Esther M. Strother as members of the Environmental Protection Commission.

Cathy A. Rottinghaus and Jacklyn K. Van Ekeren as members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

Marian L. Kieffer and Joan C. Schneider as members of the Natural Resource Commission.

Myron D. Carlson, David L. Holmes and Eric C. Seuren as members of the Renewable Fuels and Coproducts Advisory Committee.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Ann Jorgensen and Eldon E. Leonard as members of the Iowa Economic Development Board.

Sarah A. Falb, Frances S. Fleck and Leona E. Westphal as members of the Small Business Advisory Council.

Steven S. Berger, Nadine S. Drennan and Marlys D. Johnson as members of the Wallace Technology Transfer Foundation of Iowa.

STATE GOVERNMENT

Jean E. Kruse, John M. Sklenar, Paul S. Stave and Dorothy L. Votroubek as members of the Accountancy Examining Board.

Major General Warren G. Lawson as Adjutant General.

Romelle H. Slaughter as Administrator of the Division on the Status of African-Americans.

Dr. Suzanne B. Mulder and Shirley M. Woodsmall as members of the Alcoholic Beverages Commission.

Carolyn E. Olsen and Norman H. Rudi as members of the Architectural Examining Board.

Alan L. Thompson as a member of the Board of Barber Examiners.

Dr. Ronald C. Evans as a member of the Board of Chiropractic Examiners.

Suzanne E. Wolrab as a member of the Board of Cosmetology Arts and Sciences Examiners.

Dr. Jerry C. Prah, Dr. James A. Raecker and Dr. Fred A. Riddle, Jr. as members of the Board of Dental Examiners.

Margaret B. Tait as a member of the Board of Dietetic Examiners.

Richard T. Clark and Ronald G. Richer as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Dr. James M. Catherine, Mary C. Hodges, Dr. Dale R. Holdiman and Dr. Teresa A. Mock as members of the Board of Medical Examiners.

James W. Barr as a member of the Board of Mortuary Science Examiners.

Rodmon C. Bell, Regene L. Osborne, Richard A. Petersen and Guy W. Richardson as members of the Board of Nursing Examiners.

Jane F. Ecklund, Dr. Robert H. Sharp and Brenda S. Neville as members of the Board of Optometry Examiners.

Jay J. Cayner and Phyllis A. Miller as members of the Board of Pharmacy Examiners.

Diana R. Brower and Eric G. Jacobs as members of the Board of Physical and Occupational Therapy Examiners.

Dr. William W. Gronen as a member of the Board of Podiatry Examiners.

Dr. Dan L. Rogers and Connie L. Schmett as members of the Board of Psychology Examiners.

Richard Matland and Kathleen M. Morgan as members of the Board of Social Work Examiners.

Alan K. Heidecker and Dorothy L. McKee as members of the Board of Speech Pathology and Audiology Examiners.

Dr. Edward Stanek as Commissioner of the Lottery.

Mildred R. Dawson and Larry J. Jatho as members of the Commission of Veterans Affairs.

Dwayne C. Garber and Anne W. McKeown as members of the Engineering and Land Surveying Examining Board.

Kathy G. Kahue and Bruce G. Kelley as members of the Investment Board of the IPERS.

Dr. Donald R. Jacobi as a member of the Iowa Board of Veterinary Medicine.

Cindy Raspiller as a member of the Iowa Emergency Response Commission.

Alfred C. Bohling, Jr. and Diana Hoogestraat as members of the Landscape Architectural Examining Board.

Connie M. Alt and Ross M. Sutton as members of the Lottery Board.

Dorothy F. Carpenter, Merlin D. Hulse and Hubert W. Winebrenner as members of the Personnel Commission.

Terrence D. Culver, David R. Hicks and Cathy G. Jones as members of the Real Estate Appraiser Examining Board.

Terry W. Rogers as a member of the Real Estate Commission.

Earl L. Howard as a member of the Respiratory Care Advisory Committee.

Warren D. Rippey and Patricia E. Tiarks as members of the State Board of Examiners for Nursing Home Administrators.

Richard Canella and Bradley R. Peyton as members of the State Racing and Gaming Commission.

TRANSPORTATION

Donald S. Lynn and Thomas S. Mullin as members of the Iowa Law Enforcement Academy Council.

Thomas L. Aller as a member of the State Transportation Commission.

WAYS AND MEANS

Gerald D. Bair as Director of Revenue and Finance.

Ted R. Chapler as Executive Director of the Iowa Finance Authority.

James W. Balmer, Darwin T. Lynner, Jr. and Roosevelt Taylor as members of the Iowa Finance Authority.

Gayle N. Vogel as a member of the State Board of Tax Review.

STUDY BILLS RECEIVED

SSB 298.2 Appropriations

Relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability.

SSB 342 Ways and Means

Relating to the definition of entities eligible for property tax exemption for construction of speculative shell buildings.

SSB 343 Ways and Means

Relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions.

SSB 344 Appropriations

Relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving human services and health care and providing for effective and applicability dates.

SSB 345 Appropriations

Appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the public employment relations board, the Iowa seed capital corporation, the international development foundation, and the department of employment services and making related statutory changes.

SUBCOMMITTEE ASSIGNMENTS

Senate File 101

WAYS AND MEANS: Murphy, Chair; Bennett, Connolly, Drake and Neuhauser

Senate File 136

WAYS AND MEANS: Vilsack, Chair; Bennett and Connolly

Senate File 260

WAYS AND MEANS: Vilsack, Chair; Deluhery and Drake

Senate File 307

WAYS AND MEANS: Husak, Chair; Iverson and Szymoniak

Senate File 360

WAYS AND MEANS: Priebe, Chair; Drake and Palmer

Senate File 367

WAYS AND MEANS: Vilsack, Chair; Deluhery and Iverson

Senate File 381

ETHICS: Gettings, Chair; Drake and Neuhauser

Senate File 384

WAYS AND MEANS: Connolly, Chair; Freeman and Priebe

House File 30

WAYS AND MEANS: Deluhery, Chair; Hedge and Neuhauser

House File 186

APPROPRIATIONS: Dvorsky, Chair; Banks and Gronstal

**SSB 135
(Reassigned)**

WAYS AND MEANS: Palmer, Chair; Bennett, Drake, Neuhauser and Vilsack

SSB 298.2

APPROPRIATIONS: Fraise, Chair; Iverson and Murphy

SSB 342

WAYS AND MEANS: Connolly, Chair; Iverson and Szymoniak

SSB 343

WAYS AND MEANS: Neuhauser, Chair; Iverson and Palmer

SSB 344

APPROPRIATIONS: Hammond, Chair; Murphy and Tinsman

SSB 345

APPROPRIATIONS: Vilsack, Chair; Borlaug and Murphy

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 448 (LSB 1586), a bill for an act relating to livestock, by providing for the regulation of animal feeding operations, providing fees and expenditures, providing a property tax credit and an appropriation for livestock and poultry production facilities, and providing a penalty.

Recommendation: WITHOUT RECOMMENDATION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: *SENATE FILE 449 (SSB 283), a bill for an act relating to patient access through managed care plans or indemnity plans with limited provider networks to defined physicians.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Hansen, Bisignano, Gronstal, Husak, Lundby, Palmer, Priebe and Redfern. Nays, 4: Douglas, Flynn, Freeman and Gettings. Absent or not voting, 2: Jensen 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 Commerce Committee on Senate File 449 and they were attached to the committee report.

HUMAN RESOURCES

Final Bill Action: *SENATE FILE 450 (SSB 315), a bill for an act relating to the imposition of an additional fee for application for a marriage license and appropriating the fees to fund the displaced homemaker program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Szymoniak, Hammond, Boettger, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Pass, 1: Bartz.

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 450 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 453 (SSB 147), a bill for an act relating to public health by providing for measures related to lead inspection and abatement, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Szymoniak, Hammond, Dvorksy, Neuhauser, Tinsman and Vilsack. Nays, 4: Boettger, Bartz, Hansen and Kramer.

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 453 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 454 (SSB 295), a bill for an act relating to the establishment of an assisted living program within the department of elder affairs and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Hansen, Kramer, Neuhauser, Tinsman 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 Human Resources Committee on Senate File 454 and they were attached to the committee report.

JUDICIARY

Final Bill Action: *SENATE FILE 451 (SSB 279), a bill for an act relating to the issuance of nonprofessional permits to carry concealed weapons, providing exemptions from liability, and providing a conditional effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Giannetto, Vilsack, Bartz, Boettger, Drake, Fraise, Hansen and Szymoniak. Nays, 4: McKean, Maddox, Neuhauser and Redfern. Pass, 2: Halvorson and Hammond. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 451 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 452 (SSB 145), a bill for an act relating to remedies upon the dishonoring of a financial instrument.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 2: Halvorson and Hammond. Absent or not voting, 1: Bisignano.

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 452 and they were attached to the committee report.

ALSO:

Final Bill Action: SENATE FILE 455 (SSB 5), a bill for an act relating to the operation of maintenance equipment by road workers on highways.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 457 (SSB 110), a bill for an act relating to the civil rights commission concerning the enforcement of civil rights laws, and the promotion and transfer of employed disabled persons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser and Redfern. Nays, none. Absent or not voting, 2: Bisignano and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 456 (SSB 328), a bill for an act relating to the source of payment of the fee and expenses of a county medical examiner related to services provided for a person whose death affects the public interest.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge, McKean and Rittmer. Nays, none. Absent or not voting, 1: Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	36	Natural Resources
H.F.	139	Commerce
H.F.	212	Local Government
H.F.	258	Business and Labor

AFTERNOON SESSION

The Senate reconvened at 3:28 p.m., President Boswell presiding.

The Journal of Monday, March 20, 1995, was approved.

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 3:31 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:20 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 21, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 212, a bill for an act relating to the delegation of authority to an administrative agency of a city.

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

House File 215, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor, and providing transition provisions.

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

INTRODUCTION OF BILLS

Senate File 449, by committee on Commerce, a bill for an act relating to patient access through managed care plans or

indemnity plans with limited provider networks to defined physicians.

Read first time and placed on calendar.

Senate File 450, by committee on Human Resources, a bill for an act relating to the imposition of an additional fee for the entering of a final decree of dissolution of marriage and appropriating the fees to fund the displaced homemaker program.

Read first time and placed on calendar.

Senate File 451, by committee on Judiciary, a bill for an act relating to the criminal history check requirement for noncitizens applying for permits to carry weapons or permits to acquire handguns, the denial of nonprofessional permits to carry weapons, the review of denials of permits to carry weapons, and the duration of and fees charged for permits to carry weapons.

Read first time and placed on calendar.

Senate File 452, by committee on Judiciary, a bill for an act relating to remedies upon the dishonoring of a financial instrument and providing penalties.

Read first time and placed on calendar.

Senate File 453, by committee on Human Resources, a bill for an act relating to public health by providing for measures related to lead inspection and abatement, and providing a penalty.

Read first time and placed on calendar.

Senate File 454, by committee on Human Resources, a bill for an act relating to the establishment of an assisted living program within the department of elder affairs, providing for implementation, and providing penalties.

Read first time and placed on calendar.

Senate File 455, by committee on Judiciary, a bill for an act relating to the operation of maintenance equipment by road workers on highways.

Read first time and placed on calendar.

Senate File 456, by committee on Local Government, a bill for an act relating to the source of payment of the fee and expenses of a county medical examiner related to services provided for a person whose death affects the public interest.

Read first time and placed on calendar.

Senate File 457, by committee on Judiciary, a bill for an act relating to the civil rights commission concerning the enforcement of civil rights laws, and the promotion and transfer of employed disabled persons.

Read first time and placed on calendar.

APPENDIX

AMENDMENTS FILED

S—3149	S.F.	213	Dick L. Dearden
S—3150	S.F.	311	JoAnn Douglas
S—3151	S.F.	214	Merlin E. Bartz
S—3152	S.F.	178	Berl E. Priebe Stewart E. Iverson, Jr.
S—3153	S.F.	283	Dennis H. Black
S—3154	S.F.	214	Eugene S. Fraise
S—3155	S.F.	213	Tony Bisignano
S—3156	S.F.	290	Andy McKean
S—3157	S.F.	290	Merlin E. Bartz
S—3158	S.F.	290	Jack Rife
S—3159	S.F.	320	Michael Gronstal
S—3160	S.F.	290	Andy McKean Richard F. Drake Don Gettings
S—3161	S.F.	344	O. Gene Maddox
S—3162	S.F.	344	O. Gene Maddox
S—3163	S.F.	213	Brad Banks Dick L. Dearden
S—3164	S.F.	290	Brad Banks
S—3165	S.F.	398	Johnie Hammond
S—3166	S.F.	437	John P. Kibbie
S—3167	S.F.	429	Robert Dvorsky Patty Judge Merlin E. Bartz Elaine Szymoniak
S—3168	S.F.	348	Michael E. Gronstal Bill Fink Merlin E. Bartz John W. Jensen Randal J. Giannetto
S—3169	S.F.	64	Tony Bisignano
S—3170	S.F.	432	Johnie Hammond

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:23 p.m., until 9:00 a.m., Wednesday, March 22, 1995.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 22, 1995

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

Prayer was offered by the Reverend David O'Rourke, pastor of the Denmark Congregational United Church of Christ, Denmark, Iowa.

The Journal of Tuesday, March 21, 1995, 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 21, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 288, a bill for an act relating to juvenile justice by providing for notification of school officials of alcoholic beverage violations, authorizing school districts to adopt a dress code policy, the expulsion of a student for bringing a weapon to school, an exemption in the definition of assault, eliminating the twenty-four hour notice to students of a periodic inspection of students' lockers, giving access to certain juvenile court records to a designated school representative, and providing an effective date.

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

House File 471, a bill for an act relating to prison time served by persons convicted of an aggravated misdemeanor or greater offense, by providing for changes in the mandatory minimum terms of sentences to be served, by permitting the imposition of up to ninety days of the total sentence in a county jail in addition to any terms of probation, and providing for a reduction in the

amount of good and honor time that may be earned by forcible felons.

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.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 422, 445, 448, 450 and 451** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 341

On motion of Senator Redfern, Senate File 341, a bill for an act relating to delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 341) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer

Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rife

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

Senate File 346

On motion of Senator Szymoniak, Senate File 346, a bill for an act relating to the establishment of practitioner review committees for the purposes of evaluating and monitoring practitioners who self-report physical or mental impairments, 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. 346) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rife

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

Senate File 351

On motion of Senator Fink, Senate File 351, a bill for an act authorizing certain cities to appoint additional members to certain city commissions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 351) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Dvorsky

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

Senate File 370

On motion of Senator Sorensen, Senate File 370, a bill for an act eliminating the requirement for the rotation of names on election ballots, 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. 370) the vote was:

Ayes, 45:

Bennett	Black	Boettger	Borlaug
Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Banks	Bartz	Bisignano	Gronstal
Iverson			

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

Senate Resolution 11

On motion of Senator Gettings, Senate Resolution 11, a resolution urging John Morrell and Company to honor its commitment to provide health care coverage to its retirees and their families, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—3131, filed by the committee on Business and Labor on March 15, 1995, to page 2 of the resolution and moved its adoption.

Amendment S—3131 was adopted by a voice vote.

Senator Gettings moved the adoption of Senate Resolution 11 as amended, which motion prevailed by a voice vote.

Senate File 375

On motion of Senator Deluhery, Senate File 375, a bill for an act relating to abandoned property subject to control by the treasurer of state, was taken up for consideration.

Senator Gronstal withdrew amendment S—3136 filed by him on March 20, 1995, to page 1 of the bill.

Senator Gronstal 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 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. 375) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymaniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Black Rife

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

Senate File 376

On motion of Senator Gettings, Senate File 376, a bill for an act relating to the regulation of credit unions by authorizing

additional powers and defining certain business relationships and establishing a penalty, 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. 376) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none

Absent or not voting, 1:

Black

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

Senate Concurrent Resolution 23

On motion of Senator Flynn, Senate Concurrent Resolution 23, a concurrent resolution urging support of public broadcasting in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Flynn moved the adoption of Senate Concurrent Resolution 23, which motion prevailed by a voice vote.

UNFINISHED BUSINESS
(Deferred March 20, 1995)

Senate File 178

The Senate resumed consideration of Senate File 178, a bill for an act relating to emergency medical services, deferred March 20, 1995.

Senator Iverson withdrew amendment S—3095 filed by him on March 2, 1995, to pages 2 and 6 of the bill.

Senator Priebe offered amendment S—3152 filed by Senators Priebe and Iverson on March 21, 1995, to page 5 of the bill and moved its adoption.

Amendment S—3152 was adopted by a voice vote.

Senator Hammond offered amendment S—3080 filed by her on March 1, 1995, to pages 5, 13 and 14 of the bill and moved its adoption.

Amendment S—3080 was adopted by a voice vote.

Senator Iverson offered amendment S—3177 filed by him from the floor to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 21.

Amendment S—3177 was adopted.

Senator Horn asked and received unanimous consent that action on **Senate File 178** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 341, 346, 351, 370, 375, 376** and **Senate Concurrent Resolution 23** 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 22, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 103, a bill for an act relating to the liability of persons involved in domesticated animal activities.

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

House File 170, a bill for an act relating to exempting employees of the state fair authority from the state merit personnel system.

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

House File 217, a bill for an act relating to education requirements for nurses.

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

House File 277, a bill for an act concerning health care coverage availability to unemployed individuals.

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

House File 420, a bill for an act creating an environmental audit privilege and providing penalties.

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

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 348** be referred from the Regular Calendar to the committee on **State Government**.

MOTION TO RECONSIDER WITHDRAWN

Senator Priebe withdrew the motion to reconsider the vote by which amendment S—3129 to Senate File 290 was adopted by

the Senate on March 21, 1995, filed by him on March 21, 1995, and found on page 762 of the Senate Journal.

RECESS

On motion of Senator Horn, the Senate recessed at 10:33 a.m., until 1:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: March 21, 1995, 1:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 179 and 181 as amended; amended and approved SSB 275 as a committee bill.

Adjourned: 2:35 p.m.

SIMILAR BILL RECEIVED

On March 21, 1995, **House File 215** was received and attached to similar **Senate File 353** on the Senate calendar.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 1995, to investigate the appointment and reappointment of the following appointees to state boards, commissions and departments:

COMMERCE

As Commissioner of Insurance:

DR. THERESE M. VAUGHAN: Gronstal, Chair; Husak and Jensen

As Consumer Advocate:

JAMES MARET: Hansen, Chair; Deluhery and Douglas

As members of the Credit Union Review Board:

PATRICIA A. BERDING: Gettings, Chair; Flynn and Lundby
DIANE L. KOLLASCH: Gettings, Chair; Flynn and Lundby

As a member and chairperson of the Utilities Board:

ALLAN T. THOMS: Bisignano, Chair; Deluhery and Jensen

COMMUNICATIONS AND INFORMATION POLICY

As Executive Director of the Iowa Telecommunications and Technology Commission:

HAROLD M. THOMPSON: Dvorsky, Chair; Deluhery and McLaren

ETHICS

As a member of the Iowa Ethics and Campaign Disclosure Board:

GERALDINE M. LEINEN: Drake, Chair; Neuhauser and Hedge

HUMAN RESOURCES

As Administrator of the Division of Community Action Agencies:

JAMES SMITH: Kramer, Chair; Neuhauser and Vilsack

As Administrator of the Division of Persons with Disabilities:

DONALD W. WESTERGARD: Vilsack, Chair; Tinsman and Hammond

As Administrator of the Division on the Status of Women:

CHARLOTTE B. NELSON: Szymoniak, Chair; Kramer and Neuhauser

As members of the Athletic Trainer Advisory Board:

ALAN J. BESTE: Boettger, Chair; Hansen and Szymoniak

MARGARET SUSAN CIGELMAN: Kramer, Chair; Vilsack and Dvorsky

DANNY T. FOSTER: Neuhauser, Chair; Szymoniak and Tinsman

DENISE A. HARKLAU: Hammond, Chair; Tinsman and Hansen

As members of the Board of Behavioral Science Examiners:

MARY M. CONWAY: Bartz, Chair; Dvorsky and Neuhauser

LINDA S. TRUDEAU: Boettger, Chair; Hansen and Dvorsky

STANTON L. VISSER: Hansen, Chair; Bartz and Vilsack

As members of the Board of Physician Assistant Examiners:

DR. PATRICIA A. BANWART: Tinsman, Chair; Hansen and Vilsack

MARK G. DAVIS: Boettger, Chair; Neuhauser and Dvorsky

As a member of the Commission for the Blind:

JOHN C. WELLMAN: Kramer, Chair; Vilsack and Tinsman

As members of the Commission of Elder Affairs:

BERTRUM BIDNE: Bartz, Chair; Neuhauser and Dvorsky

HAROLD B. DAVIS: Hansen, Chair; Szymoniak and Boettger

ELMER H. VERMEER: Hansen, Chair; Bartz and Neuhauser

As members of the Commission on Community Action Agencies:

LOIS H. EICHACKER: Szymoniak, Chair; Vilsack and Tinsman

MERL McFARLANE: Dvorsky, Chair; Hammond and Bartz

STEPHANIE A. STEBENS: Tinsman, Chair; Vilsack and Hansen

As members of the Commission on the Deaf:

POLLY A. ADAM: Kramer, Chair; Szymoniak and Boettger

DONNA S. HANSEN: Dvorsky, Chair; Hansen and Bartz

MARVIN W. TUTTLE: Szymoniak, Chair; Hammond and Boettger

As members of the Community Health Management Information System
Governing Board:

DENNIS L. BILLINGS: Dvorsky, Chair; Tinsman and Neuhauser

JOHN M. COMSTOCK: Tinsman, Chair; Dvorsky and Hammond

As members of the Council on Human Services:

DENNIS D. KILLION: Vilsack, Chair; Kramer and Dvorsky

GREGG R. NARBER: Kramer, Chair; Tinsman and Dvorsky

DIANNE L. PACA: Boettger, Chair; Szymoniak and Hansen

As Director of Public Health:

CHRISTOPHER G. ATCHISON: Szymoniak, Chair; Kramer and Tinsman

As Director of the Department for the Blind:

R. CREIG SLAYTON: Szymoniak, Chair; Neuhauser and Kramer

As Director of the Department of Elder Affairs:

BETTY L. GRANDQUIST: Szymoniak, Chair; Kramer and Boettger

As members of the Iowa Council on Human Investment:

LOIS H. EICHACKER: Szymoniak, Chair; Tinsman and Neuhauser
ELAINE A. PFALZGRAF: Dvorsky, Chair; Neuhauser and Tinsman
CHARESE E. YANNEY: Hansen, Chair; Bartz and Dvorsky

As members of the Mental Health and Developmental Disabilities Commission:

SHARON BLAIR: Kramer, Chair; Hammond and Szymoniak
MYRNA L. LANGERUD: Bartz, Chair; Hammond and Neuhauser
BARBARA J. LIPS: Tinsman, Chair; Szymoniak and Hansen
JEAN E. OXLEY: Neuhauser, Chair; Bartz and Vilsack
STEVEN REUTER: Boettger; Chair; Hammond and Szymoniak
BEVERLY ZIEMAN: Bartz, Chair; Vilsack and Hammond

As a member of the Prevention of Disabilities Policy Council:

MONICA H. KURTZ: Kramer, Chair; Szymoniak and Hansen
JERRY D. STILWELL: Szymoniak, Chair; Bartz and Dvorsky
CAROL A. WATSON: Neuhauser, Chair; Dvorsky and Boettger

As members of the State Citizen Foster Care Review Board:

LIL M. PERRY: Vilsack, Chair; Szymoniak and Tinsman
HARRIET VANDE HOEF: Tinsman, Chair; Vilsack and Hammon

As members of the State Health Facilities Council:

PATRICIA A. HOFMASTER: Kramer, Chair; Hansen and Hammond
DR. HARRY C. RASDAL: Bartz, Chair; Dvorsky and Neuhauser

JUDICIARY

As members of the Board of Corrections:

FRANCES V. COLSTON: Hammond, Chair; Szymoniak and McKean
KENNETH R. HOEFLE: Drake, Chair; Bisignano and Giannetto
JIM R. SCHWIESOW: Neuhauser, Chair; Hansen and Boettger
ALLAN W. VANDER HART: Redfern, Chair; Neuhauser and Hansen

As a member of the Board of Parole:

BARBARA BINNIE: Maddox, Chair; Hammond and Vilsack

As a member of the Drug Abuse Prevention and Education Advisory Council:

KAREN L. WALL: Hansen, Chair; Szymoniak and Boettger

As members of the Indigent Defense Advisory Commission:

CARLYNN D. GRUPP: Bartz, Chair; Neuhauser and Vilsack
A. PATRICIA HOULIHAN: Bisignano, Chair; Giannetto and Redfern

RICHARD P. TEKIPPE: Giannetto, Chair; Fraise and Bartz

As members of the Iowa State Civil Rights Commission:

BERNARD L. BIDNE: Bartz, Chair; Neuhauser and Bisignano

SALLY M. O'DONNELL: Hansen, Chair; Giannetto and Redfern

As members of the Narcotics Enforcement Advisory Council:

YALE H. JARVIS: Vilsack, Chair; Bisignano and Drake

LORI LEWIS: Halvorson, Chair; Bartz and Szymoniak

LT. RUSSELL C. UNDERWOOD: Maddox, Chair; Fraise and Hansen

As members of the State Judicial Nominating Commission:

DONALD CULP: Fraise, Chair; Hansen and Maddox

CAROL A. GOLDEN: McKean, Chair; Hammond and Giannetto

LEE W. HOLT: Boettger, Chair; Fraise and Giannetto

LOCAL GOVERNMENT

As members of the County Finance Committee:

CHRISTINE M. VAN METER: Maddox, Chair; Sorensen and Fraise

SHARON L. WINCHELL: McKean, Chair; Fink and Black.

NATURAL RESOURCES

As Director of the Department of Natural Resources:

LARRY J. WILSON: Fink, Chair; Black, Deluhery, Lundby and Rensink

As members of the Environmental Protection Commission:

KATHRYN J. DRAEGER: Borlaug, Chair; Sorensen and Dearden

CHARLOTTE MOHR: Rensink, Chair; Deluhery and Judge

GARY C. PRIEBE: Kibbie, Chair; Dearden and Hedge

ESTHER M. STROTHER: Black, Chair; Fink and Lundby

As members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

CATHY A. ROTTINGHAUS: Freeman, Chair; Dearden and Sorensen

JACKLYN K. VAN EKEREN: Kibbie, Chair; Judge and Rensink

As members of the Natural Resource Commission:

MARIAN L. KIEFFER: Black, Chair; Sorensen and Borlaug

JOAN C. SCHNEIDER: Kibbie, Chair; Black and Rensink

As members of the Renewable Fuels and Coproducts Advisory Committee:

MYRON D. CARLSON: Hedge, Chair; Judge and Kibbie

DAVID L. HOLMES: Hedge, Chair; Judge and Fink

ERIC C. SEUREN: Hedge, Chair; Judge and Fink

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

As members of the Iowa Economic Development Board:

ANN JORGENSEN: Boettger, Chair; Bennett and Flynn

ELDON E. LEONARD: Bennett, Chair; Boettger and Flynn

As members of the Small Business Advisory Council:

SARAH A. FALB: Boettger, Chair; Bennett and Flynn

FRANCES S. FLECK: Bennett, Chair; Boettger and Flynn

LEONA E. WESTPHAL: Bennett, Chair; Boettger and Flynn

As members of the Wallace Technology Transfer Foundation of Iowa:

STEVEN S. BERGER: Boettger, Chair; Bennett and Flynn

NADINE S. DRENNAN: Boettger, Chair; Bennett and Flynn

MARLYS D. JOHNSON: Boettger, Chair; Bennett and Flynn

STATE GOVERNMENT

As members of the Accountancy Examining Board:

JEAN E. KRUSE: Lundby, Chair; Halvorson and Connolly

JOHN M. SKLENAR: Sorensen, Chair; Giannetto and Bennett

PAUL S. STAVE: McLaren, Chair; Fink and Giannetto

DOROTHY L. VOTROUBEK: Rittmer, Chair; Sorensen and Giannetto

As Administrator of the Division on the Status of African-Americans:

ROMELLE H. SLAUGHTER: Dearden, Chair; Gronstal and Lundby

As Adjutant General:

MAJORGGENERAL WARREN G. LAWSON: Kibbie, Chair; Gronstal and Drake

As members of the Alcoholic Beverages Commission:

DR. SUZANNE B. MULDER: Lind, Chair; Bisignano and Gronstal

SHIRLEY M. WOODSMALL: Dearden, Chair; Gronstal and Lundby

As members of the Architectural Examining Board:

CAROLYN E. OLSEN: McLaren, Chair; Fink and Connolly

NORMAN H. RUDI: Lundby, Chair; Kibbie and Fink

As a member of the Board of Barber Examiners:

ALAN L. THOMPSON: Sorensen, Chair; Giannetto and Lundby

As a member of the Board of Chiropractic Examiners:

DR. RONALD C. EVANS: Fink, Chair; Gronstal and Lind

As a member of the Board of Cosmetology Arts and Sciences Examiners:

SUSANNE E. WOLRAB: Lundby, Chair; Gronstal and Fink

As members of the Board of Dental Examiners:

DR. JERRY C. PRAHL: Bennett, Chair; Gronstal and Kibbie

DR. JAMES A. RAECKER: Lind, Chair; Bisignano and Sorensen

DR. FRED A. RIDDLE, JR.: Drake, Chair; Halvorson and Sorensen

As a member of the Board of Dietetic Examiners:

MARGARET B. TAIT: Giannetto, Chair; Sorensen and Lind

As members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers:

RICHARD T. CLARK: Halvorson, Chair; Fink and Lind

RONALD G. RICHER: Lundby, Chair; Fink and Halvorson

As members of the Board of Medical Examiners:

DR. JAMES M. CATERINE: McLaren, Chair; Giannetto and Halvorson

MARY C. HODGES: Rittmer, Chair; Gronstal and Kibbie

DR. DALE R. HOLDIMAN: Bennett, Chair; Fink and Giannetto

DR. TERESA A. MOCK: Lind, Chair; Kibbie and Bisignano

As a member of the Board of Mortuary Science Examiners:

JAMES W. BARR: Drake, Chair; Gronstal and Kibbie

As members of the Board of Nursing Examiners:

RODMON C. BELL: Drake, Chair; Gronstal and Kibbie

REGENE L. OSBORNE: Bennett, Chair; Giannetto and Kibbie

RICHARD A. PETERSEN: Bennett, Chair; Giannetto and Kibbie

GUY W. RICHARDSON: Sorensen, Chair; Connolly and McLaren

As members of the Board of Optometry Examiners:

JANE F. ECKLUND: Sorensen, Chair; Bisignano and McLaren
BRENDA S. NEVILLE: Rittmer, Chair; Giannetto and Fink
DR. ROBERT H. SHARP: McLaren, Chair; Gronstal and Connolly

As members of the Board of Pharmacy Examiners:

JAY J. CAYNER: Rittmer, Chair; Giannetto and Halvorson
PHYLLIS A. MILLER: McLaren, Chair; Gronstal and Kibbie

As members of the Board of Physical and Occupational Therapy Examiners:

DIANA R. BROWER: Lundby, Chair; Connolly and Dearden
ERIC G. JACOBS: Lundby, Chair; Drake and Kibbie

As a member of the Board of Podiatry Examiners:

DR. WILLIAM W. GRONEN: Lind, Chair; Gronstal and Halvorson

As members of the Board of Psychology Examiners:

DR. DAN L. ROGERS: Halvorson, Chair; Fink and Drake
CONNIE L. SCHMETT: Bennett, Chair; Dearden and Fink

As members of the Board of Social Work Examiners:

RICHARD MATLAND: McLaren, Chair; Giannetto and Sorensen
KATHLEEN M. MORGAN: Dearden, Chair; Bisignano and Bennett

As members of the Board of Speech Pathology and Audiology Examiners:

ALAN K. HEIDECKER: Fink, Chair; Halvorson and Rittmer
DOROTHY L. McKEE: Bennett, Chair; Connolly and Sorensen

As Commissioner of the Lottery:

DR. EDWARD STANEK: Bisignano, Chair; Connolly and Lind

As members of the Commission of Veterans Affairs:

MILDRED R. DAWSON: Giannetto, Chair; Kibbie and Drake
LARRY J. JATHO: Giannetto, Chair; Kibbie and Drake

As members of the Engineering and Land Surveying Examining Board:

DWAYNE C. GARBER: Lundby, Chair; Sorensen and Halvorson
ANNE W. McKEOWN: Gronstal, Chair; Kibbie and Drake

As members of the Investment Board of the IPERS:

KATHY G. KAHUE: Kibbie, Chair; Gronstal and McLaren

BRUCE G. KELLEY: Kibbie, Chair; Gronstal and McLaren

As a member of the Iowa Board of Veterinary Medicine:

DR. DONALD R. JACOBI: Kibbie, Chair; Gronstal and Drake

As a member of the Iowa Emergency Response Commission:

CINDY RASPILLER: Lundby, Chair; Halvorson and Drake

As members of the Landscape Architectural Examining Board:

ALFRED C. BOHLING, JR.: Connolly, Chair; Dearden and Rittmer

DIANA HOOGESTRAAT: McLaren, Chair; Gronstal and Dearden

As members of the Lottery Board:

CONNIE M. ALT: Lind, Chair; Kibbie and Lundby

ROSS M. SUTTON: Bisignano, Chair; Gronstal and Lundby

As members of the Personnel Commission:

DOROTHY F. CARPENTER: Gronstal, Chair; Dearden and Lundby

MERLIN D. HULSE: Rittmer, Chair; Fink and Connolly

HUBERT W. WINEBRENNER: Rittmer, Chair; Sorensen and Halvorson

As members of the Real Estate Appraiser Examining Board:

TERRENCE D. CULVER: Lundby, Chair; Kibbie and Bisignano

DAVID R. HICKS: Rittmer, Chair; Fink and Giannetto

CATHY G. JONES: Rittmer, Chair; Fink and Giannetto

As a member of the Real Estate Commission:

TERRY W. ROGERS: Gronstal, Chair; Kibbie and Drake

As a member of the Respiratory Care Advisory Committee:

EARL L. HOWARD: Bennett, Chair; Giannetto and Halvorson

As members of the State Board of Examiners for Nursing Home Administrators:

WARREN D. RIPPEY: Connolly, Chair; Dearden and Drake

PATRICIA E. TIARKS: McLaren, Chair; Gronstal and Bisignano

As members of the State Racing and Gaming Commission:

RICHARD CANELLA: Lind, Chair; Bisignano and Gronstal

BRADLEY R. PEYTON: Lind, Chair; Bisignano and Gronstal

TRANSPORTATION

As members of the Iowa Law Enforcement Academy Council:

DONALD S. LYNN: Rittmer, Chair; Black and Fraise
THOMAS S. MULLIN: Douglas, Chair; Gettings and Connolly.

As a member of the State Transportation Commission:

THOMAS L. ALLER: Fraise, Chair; Drake and Fink

WAYS AND MEANS

As Director of Revenue and Finance:

GERALD D. BAIR: Palmer, Chair; Szymoniak and Drake

As Executive Director of the Iowa Finance Authority:

TED R. CHAPLER: Bennett, Chair; Neuhauser and Connolly

As members of the Iowa Finance Authority:

JAMES W. BALMER: Neuhauser, Chair; Murphy and Drake
DARWIN T. LYNNER, JR.: Szymoniak, Chair; Priebe and Freeman
ROOSEVELT TAYLOR: Vilsack, Chair; Szymoniak and Freeman.

As a member of the State Board of Tax Review:

GAYLE N. VOGEL: Deluhery, Chair; McLaren and Priebe

AFTERNOON SESSION

The Senate reconvened at 1:34 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 22, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 289, a bill for an act relating to solid waste tonnage fees.

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

INTRODUCTION OF BILL

Senate File 458, by committee on Ways and Means, a bill for an act relating to the duties of the county treasurer and providing effective and applicability dates.

Read first time and **placed on Ways and Means 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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 366

On motion of Senator Neuhauser, Senate File 366, a bill for an act relating to the exhibition of humans, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 366) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Vilsack	Zieman

Nays, 2:

Borlaug Jensen

Absent or not voting, 4:

Black Gettings Kramer Szymoniak

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

Senate File 372

On motion of Senator Fraise, Senate File 372, a bill for an act relating to the exemption for attorneys who have provided abstract services under the title guaranty program, 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. 372) the vote was:

Ayes, 2:

Drake Fraise

Nays, 47:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Absent or not voting, 1:

Black

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 284

On motion of Senator Hansen, Senate File 284, a bill for an act relating to the crime of forgery, by prohibiting the knowing possession of forged writings, including documents prescribed for entry into, stay, or employment in the United States, and providing penalties, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 284) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean

McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 386

On motion of Senator Redfern, Senate File 386, a bill for an act relating to restitution in certain traffic offenses which are simple misdemeanors, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 386) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Palmer

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

Senate File 396

On motion of Senator Bartz, Senate File 396, a bill for an act relating to limited liability companies, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on **Senate File 396** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 366, 284 and 386** be immediately messaged to the House.

CONSIDERATION OF BILLS
(Regular Calendar)**Senate File 369**

On motion of Senator Szymoniak, Senate File 369, a bill for an act relating to a conference on domestic violence, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **Senate File 369** be deferred.

Senate File 359

On motion of Senator Redfern, Senate File 359, a bill for an act providing for the modification of no-contact orders in domestic abuse cases in certain circumstances, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 359) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Priebe

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

Senate File 367

On motion of Senator Szymoniak, Senate File 367, a bill for an act relating to domestic abuse and victim protection and providing a penalty, a delayed effective date, and a conditional effective date, with report of committee on Ways and Means recommending passage, was taken up for consideration.

(Action on Senate File 367 was deferred.)

BUSINESS PENDING

Senate File 369

The Senate resumed consideration of Senate File 369, a bill for an act relating to a conference on domestic violence, previously deferred.

Senator Szymoniak offered amendment S—3188 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3188 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. 369) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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)

Senator Horn asked and received unanimous consent to take up for consideration Senate Files 417, 428, 438 and 440.

Senate File 417

On motion of Senator Giannetto, Senate File 417, a bill for an act relating to the crime of assault, by changing the elements of assault without intent but causing injury, creating the crimes of intentional assault causing injury and assault causing serious injury, and providing penalties, was taken up for consideration.

Senator Giannetto asked and received unanimous consent that action on **Senate File 417** be **deferred**.

President pro tempore Bisignano took the chair at 2:42 p.m.

Senate File 428

On motion of Senator McKean, Senate File 428, a bill for an act to provide for the reciprocal rendition of prisoners as witnesses

in criminal proceedings and providing an effective date, 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?" (S.F. 428) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 438

On motion of Senator Hammond, Senate File 438, a bill for an act relating to juvenile justice including notice requirements for certain hearings and authorizing associate juvenile judges to perform marriage ceremonies, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 438) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senator Judge took the chair at 3:52 p.m.

President Boswell took the chair at 3:56 p.m.

Senate File 432

On motion of Senator Hammond, Senate File 432, a bill for an act relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date, was taken up for consideration.

Senator Hammond offered amendment S—3170 filed by her on March 21, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3170 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 432) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto

Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 353

On motion of Senator Bisignano, Senate File 353, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor, was taken up for consideration.

Senator Bisignano offered amendment S—3176 filed by him from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3176 was adopted by a voice vote.

Senator Bisignano asked and received unanimous consent that House File 215 be substituted for Senate File 353 as amended.

House File 215

On motion of Senator Bisignano, House File 215, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor, and providing transition provisions, was taken up for consideration.

(Action on House File 215 was deferred.)

Senate File 120

On motion of Senator Szymoniak, Senate File 120, a bill for an act requiring that prison inmates obtain a general equivalency diploma prior to the granting of parole or work release, and providing exceptions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3127 filed by the committee on Judiciary on March 15, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3127 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. 120) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Rife

Absent or not voting, 1:

Halvorson

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

BUSINESS PENDING

House File 215

The Senate resumed consideration of House File 215, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor, and providing transition provisions, previously deferred.

Senator Hammond offered amendment S—3180 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3180 was adopted by a voice vote.

Senator Bisignano moved the adoption of amendment S—3178 as amended, which motion prevailed by a voice vote.

Senator Giannetto offered amendment S—3181 filed by him from the floor to amendment S—3178 and moved its adoption.

Amendment S—3181 was adopted by a voice vote.

Senator Giannetto moved the adoption of amendment S—3178 as amended, which motion prevailed 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?" (H.F. 215) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 Bisignano asked and received unanimous consent that **Senate File 353** be **withdrawn** from further consideration of the Senate.

BUSINESS PENDING

Senate File 417

The Senate resumed consideration of Senate File 417, a bill for an act relating to the crime of assault, by changing the elements of assault without intent but causing injury, creating the crimes of intentional assault causing injury and assault causing serious injury, and providing penalties, previously deferred.

Senator Giannetto offered amendment S—3197 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3197 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. 417) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 409.

Senate File 409

On motion of Senator McKean, Senate File 409, a bill for an act relating to the activities of clerks of the district court, and providing additional court fees, was taken up for consideration.

Senator McKean offered amendment S—3195 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3195 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 409) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, none:

Absent or not voting, 1:

Zieman

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 Hansen, Senate File 349, a bill for an act to require that certain forcible felons serve at least eighty-five percent of the sentence imposed, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 349) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 21

On motion of Senator Fraise, Senate File 21, a bill for an act eliminating the twenty-four hour notice to students prior to a periodic search of students' lockers, with report of committee on Judiciary recommending passage, and report of committee on Education recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—3133 filed by the committee on Education on March 16, 1995, to page 1 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3133 be adopted?" (S.F. 21) the vote was:

Ayes, 38:

Bisignano	Black	Boettger	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lundby	Maddox
McKean	Neuhauser	Palmer	Priebe
Redfern	Rensink	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 11:

Banks	Bartz	Bennett	Borlaug
Freeman	Iverson	Lind	McLaren
Rife	Rittmer	Zieman	

Absent or not voting, 1:

Murphy

Amendment S—3133 was adopted.

With the adoption of amendment S—3133, the Chair ruled the following amendments out of order:

S—3035 filed by Senator Giannetto on February 7, 1995, to page 1 and the title page of the bill.

S—3037 filed by Senators Fraise and Gettings on February 8, 1995, to page 1 and the title page of the bill.

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. 21) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell

Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Gronstal

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

Senate File 398

On motion of Senator Neuhauser, Senate File 398, a bill for an act relating to commutation of sentences of persons who have been sentenced to life imprisonment, was taken up for consideration.

Senator Hammond offered amendment S—3165 filed by her on March 21, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3165 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 398) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer

Lind
McLaren
Redfern
Sorensen
Zieman

Lundby
Murphy
Rensink
Szymoniak

Maddox
Neuhauser
Rife
Tinsman

McKean
Priebe
Rittmer
Vilsack

Nays, none.

Voting present, 1:

Palmer

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

BUSINESS PENDING

Senate File 367

The Senate resumed consideration of Senate File 367, a bill for an act relating to domestic abuse and victim protection and providing a penalty, a delayed effective date, and a conditional effective date, previously deferred.

Senator Szymoniak offered amendment S—3185 filed by the committee on Ways and Means to page 8 of the bill and moved its adoption.

Amendment S—3185 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3198 filed by her from the floor to pages 1, 6 and 9 of the bill and moved its adoption.

Amendment S—3198 was adopted by a voice vote.

Senator Giannetto offered amendment S—3175 filed by him from the floor to pages 3, 7 and 8 of the bill and moved its adoption.

Amendment S—3175 was adopted by a voice vote.

With the adoption of amendment S—3185, the Chair ruled amendment S—3147 filed by Senator Bartz on March 20, 1995, to page 8 of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 367) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 296

On motion of Senator Maddox, Senate File 296, a bill for an act relating to juvenile justice including the conditions under which a person under twenty-one years of age may consume alcoholic beverages in a home or on private property, providing for the automatic waiver of juveniles to adult court in certain circumstances, regarding the notification of schools by juvenile court officers of the taking into custody of a juvenile, and providing that the juvenile court may prohibit a juvenile from driving under certain circumstances, was taken up for consideration.

Senator Vilsack offered amendment S—3119 filed by him on March 13, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3119 was adopted by a voice vote.

Senator Giannetto asked and received unanimous consent that action on **Senate File 296** be deferred.

Senate File 373

On motion of Senator Neuhauser, Senate File 373, a bill for an act to permit the court to find a person in contempt for failure to pay restitution after the period of probation, work release, parole, or the person's sentence has ended, was taken up for consideration.

Senator Neuhauser moved that the bill be read the last time now and placed upon its passage, 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, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Murphy

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

Senate File 293

On motion of Senator Boettger, Senate File 293, a bill for an act relating to providing for a five-year minimum prison term for a person who uses a dangerous weapon in the commission of a forcible felony, was taken up for consideration.

Senator Halvorson offered amendment S—3128 filed by him on March 15, 1995, to page 1 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3128 be adopted?" (S.F. 293) the vote was:

Ayes, 5:

Gronstal	Halvorson	Hammond	Neuhausser
Szymoniak			

Nays, 43:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Vilsack	Zieman	

Absent or not voting, 2:

Black	Murphy
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Amendment S—3128 lost.

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

On the question "Shall the bill pass?" (S.F. 293) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson

Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Murphy Palmer

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 428, 369, 359, 438, 432, 120, 417, 409, 349, 21, 398, 367, 373, 293** and **House File 215** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 22, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 336, a bill for an act relating to funding and levies for mental health, mental retardation, and developmental disabilities services; deductions for pension income, treatment of income from subchapter S corporations, and increased dependent credit for state individual income tax purposes; machinery and equipment phase-in exemption and reimbursement for property tax purposes; relating to the cash reserve and an infrastructure fund; providing appropriations, and providing effective dates and applicability provisions.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 12, by Priebe, a resolution requesting the legislative council to create a department of human services institution closure task force.

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

INTRODUCTION OF BILL

Senate File 459, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability.

Read first time and **placed on Appropriations Calendar.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 1995, to investigate the appointment and reappointment of the following appointees to state boards, commissions and departments

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

TERRY W. EVANS: McLaren, Chair; Banks and Boswell
BRUCE A. YUNGCLAS: Sorensen, Chair; Douglas and Palmer

As members of the State Soil Conservation Committee:

MARY J. BOOTE: Banks, Chair; Judge and Black
MARY ANN B. DRISH: Hedge, Chair; Fraise and Giannetto

EDUCATION

As members of the Board of Educational Examiners:

MARY M. CONRAD: Iverson, Chair; Kibbie and Neuhauser
DR. GERALD L. COWELL: Kibbie, Chair; Hammond and Tinsman
JAMES E. EHMEN: Murphy, Chair; Redfern and Kibbie
JACQUELINE M. PARKIN: Fink, Chair; Dvorsky and Kramer
ANN R. SHAW: Fink, Chair; Kramer and Dvorsky

As Director of the Department of Cultural Affairs:

WILLIAM H. JACKSON: Kibbie, Chair; Kramer and Connolly

As a member of the First in the Nation in Education Foundation Governing Board:

MARGARET P. BORGEN: Szymoniak, Chair; Deluhery and Kramer

As a member of the Iowa Higher Education Loan Authority:

KATHRYN A. THIELEKE: Szymoniak, Chair; Deluhery and Redfern

As members of the State Board of Regents:

DAVID J. FISHER: Connolly, Chair; Tinsman, Kramer, Hammond and Kibbie.
ELLENGRAY G. KENNEDY: Hammond, Chair; Kibbie and Rensink
BEVERLY A. SMITH: Dvorsky, Chair; Redfern and Murphy

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 the 21st day of March, 1995:

Senate File 17.

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

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

Ethan Sproston, Cedar Rapids — For outstanding service to United Community Services in Cedar Rapids/Linn County. Senator Horn (3-23-95).

Mary Marinkovich, Harlan — For Harlan Mother of Young Children of the Year. Senator Boettger (3-15-95).

Coach Tom Estes and the Sioux Center Warriors — For placing 4th in the 2A Class of the Boys' 1995 State Basketball Tournament. Senator Rensink (3-21-95).

Coach Loren De Jong and the M-OC/Floyd Valley Dutchmen — For placing 2nd in the 3A Class of the Boys' 1995 State Basketball Tournament. Senator Rensink (3-21-95).

Coach Paul Walton and the Boyden-Hull Comets — For placing 3rd in the 1A Class of the Boys' 1995 State Basketball Tournament. Senator Rensink (3-21-95).

PRESENTATION OF VISITORS

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

Sixty-five sixth grade students from Gladbrook-Reinbeck Middle School, Gladbrook, accompanied by Terri Luehring. Senators Husak and Jensen.

Sixteen students from Whiting High School, Whiting, accompanied by Carlann Ooten. Senator Bennett.

SUBCOMMITTEE ASSIGNMENTS

Senate File 342

HUMAN RESOURCES: Hammond, Chair; Bartz and Neuhauser

Senate File 350

JUDICIARY: Hammond, Chair; Bartz, Boettger, Giannetto and Vilsack

Senate File 379

JUDICIARY: Maddox, Chair; Bartz, Bisignano, Giannetto and Vilsack

Senate File 382

HUMAN RESOURCES: Neuhauser, Chair; Tinsman and Vilsack

BILLS ASSIGNED TO COMMITTEE

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

S. R.	12	State Government
H. F.	103	Judiciary
H. F.	217	State Government
H. F.	277	Human Resources
H. F.	288	Education
H. F.	289	Natural Resources
H. F.	420	Natural Resources

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the vote was taken on Senate File 409.

Had I been present, I would have voted "aye".

LYLE E. ZIEMAN

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 186, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Recommendation: DO PASS.

Final Vote: Ayes, 25: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 459 (SSB 298.1), a bill for an act making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 25: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 179, a bill for an act increasing the maximum property tax levy for certain county hospitals.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3184.

Final Vote: Ayes, 10: Palmer, Husak, Connolly, Deluhery, Drake, Freeman, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 5: Bennett, Hedge, Iverson, McLaren and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 181, a bill for an act providing a sales tax exemption relating to aircraft and providing effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3186.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 367, a bill for an act relating to domestic abuse and victim protection and providing a penalty, a delayed effective date, and a conditional effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3185.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 3: Deluhery, Drake and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 458 (SSB 275), a bill for an act relating to the duties of the county treasurer and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3171	S. F.	375	Michael E. Gronstal
S—3172	S. F.	69	Jim Lind
S—3173	S. F.	371	Randal J. Giannetto
S—3174	S. F.	416	Randal J. Giannetto
S—3175	S. F.	367	Randal J. Giannetto
S—3176	S. F.	353	Tony Bisignano
S—3177	S. F.	178	Stewart E. Iverson, Jr.
S—3178	H. F.	215	Tony Bisignano
S—3179	S. F.	384	Mike Connolly
S—3180	H. F.	215	Johnie Hammond
S—3181	H. F.	215	Randal J. Giannetto
S—3182	S. F.	178	O. Gene Maddox
S—3183	S. F.	406	Mike Connolly
S—3184	S. F.	179	Ways and Means
S—3185	S. F.	367	Ways and Means
S—3186	S. F.	181	Ways and Means
S—3187	S. F.	290	Richard F. Drake Don Gettings
S—3188	S. F.	369	Elaine Szymoniak
S—3189	S. F.	291	Eugene Fraise
S—3190	S. F.	403	Tom Vilsack
S—3191	S. F.	434	Rod Halvorson
S—3192	S. F.	208	Elaine Szymoniak
S—3193	S. F.	352	Johnie Hammond
S—3194	S. F.	396	Mary Lundby Michael E. Gronstal
S—3195	S. F.	409	Andy McKean
S—3196	S. F.	399	Randal J. Giannetto
S—3197	S. F.	417	Randal J. Giannetto
S—3198	S. F.	367	Elaine Szymoniak
S—3199	S. F.	232	Patrick J. Deluhery Richard F. Drake Maggie Tinsman Don Gettings Tom Flynn Mary A. Lundby
S—3200	S. F.	377	Berl E. Priebe John P. Kibbie

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:58 p.m., until 9:00 a.m., Thursday, March 23, 1995.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 23, 1995

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

Prayer was offered by the Reverend Dwight Rengstorf, pastor of the Trinity Lutheran Church, Shenandoah, Iowa.

The Journal of Wednesday, March 22, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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 March 22, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 362, a bill for an act relating to the statute of limitations for products liability actions and providing immunity from products liability under certain circumstances and providing for the act's applicability.

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 49 present, 1 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 162

On motion of Senator Hansen, Senate File 162, a bill for an act eliminating the minimum amount which must be borrowed under a home equity line of credit, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 162) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Sorensen

Absent or not voting, 1:

Jensen

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

Senate File 377

On motion of Senator Priebe, Senate File 377, a bill for an act relating to the payment of patronage dividends by cooperative

associations which are public utilities, was taken up for consideration.

Senator Priebe offered amendment S—3200 filed by Senators Priebe and Kibbie on March 22, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3200 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. 377) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Jensen

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

Senate File 416

On motion of Senator Giannetto, Senate File 416, a bill for an act relating to structured fines, establishing a civil penalty and surcharge, providing for the distribution of fines, and establishing effective and repeal dates, was taken up for consideration.

Senator Giannetto offered amendment S—3174 filed by him on March 22, 1995, to page 4 of the bill and moved its adoption.

Amendment S—3174 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. 416) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Jensen

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

Senate File 423

On motion of Senator Redfern, Senate File 423, a bill for an act relating to delayed deposit services businesses and providing penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 423) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Jensen

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

Senate File 352

On motion of Senator Szymoniak, Senate File 352, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions, was taken up for consideration.

Senator Hammond offered amendment S—3193 filed by her on March 22, 1995, to page 3 of the bill and moved its adoption.

Amendment S—3193 lost 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. 352) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell

Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 2:

Hammond Neuhauser

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

Senate File 439

On motion of Senator Boettger, Senate File 439, a bill for an act relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 439) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly

Rife

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, 1995)

Senate File 296

The Senate resumed consideration of Senate File 296, a bill for an act relating to juvenile justice including the conditions under which a person under twenty-one years of age may consume alcoholic beverages in a home or on private property, providing for the automatic waiver of juveniles to adult court in certain circumstances, regarding the notification of schools by juvenile court officers of the taking into custody of a juvenile, and providing that the juvenile court may prohibit a juvenile from driving under certain circumstances, deferred March 22, 1995.

Senator Maddox offered amendment S—3206 filed by Senators Giannetto and Maddox from the floor to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall the amendment S—3206 be adopted?" (S.F. 296) the vote was:

Ayes, 31:

Bisignano	Black	Boettger	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Judge
Kibbie	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Sorensen	Szymoniak	Vilsack	

Nays, 19:

Banks	Bartz	Bennett	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	McLaren	Rensink	Rife
Rittmer	Tinsman	Zieman	

Amendment S—3206 was adopted.

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

On the question "Shall the bill pass?" (S.F. 296) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 2:

Fink	Neuhauser
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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 391

On motion of Senator Halvorson, Senate File 391, a bill for an act relating to the payment of medical costs of temporary prisoners, was taken up for consideration.

Senator Halvorson moved that the bill be read the last time now and placed upon its passage, 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, 50:

Banks	Bart	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 403

On motion of Senator Vilsack, Senate File 403, a bill for an act relating to collection of delinquent restitution payments, was taken up for consideration.

Senator Vilsack offered amendment S—3190 filed by him on March 22, 1995, to pages 2, 3 and the title page of the bill and moved its adoption.

Amendment S—3190 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. 403) the vote was:

Ayes, 50:

Banks	Bart	Bennett	Bisignano
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Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 162, 377, 416, 423, 352, 439, 296, 391 and 403** be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 10:40 a.m., until 2:30 p.m.

APPENDIX

SIMILAR BILLS RECEIVED

On March 22, 1995, **House File 170** was received and attached to similar **Senate File 40** on the Senate calendar and **House File 471** was received and attached to similar **Senate File 418** on the Senate calendar.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which division S—3157C to Senate File 290 was adopted by the Senate on March 21, 1995.

MERLIN E. BARTZ

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 367, the following corrections were made:

1. Page 9, lines 33 and 34, the words and numbers "Sections 8, 13, 14, 18, 22, and 24" were changed to the words and numbers "Sections 9, 13, 14, 19, 22, and 25".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Fifty fifth grade students from Pleasant View Elementary School, Pleasant Valley, accompanied by Mrs. Michelle Hoffman and Mrs. Moran. Senators Rittmer and Tinsman.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 22, 1995, 10:50 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Approved SSBs 298.1 and 344 as committee bills; recommended passage of House File 186.

Adjourned: 11:55 a.m.

WAYS AND MEANS

Convened: March 22, 1995, 10:40 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe and Vilsack.

Members Absent: Deluhery, Drake and Szymoniak (all excused).

Committee Business: Recommended passage of Senate File 367 as amended.

Adjourned: 10:45 a.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Johnston High School Boys' basketball team, Johnston — For being the 1995 State Champs in the Class 3-A Boys' State basketball tournament. Senator Maddox (3-18-95).

Valley High School Girls' basketball team, West Des Moines — For your great accomplishments in the Class 4-A Girls' State basketball tournament. Senator Maddox (3-11-95).

Valley High School Boys' basketball team, West Des Moines — For your great accomplishments in the Class 4-A Boys' State basketball tournament. Senator Maddox (3-18-95).

Kenny Baych and Hank Stoffer, Hazelton — For community volunteer service. Senator Murphy (3-22-95).

Jesup High School Boys' basketball team, Jesup — For going to the Boys' State basketball tournament. Senator Murphy (3-22-95).

West Central High School Girls' basketball team, Maynard — For going to the Girls' State basketball tournament. Senator Murphy (3-22-95).

West Central High School Boys' basketball team, Maynard — For going to the Boys' State basketball tournament. Senator Murphy (3-22-95).

Donna Block, Oelwein High School — For scholastic gold medalist for the Iowa Academic Decathlon. Senator Murphy (3-22-95).

Trisha Masters, Oelwein High School — For honor division gold medalist for the Iowa Academic Decathlon. Senator Murphy (3-22-95).

Oelwein Community High School Academic Decathlon Team — For your outstanding effort in winning the small school regional title in the regional academics decathlon. Senator Murphy (3-22-95).

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 23rd day of March, 1995:

Senate File 158.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate File 374

STATE GOVERNMENT: Kibbie, Chair; Gronstal, Halvorson, Lundby and Rittmer.

Senate File 413

WAYS AND MEANS: Priebe, Chair; Connolly and McLaren

Senate File 422

WAYS AND MEANS: Connolly, Chair; Drake and Priebe

Senate File 445

WAYS AND MEANS: Deluhery, Chair; Hedge and Priebe

Senate File 448

WAYS AND MEANS: Priebe, Chair; Hedge and Neuhauser

Senate File 450

WAYS AND MEANS: Szymoniak, Chair; Connolly and Freeman

Senate File 451

WAYS AND MEANS: Deluhery, Chair; Drake and Murphy

House File 252

STATE GOVERNMENT: Halvorson, Chair; Kibbie and Lind

AMENDMENTS FILED

S-3201	S. F.	459	Stewart E. Iverson, Jr. Andy McKean
S-3202	S. F.	410	Johnie Hammond
S-3203	S. F.	431	Mary Neuhauser
S-3204	S. F.	422	Mary Lundby
S-3205	S. F.	440	Donald B. Redfern
S-3206	S. F.	296	Randal J. Giannetto O. Gene Maddox
S-3207	S. F.	431	Mary C. Neuhauser Steven D. Hansen
S-3208	S. F.	456	Sheldon Rittmer
S-3209	S. F.	414	Sheldon Rittmer
S-3210	S. F.	459	Eugene Fraise
S-3211	S. F.	459	Eugene Fraise
S-3212	S. F.	358	Jim Lind Andy McKean Mary Lundby Richard Drake
S-3213	S. C. R.	20	Brad Banks
S-3214	S. F.	431	Tony Bisignano
S-3215	S. F.	458	O. Gene Maddox
S-3216	S. F.	178	O. Gene Maddox

AFTERNOON SESSION

The Senate reconvened at 2:40 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 23, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 87, a bill for an act relating to the goal for the amount of Iowa's land area provided public open space protection.

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

House File 125, a bill for an act relating to the organization and expenses of the county charter commission.

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

House File 247, a bill for an act relating to the regulation of insurance, including the authority of the insurance division to regulate certain policies and contracts and parties to such policies and contracts, establishing fees, and providing civil penalties.

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

House File 303, a bill for an act relating to pipelines and underground storage of hazardous liquids, and providing penalties and effective and retroactive applicability date provisions.

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

House File 425, a bill for an act repealing air toxics fees.

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

House File 428, a bill for an act relating to the expenditure of moneys deposited in an E911 service fund.

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

House File 437, a bill for an act relating to the financing of political campaigns and by adding and changing definitions of commissioner and political committee, changing the providing for the appointment of committee personnel and the maintenance of committee funds, providing for the retention of records, establishing requirements for committee names, specifying requirements for out-of-state committee filings, prohibiting political committees from supporting a single candidate, revising filing deadlines and the contents of disclosure reports, providing for disclaimers on published materials by nonregistered entities, including federal corporations under corporate activity prohibitions, allowing candidates to donate funds to district political party central committees and political subdivisions, providing for the establishment of ethics and campaign disclosure board staff salaries, and making other related changes.

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

House File 475, a bill for an act relating to the state archivist's office.

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

House File 476, a bill for an act eliminating the appeal period for the awarding of contracts by the purchasing division of the department of general services.

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

House File 477, a bill for an act requiring that a publication whose standards are incorporated by reference in agency rulemaking be purchased and provided by the agency to the administrative rules coordinator for deposit in the state law library.

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

House File 478, a bill for an act providing limited immunity for persons responding to oil spills.

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

House File 489, a bill for an act authorizing an increase in the amount of taxes dedicated to the reserve account by township trustees for supplies and equipment related to fire protection, emergency warning systems, and ambulance services.

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

House File 490, a bill for an act relating to limited liability companies.

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

INTRODUCTION OF BILLS

Senate File 460, by Horn and Rife, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective and applicability date provision.

Read first time and **assigned to the committee on Education**.

Senate File 461, by Deluhery, Murphy, Fraise, Vilsack, Gronstal, Husak, Bisignano, Hansen, Szymoniak, Dearden, Black, Kibbie, Priebe, Dvorsky, Gettings, Sorensen, Giannetto, Judge, Halvorson, Hammond, Neuhauser, Flynn, Palmer, Connolly, Fink, Tinsman, Rittmer, Jensen, Lundby, Borlaug, and Freeman, a bill for an act increasing the amount of the personal exemption credits under the state's individual income tax and providing effective and applicability date provisions.

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

Senate File 462, by committee on Appropriations, 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 human services and health care and providing for effective and applicability dates.

Read first time and **placed on Appropriations Calendar**.

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.

UNFINISHED BUSINESS (Deferred March 21, 1995)

Senate File 290

The Senate resumed consideration of Senate File 290, a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing an effective date, deferred March 21, 1995.

Senator Banks offered amendment S—3164 filed by him on March 21, 1995, to pages 1, 4 and 18 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3164 be adopted?" (S.F. 290) the vote was:

Ayes, 26:

Banks	Bartz	Bennett	Boettger
Borlaug	Boswell	Douglas	Drake
Fink	Freeman	Gettings	Husak
Iverson	Jensen	Kramer	Lind
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Zieman		

Nays, 21:

Bisignano	Connolly	Dearden	Deluhery
Dvorsky	Flynn	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Szymoniak
Vilsack			

Absent or not voting, 3:

Black	Fraise	Lundby
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Amendment S—3164 was adopted.

Senator Drake offered amendment S—3187 filed by Senators Drake and Gettings on March 22, 1995, to page 13 of the bill and moved its adoption.

Amendment S—3187 was adopted by a voice vote.

Senator Bartz called up the motion to reconsider the vote by which division S—3157C to Senate File 290 was adopted by the Senate on March 21, 1995, filed by him on March 23, 1995, found on page 852 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and division S—3157C by Senator Bartz to pages 12 and 18 of the bill, was taken up for reconsideration.

Senator Bartz withdrew division S—3157C.

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. 290) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe

Redfern
Szymoniak

Rensink
Tinsman

Rife
Vilsack

Sorensen

Nays, 2:

Rittmer Ziemann

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 **Senate File 290** be immediately messaged to the House.

The Senate stood at ease at 3:15 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 3:23 p.m., President Boswell presiding.

UNFINISHED BUSINESS (Deferred March 21, 1995)

Senate File 213

The Senate resumed consideration of Senate File 213, a bill for an act relating to handicapped parking and providing a penalty, and amendment S—3149 by Senator Dearden to pages 5, 6 and 11 of the bill, deferred March 21, 1995.

Senator Banks offered amendment S—3163 filed by Senators Banks and Dearden on March 21, 1995, to amendment S—3149 and moved its adoption.

Amendment S—3163 was adopted by a voice vote.

Senator Dearden moved the adoption of amendment S—3149 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 213) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Gronstal Husak

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 424

On motion of Senator Kibbie, Senate File 424, a bill for an act relating to membership and administration of the board of the statewide police and fire retirement system 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. 424) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Hansen

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

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 460, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective and applicability date provision.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none. Absent or not voting, 1: Murphy.

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 460.

Senate File 460

On motion of Senator Connolly, Senate File 460, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective and applicability date provision, 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?" (S.F. 460) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 213, 424 and 460 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 23, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 185, a bill for an act relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions.

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

House File 238, a bill for an act relating to the joint purchase of group health benefits by multiple school districts or area education agencies pursuant to an intergovernmental agreement.

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

House File 363, a bill for an act relating to the development of housing for low or moderate income families in urban renewal areas, including an applicability date provision.

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

House File 460, a bill for an act relating to governmental control of property by allowing governmental entities to enter and test property for condemnation of property for highway purposes, providing for the interest rates assessed for condemnation damages, providing for right-of-way notice filings, and concerning advertising control laws on scenic highways.

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

WITHDRAWN

Senator Halvorson asked and received unanimous consent that **Senate File 48** be **withdrawn** from further consideration of the Senate.

APPENDIX

COMPANION BILLS

House files were attached to companion Senate files on the senate calendar as follows:

H.F. 490	companion	S.F. 396	3-23-95
H.F. 477	companion	S.F. 336	3-23-95
H.F. 478	companion	S.F. 387	3-23-95

STUDY BILLS RECEIVED

SSB 346 Ways and Means

Establishing a surcharge on misdemeanors and traffic violations and designating the proceeds for the community grant fund.

SSB 347 Ways and Means

Relating to economic development by establishing a workforce development fund, providing for the transfer of certain employer withholding amounts to the workforce development fund, and establishing a loan loss reserve program.

SSB 348 Ways and Means

Relating to interest earned on rental deposits.

SSB 349 Ways and Means

Relating to changing the point of taxation of motor vehicle fuel by requiring suppliers, restrictive suppliers, importers, exporters, dealers, users, or blenders licenses, changing reporting periods, and adding penalties.

SUBCOMMITTEE ASSIGNMENTS

House File 277

HUMAN RESOURCES: Boettger, Chair; Dvorsky and Hammond

SSB 346

WAYS AND MEANS: Vilsack, Chair; Deluhery and Freeman

SSB 347

WAYS AND MEANS: Vilsack, Chair; Bennett and Palmer

SSB 348

WAYS AND MEANS: Connolly, Chair; McLaren and Murphy

SSB 349

WAYS AND MEANS: Neuhauser, Chair; Iverson and Palmer

PRESENTATION OF VISITORS

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

Twenty-five sixth grade students from Wellsburg-Steamboat Rock Middle School, Steamboat Rock, accompanied by Bob Hutchcroft. Senators Iverson and Jensen.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Jane Sheik. Senator Judge.

Thirty-nine students from Spirit Lake High School, Spirit Lake, accompanied by Harold Overman. Senator Kibbie.

Two tenth grade students from Forest Ridge School, Estherville, accompanied by Cindy Cox. Senator Kibbie.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Michael G. Flock, Cedar Rapids — For attaining the rank of Eagle Scout. Senator McKean (3-26-95).

BILLS ASSIGNED TO COMMITTEE

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

S.F.	461	Ways and Means
H.F.	87	Natural Resources, Environ. & Energy

H.F.	125	Local Government
H.F.	247	Commerce
H.F.	303	Natural Resources, Environ. & Energy
H.F.	336	Appropriations
H.F.	362	Judiciary
H.F.	363	Small Business, Econ. Dev. & Tourism
H.F.	425	Natural Resources, Environ. & Energy
H.F.	428	Local Government
H.F.	437	State Government
H.F.	475	State Government
H.F.	476	State Government
H.F.	489	Local Government

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 462 (SSB 344), 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 human services and health care and providing for effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Kramer and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 463 (SSB 345), a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the public employment relations board, the Iowa seed capital corporation, the international development foundation, and the department of employment services and making related statutory changes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Murphy, Boswell, Bisignano, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Neuhauser and Vilsack. Nays, 10: Lind, Banks, Bartz, Black, Borlaug, Douglas, Iverson, McLaren, Rensink and Tinsman. Absent or not voting, 2: Kibbie and Kramer.

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 463 and they were attached to the committee report.

INTRODUCTION OF BILL

Senate File 463, by committee on Appropriations, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the public employment relations board, the Iowa seed capital corporation, the international development foundation, and the department of employment services and making related statutory changes.

Read first time under Rule 28 and placed on Appropriations Calendar.

AMENDMENTS FILED

S—3217	S.F.	446	Rod Halvorson
S—3218	S.F.	446	Rod Halvorson O. Gene Maddox
S—3219	S.F.	459	Eugene Fraise
S—3220	S.F.	405	Patty Judge Michael E. Gronstal
S—3221	S.F.	402	Patty Judge
S—3222	S.F.	431	Tony Bisignano
S—3223	S.F.	347	Tom Vilsack
S—3224	S.F.	431	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:15 p.m., until 1:00 p.m., Monday, March 27, 1995.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 27, 1995

The Senate met in regular session at 1:40 p.m., President Boswell presiding.

Prayer was offered by the Reverend Denny R. Funderberg, pastor of the Gospel of the Living Word Church, Spencer, Iowa.

The Journal of Thursday, March 23, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the day on request of Senator Rife.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 460, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective and applicability date provision.

ALSO: That the House has on March 23, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 203, a bill for an act relating to the location of the office of the commission of veterans affairs, and providing an effective date.

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

QUORUM CALL

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

The vote revealed 48 present, 2 absent and a quorum present.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Files 339, 410 and 449** be referred from the Regular Calendar to the committee on **Human Resources.**

CONSIDERATION OF BILL (Regular Calendar)

Senate File 446

On motion of Senator McKean, Senate File 446, a bill for an act relating to the possession or use of alcohol while operating a motor vehicle by requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, excluding the revocation from application of certain motor vehicle financial responsibility requirements, providing for minimum periods of license revocation, providing a scheduled fine for possession of an open alcohol container while operating a motor vehicle, providing for the impoundment or immobilization of motor vehicles driven or owned by persons convicted of operating while intoxicated and being a second or subsequent offender, providing criminal penalties, and other related matters, was taken up for consideration.

Senator Halvorson offered amendment S—3217 filed by him on March 23, 1995, to pages 1 and 8 of the bill and moved its adoption.

Amendment S—3217 was adopted by a voice vote.

Senator Halvorson offered amendment S—3218 filed by Senators Halvorson and Maddox on March 23, 1995, to pages 7 and 12 of the bill and moved its adoption.

Amendment S—3218 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 446) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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 368** be referred from the Regular Calendar to the committee on **Education**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 446** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred March 22, 1995)

Senate File 178

The Senate resumed consideration of Senate File 178, a bill for an act relating to emergency medical services, deferred March 22, 1995.

Senator Iverson 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—3177 to Senate File 178 was adopted by the Senate on March 22, 1995.

The motion prevailed by a voice vote and amendment S—3177 by Senator Iverson to page 6 of the bill, was taken up for reconsideration.

Senator Iverson withdrew amendment S—3177.

Senator Iverson offered amendment S—3228 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3228 was adopted by a voice vote.

Senator Hammond offered amendment S—3144 filed by her on March 20, 1995, to page 7 of the bill.

Senator Iverson offered amendment S—3227 filed by him from the floor to amendment S—3144 and moved its adoption.

Amendment S—3227 was adopted by a voice vote.

Senator Hammond moved the adoption of amendment S—3144 as amended, which motion prevailed by a voice vote.

Senator Iverson offered amendment S—3233 filed by him from the floor to pages 11 and 12 of the bill and moved its adoption.

Amendment S—3233 was adopted by a voice vote.

Senator Maddox withdrew amendment S—3182 filed by him on March 22, 1995, to page 15 of the bill.

Senator Maddox offered amendment S—3216 filed by him on March 23, 1995, to page 15 of the bill and moved its adoption.

Amendment S—3216 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 178) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dr. Rick D. Wilkerson as a member of the Athletic Trainer Advisory Board.

Carol A. Garrett, Doris A. Hansen, John B. Parks, Randolph P. Steig and Bruce Tamisiea as members of the Iowa Seed Capital Corporation.

Kenneth W. McNichols 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, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 437

On motion of Senator Kibbie, Senate File 437, a bill for an act relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system, was taken up for consideration.

Senator Kibbie offered amendment S—3166 filed by him on March 21, 1995, to pages 2 and 4 of the bill and moved its adoption.

Amendment S—3166 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. 437) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Borlaug Husak

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 178 and 437 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 459

On motion of Senator Fraise, Senate File 459, a bill for an act relating to and making appropriations to the department of justice,

office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability, was taken up for consideration.

The Senate stood at ease at 3:15 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:37 p.m., President Boswell presiding.

Senator Gronstal offered amendment S—3226 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—3226 be adopted?" (S.F. 459) the vote was:

Ayes, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Priebe	Sorensen
Szymoniak	Vilsack		

Nays, 22:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Absent or not voting, 2:

Borlaug	Palmer
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Amendment S—3226 was adopted.

Senator Iverson offered amendment S—3201 filed by Senators Iverson and McKean on March 23, 1995, to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3201 be adopted?” (S.F. 459) the vote was:

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

Ayes, 21:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Freeman	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	McKean	McLaren	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Maddox	Murphy	Neuhauser	Palmer
Priebe	Sorensen	Szymoniak	Vilsack

Absent or not voting, 1:

Borlaug

Amendment S—3201 lost.

Senator Dvorsky offered amendment S—3231 filed by Senators Dvorsky, et al., from the floor to page 9 of the bill and moved its adoption.

Amendment S—3231 was adopted by a voice vote.

Senator Fraise offered amendment S—3232 filed by him from the floor to page 24 of the bill and moved its adoption.

Amendment S—3232 was adopted by a voice vote.

Senator Fraise offered amendment S—3211 filed by him on March 23, 1995, to page 26 of the bill and moved its adoption.

Amendment S—3211 was adopted by a voice vote.

Senator Fraise offered amendment S—3219 filed by him on March 23, 1995, to pages 26 and 29 of the bill and moved its adoption.

Amendment S—3219 was adopted by a voice vote.

Senator Gronstal offered amendment S—3225 filed by him from the floor to page 26 of the bill and moved its adoption.

Amendment S—3225 was adopted by a voice vote.

Senator Murphy offered amendment S—3236 filed by Senators Murphy and Fraise from the floor to page 26 of the bill.

Senator Lind offered amendment S—3239 filed by Senators Lind, Murphy and Fraise from the floor to amendment S—3236 and moved its adoption.

Amendment S—3239 was adopted by a voice vote.

Senator Fraise offered amendment S—3242 filed by him from the floor to amendment S—3236 and moved its adoption.

Amendment S—3242 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3236 as amended, which motion prevailed by a voice vote.

Senator Lind offered amendment S—3238 filed by Senators Lind and Murphy from the floor to page 26 of the bill.

Senator Fraise asked and received unanimous consent that action on amendment S—3238 be deferred.

Senator Murphy offered amendment S—3240 filed by him from the floor to pages 26 and 29 of the bill.

Senator McKean asked and received unanimous consent that action on amendment S—3240 be deferred.

Senator Fraise withdrew amendment S—3210 filed by him on March 23, 1995, to page 26 of the bill.

Senator Bisignano offered amendment S—3241 filed by him from the floor to page 8 of the bill.

Senator Halvorson offered amendment S—3243 filed by him from the floor to amendment S—3241 and moved its adoption.

Amendment S—3243 was adopted by a voice vote.

Senator Bisignano asked and received unanimous consent that action on amendment S—3241 as amended be deferred.

Senator Horn asked and received unanimous consent that action on Senate File 459 be deferred.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 179

On motion of Senator Judge, Senate File 179, a bill for an act increasing the maximum property tax levy for certain county hospitals, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—3184 filed by the committee on Ways and Means on March 22, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3184 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. 179) the vote was:

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

Ayes, 45:

Banks

Bartz

Bennett

Boettger

Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Tinsman	Vilsack
Zieman			

Nays, 3:

Bisignano	Black	Iverson
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Absent or not voting, 2:

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

Senate File 197

On motion of Senator Sorensen, Senate File 197, a bill for an act relating to the confidentiality of financial information provided to the department of agriculture and land stewardship and providing an effective date, with report of committee recommending passage, 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. 197) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind

Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Borlaug	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 337

On motion of Senator Gronstal, Senate File 337, a bill for an act relating to publishing notice of outdated unpaid state warrants, 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. 337) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 371

On motion of Senator Hammond, Senate File 371, a bill for an act relating to prohibiting a polygraph examination of a victim of sexual abuse as a precondition to an investigation by a law enforcement agency, was taken up for consideration.

Senator Giannetto offered amendment S—3173 filed by him on March 22, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3173 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 371) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 263

On motion of Senator Szymoniak, Senate File 263, a bill for an act requiring licensure of hospice programs and providing a penalty, 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. 263) the vote was:

Ayes, 34:

Bartz	Bisignano	Boettger	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	Murphy	Neuhauser
Palmer	Redfern	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 15:

Banks	Bennett	Black	Douglas
Drake	Hedge	Husak	Iverson
McKean	McLaren	Priebe	Rensink
Rife	Rittmer	Zieman	

Absent or not voting, 1:

Borlaug

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

BUSINESS PENDING

Senate File 459

The Senate resumed consideration of Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law

enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability, and amendment S—3240 by Senator Murphy to pages 26 and 29 of the bill, previously deferred.

Senator McKean offered amendment S—3244 filed by Senators McKean, et al., from the floor to amendment S—3240 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3244 to amendment S—3240 be adopted?" (S.F. 459) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Black
Boettger	Connolly	Douglas	Drake
Dvorsky	Flynn	Freeman	Giannetto
Halvorson	Hammond	Hedge	Iverson
Jensen	Maddox	McKean	Neuhauser
Redfern	Rensink	Vilsack	Zieman

Nays, 25:

Bisignano	Boswell	Dearden	Deluhery
Fink	Fraise	Gettings	Gronstal
Hansen	Horn	Husak	Judge
Kibbie	Kramer	Lind	Lundby
McLaren	Murphy	Palmer	Priebe
Rife	Rittmer	Sorensen	Szymoniak
Tinsman			

Absent or not voting, 1:

Borlaug

Amendment S—3244 lost.

Senator Murphy moved the adoption of amendment S—3240.

A non record roll call was requested.

The ayes were 20, nays 27.

Amendment S—3240 lost.

Senator Gronstal offered amendment S—3245 filed by Senators Gronstal and Murphy from the floor to page 8 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3245 be deferred.

(Action on Senate File 459 was deferred.)

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 106

On motion of Senator Sorensen, Senate File 106, a bill for an act to provide disaster leave for certain state employees, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sorensen offered amendment S—3117 filed by the committee on State Government on March 9, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3117 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. 106) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 390

On motion of Senator Hammond, Senate File 390, a bill for an act relating to the Iowa arts and cultural enhancement and endowment program and foundation, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 390) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

BUSINESS PENDING

Senate File 459

The Senate resumed consideration of Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability, and amendment S—3245 by Senators Gronstal and Murphy to page 8 of the bill, previously deferred.

Senator Halvorson offered amendment S—3247 filed by Senators Halvorson, Bisignano and Gronstal from the floor to amendment S—3245 and moved its adoption.

Amendment S—3247 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3245 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3245 as amended, the Chair ruled amendment S—3241 by Senator Bisignano to page 8 of the bill previously deferred, out of order.

Senator Lind asked and received unanimous consent to withdraw amendment S—3238 by Senators Lind and Murphy to page 26 of the bill, previously deferred.

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

On the question "Shall the bill pass?" (S.F. 459) the vote was:

Ayes, 33:

Bartz
Connolly
Dvorsky

Bisignano
Dearden
Fink

Black
Deluhery
Flynn

Boswell
Drake
Fraise

Gettings	Giannetto	Gronstal	Halvorson
Hansen	Horn	Husak	Jensen
Judge	Kibbie	Lundby	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Sorensen	Szymoniak	Vilsack
Zieman			

Nays, 16:

Banks	Bennett	Boettger	Douglas
Freeman	Hammond	Hedge	Iverson
Kramer	Lind	Maddox	McKean
McLaren	Rife	Rittmer	Tinsman

Absent or not voting, 1:

Borlaug

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 459, 179, 263, 197, 337, 371, 106 and 390** 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 27, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 483, a bill for an act relating to activities of the department of human services, including provisions involving the state hospital-schools and other institutions, commitments of persons with mental retardation, and the department's public housing unit.

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

House File 505, a bill for an act relating to payment of expenses for persons with mental retardation.

This bill was read first time and passed on file.

APPENDIX

PETITIONS

The following petitions favoring true parental notification of a parent or legal guardian prior to performance of an abortion on a minor (definition of "parent" would exclude grandparents, siblings or other relatives), and providing for a judicial bypass, were presented and placed on file by:

Senator Borlaug from 175 residents of Chickasaw and Howard Counties.

Senator Deluhery from 253 residents of Scott County.

Senator Dvorsky from 36 residents of Linn County.

Senator Flynn from 208 residents of Dubuque, Jackson and Delaware Counties.

Senator Freeman from 28 residents of Cherokee, Buena Vista and Pocahontas Counties.

Senator Gettings from 170 residents of Jefferson, Van Buren and Wapello Counties.

Senator Hedge from 285 residents of Marion and Mahaska Counties.

Senator Iverson from 20 residents of Franklin County.

Senator Kibbie from 109 residents of Clay County.

Senator Lundby from 602 residents of Linn County.

Senator McKean from 69 residents of Jones County.

Senator McLaren from 179 residents of Montgomery County.

Senator Palmer from 59 residents of Polk County.

Senator Rensink from 168 residents of Sioux County.

Senator Sorensen from 36 residents of Boone County.

Senator Vilsack from 63 residents of Lee and Washington Counties.

The following petitions favoring issuance of motor vehicle licenses by county treasurers were presented and placed on file by:

Senator Borlaug from district 15 residents of Howard County.

Senator Flynn from 93 residents of Jackson County.

Senator McLaren from 482 residents of Montgomery County.

The following petitions favoring reestablishing funding for the Older Iowans' Legislature were presented and placed on file by:

Senator Dearden from 38 residents of Polk County.

Senator Maddox from 41 residents of district 38 in Polk County.

The following petitions favoring legislation that would remove income tax on retirees pensions were presented and placed on file by:

Senator Fraise from 155 residents of Des Moines and Lee Counties.

Senator Gettings from 21 residents of Wapello County.

The following petitions were presented and placed on file by:

Senator Bartz from 596 residents of Iowa opposing legislation requiring mandatory helmet usage for motorcycles.

Senator Bartz from 552 residents of Iowa opposing legislation requiring mandatory helmet usage for bicyclists.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 23, 1995, 11:45 a.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Kramer (excused).

Committee Business: Approved SSB 345 as a committee bill.

Adjourned: 12:57 p.m.

EDUCATION

Convened: March 23, 1995, 3:21 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: Murphy (excused).

Committee Business: Recommended passage of Senate File 460.

Adjourned: 3:23 p.m.

WAYS AND MEANS

Convened: March 23, 1995, 1:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Drake, Freeman, Hedge, Iverson, Priebe, Szymoniak and Vilsack.

Members Absent: Connolly, McLaren (excused), Murphy (excused) and Neuhauser.

Committee Business: Assigned bills to subcommittees; assigned governor's appointees to subcommittees; recommended passage of House File 30.

Adjourned: 1:40 p.m.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Doyle Knadle, Mondamin — For completing 25 years of service to the Harrison County Soil and Water Conservation District. Senator Boettger (3-27-95).

John Erickson, Harlan — For completing 40 years of service to the U.S. Post Office. Senator Boettger (3-27-95).

Palmer College of Chiropractic, Davenport — For the 100th anniversary of the founding of the chiropractic profession. Senator Tinsman (3-24-95).

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 23 and 27, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 17 — An act establishing the state percent of growth for the school budget year beginning July 1, 1995, for purposes of the state school foundation program and providing effective and applicability date provisions (3-23-95).

SENATE FILE 158 — An act to provide conformity to the definition of travel trailers (3-27-95).

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 30, a bill for an act relating to the fee for a combined hunting and fishing license and providing an effective date and applicability provision.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Deluhery, Drake, Freeman, Hedge, Iverson, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 4: Connolly, McLaren, Murphy and Neuhauser.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 350 Appropriations

Establishing an oversight, audit and government reform committee.

SSB 351 Ways & Means

Authorizing certain counties, cities, or school districts to create a joint authority to issue bonds to build and own buildings and authorizing a tax levy by school districts to lease buildings.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 12

STATE GOVERNMENT: Gronstal, Chair; Kibbie and McLaren

Senate File 348

STATE GOVERNMENT: Fink, Chair; Giannetto and Lind

Senate File 410

HUMAN RESOURCES: Neuhauser, Chair; Kramer and Vilsack

House File 103

JUDICIARY: Vilsack, Chair; Boettger, Fraise, Giannetto and Maddox

House File 217

STATE GOVERNMENT: Halvorson, Chair; Lundby and Sorensen

House File 362

JUDICIARY: Vilsack, Chair; Giannetto, Hansen, McKean and Redfern

House File 363

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM: Vilsack, Chair; Hansen and Ziemann

House File 437

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

House File 475

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 476

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 351

WAYS AND MEANS: Murphy, Chair; Connolly and Drake

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of March, 1995:

Senate File 460.

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

H.F.	203	State Government
H.F.	238	Education
H.F.	460	Transportation

AMENDMENTS FILED

S-3225	S.F.	459	Michael E. Gronstal
S-3226	S.F.	459	Michael E. Gronstal
S-3227	S.F.	178	Stewart E. Iverson, Jr.
S-3228	S.F.	178	Stewart E. Iverson, Jr.
S-3229	S.F.	18	Stewart E. Iverson, Jr.
S-3230	S.F.	433	Elaine Szymoniak
S-3231	S.F.	459	Robert Dvorsky Eugene Fraise Jim Lind Mary Kramer Dick Dearden Derryl McLaren
S-3232	S.F.	459	Eugene S. Fraise
S-3233	S.F.	178	Stewart E. Iverson, Jr.
S-3234	S.F.	400	Donald R. Redfern
S-3235	S.F.	360	Berl E. Priebe
S-3236	S.F.	459	Larry Murphy Eugene S. Fraise
S-3237	S.F.	422	Albert Sorensen
S-3238	S.F.	459	Jim Lind Larry Murphy
S-3239	S.F.	459	Jim Lind Larry Murphy Eugene Fraise
S-3240	S.F.	459	Larry Murphy
S-3241	S.F.	459	Tony Bisignano
S-3242	S.F.	459	Eugene Fraise
S-3243	S.F.	459	Rod Halvorson
S-3244	S.F.	459	Andy McKean Johnie Hammond Mary Neuhauser Brad Banks Stewart E. Iverson, Jr.
S-3245	S.F.	459	Michael E. Gronstal Larry Murphy

S—3246	H.F.	132	Robert Dvorsky Derryl McLaren Jim Lind Larry Murphy
S—3247	S.F.	459	Rod Halvorson Tony Bisignano Michael E. Gronstal
S—3248	S.F.	405	Michael E. Gronstal
S—3249	S.F.	441	Elaine Szymoniak

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:12 p.m., until 9:00 a.m., Tuesday, March 28, 1995.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 28, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend Gary Roozeboom, pastor of the First Reformed Church, Sheldon, Iowa.

The Journal of Monday, March 27, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the day on request of Senator Rife.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 135, a bill for an act relating to obscenity, by providing for restrictions on public indecent exposure in certain establishments and by providing for the abatement of the nuisance created by certain establishments concerning obscenity, and providing an effective date.

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

House File 394, a bill for an act relating to the statute of limitations for medical malpractice actions regarding minors under six years of age.

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 43 present, 7 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 282

On motion of Senator Dvorsky, Senate File 282, a bill for an act relating to child abuse investigations by prohibiting release of the identity of a reporter of child abuse, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 282) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 208

On motion of Senator Szymoniak, Senate File 208, a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date, was taken up for consideration.

Senator Szymoniak offered amendment S—3106 filed by her on March 8, 1995, to pages 1-4, 6 and 7 of the bill.

Senator Szymoniak offered amendment S—3192 filed by her on March 22, 1995, to amendment S—3106 and moved its adoption.

Amendment S—3192 was adopted by a voice vote.

Senator Szymoniak moved the adoption of amendment S—3106 as amended, which motion prevailed 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. 208) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Drake	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 436

On motion of Senator Vilsack, Senate File 436, a bill for an act relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers, for certain publicly operated facilities or programs, and for certain purposes of public employers, 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. 436) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Black	Borlaug
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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 208, 282 and 436 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 10:02 a.m., until 1:45 p.m.

APPENDIX

COMPANION BILLS RECEIVED

House files were attached to companion Senate files on the Senate calendar as follows:

H.F. 185	companion	S.F. 18	3-23-95
H.F. 505	companion	S.F. 441	3-27-95

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 208, the following corrections were made:

1. Page 8, line 9, the word and number "section 4" were changed to the word and number "section 5".
2. Page 8, line 15, the word and number "Section 7" were changed to the word and number "Section 8".

ALSO: That in engrossing Senate File 459, the following corrections were made:

1. Page 32, line 16, the word and number "section 25" were changed to the word and number "section 27".
2. Page 32, line 20, the word and number "Section 26" were changed to the word and number "Section 28".
3. Page 32, line 23, the word and number "Section 1000" were changed to the word and number "Section 21".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS**Senate File 339**

HUMAN RESOURCES: Hammond, Chair; Bartz and Vilsack

Senate File 461

WAYS AND MEANS: Murphy, Chair; Bennett and Deluhery

Senate File 449

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Neuhauser

House File 36

NATURAL RESOURCES: Gronstal, Chair; Freeman and Judge

House File 203

STATE GOVERNMENT: Giannetto, Chair; Drake and Kibbie

House File 303

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair;
Lundby and Priebe

House File 420

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair;
Black and Rensink

AFTERNOON SESSION

The Senate reconvened at 1:50 p.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.

Senator Horn moved that the Senate proceed to the House Chamber in accordance with House Concurrent Resolution 20 in columns of two led by the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION PIONEER LAWMAKERS

Fifty-Third Biennial Session
House Chamber 1:57 p.m.

In accordance with House Concurrent Resolution 20, 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 Renken and Connors.

The committee escorted the Pioneer Lawmakers to seats in the House Chamber.

President Boswell presented the Honorable Tony Bisignano, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Boswell presented the Honorable Harold Van Maanen, 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 Minnette Doderer, member of the House of Representatives, who responded to the welcome.

Representative Doderer announced the 1975-1976 class of legislators who were eligible to become members of the Pioneer Lawmakers, and that Charles Wasker and Richard Berglund, lobbyists from Des Moines, were awarded honorary memberships in the Pioneer Lawmakers Association.

Representative Doderer presented Michael G. Gartner, Editor and co-owner of the Ames Daily Tribune, who addressed the joint convention.

Representative Gipp moved that the joint convention be dissolved at 2:32 p.m.

The motion prevailed by a voice vote.

The Senate returned to the Senate Chamber and resumed regular session at 2:41 p.m., President Boswell presiding.

RECESS

On motion of Senator Fraise, the Senate recessed at 2:42 p.m., until 3:30 p.m.

RECONVENED

The Senate reconvened at 3:37 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 44 present, 6 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that Senate File 203 be referred from the Regular Calendar to the

committee on **Small Business, Economic Development, and Tourism.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 433

On motion of Senator Szymoniak, Senate File 433, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions, with report of committee without recommendation, was taken up for consideration.

Senator Szymoniak offered amendment S—3230 filed by her on March 27, 1995, to pages 1-9 of the bill and moved its adoption.

Amendment S—3230 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. 433) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

Senate Joint Resolution 13

On motion of Senator Kibbie, Senate Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa abolishing the perpetual school support fund, with reports of committee on Education and State Government 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.

Senate Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa abolishing the perpetual school support fund.

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 3, of subdivision 2 entitled "School Funds and School Lands", of Article IX of the Constitution of the State of Iowa, is repealed.

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 it to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution pass?" (S.J.R. 13) the vote was:

Yeas, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Judge

Kibbie	Murphy	Neuhauser	Palmer
Priebe	Rensink	Sorensen	Vilsack

Nays, 21:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Freeman	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Redfern
Rife	Rittmer	Szymoniak	Tinsman
Zieman			

Absent or not voting, 1:

Borlaug

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

Senate File 388

On motion of Senator Neuhauser, Senate File 388, a bill for an act relating to child development assistance, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 388) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 389

On motion of Senator Connolly, Senate File 389, a bill for an act providing for technology for classrooms for the twenty-first century, was taken up for consideration.

Senator Dvorsky offered amendment S—3253 filed by Senators Dvorsky and Redfern from the floor to page 2 of the bill and moved its adoption.

Amendment S—3253 was adopted by a voice vote.

Senator Maddox asked and received unanimous consent that action on **Senate File 389** be deferred.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 418** and attached **House File 471** be referred from the Regular Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 83

On motion of Senator Connolly, Senate File 83, a bill for an act extending for an additional budget year the regular program district cost guarantee for school districts, was taken up for consideration.

Senator Connolly offered amendment S—3264 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3264 was adopted by a voice vote.

With the adoption of amendment S—3264, the Chair ruled the following amendments out of order:

S—3047 filed by Senator Iverson on February 8, 1995, to page 1 and the title page of the bill.

S—3057 filed by Senator Iverson on February 14, 1995, to page 1 and the title page of the bill.

S—3071 filed by Senator Iverson on February 21, 1995, to amendment S—3057.

S—3252 filed by Senator Connolly from the floor to strike everything after the enacting clause and to the title page of the bill.

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. 83) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Vilsack	Zieman	

Nays, 2:

Kramer Tinsman

Absent or not voting, 1:

Borlaug

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

Senate File 406

On motion of Senator Murphy, Senate File 406, a bill for an act extending the periods in which an accredited nonpublic school may apply to the department of education to waive the requirement that the school provide an articulated sequential elementary-secondary guidance program and the requirement that the school provide a media services program, was taken up for consideration.

Senator Connolly offered amendment S—3183 filed by him on March 22, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3183 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	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 431

On motion of Senator Neuhauser, Senate File 431, a bill for an act relating to child support collection, including the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions, was taken up for consideration.

Senator Judge took the chair at 5:01 p.m.

Senator Neuhauser offered amendment S—3207 filed by Senators Neuhauser and Hansen on March 23, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3207 was adopted by a voice vote.

Senator Neuhauser offered amendment S—3203 filed by her on March 23, 1995, to page 8 of the bill and moved its adoption.

Amendment S—3203 was adopted by a voice vote.

Senator Bisignano withdrew amendment S—3214 filed by him on March 23, 1995, to page 11 and the title page of the bill.

Senator Lind withdrew amendment S—3224 filed by him from the floor on March 23, 1995, to pages 11, 12 and the title page of the bill.

Senator Lind offered amendment S—3251 filed by him from the floor to page 11 and the title page of the bill and moved its adoption.

Amendment S—3251 was adopted by a voice vote.

Senator Bisignano offered amendment S—3222 filed by him on March 23, 1995, to page 11 and the title page of the bill and moved its adoption.

Amendment S—3222 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 431) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

UNFINISHED BUSINESS (Deferred February 28, 1995)

Senate File 5

The Senate resumed consideration of Senate File 5, a bill for an act relating to the appointment and employment of the director of the department of education and enacting a transitional provision, deferred February 28, 1995.

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. 5) the vote was:

Ayes, 28:

Black	Boswell	Connolly	Dearden
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Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Gronstal
Hammond	Hansen	Horn	Husak
Judge	Kibbie	McKean	Murphy
Neuhauser	Palmer	Priebe	Rensink
Rife	Sorensen	Szymoniak	Vilsack

Nays, 21:

Banks	Bartz	Bennett	Bisignano
Boettger	Douglas	Freeman	Giannetto
Halvorson	Hedge	Iverson	Jensen
Kramer	Lind	Lundby	Maddox
McLaren	Redfern	Rittmer	Tinsman
Zieman			

Absent or not voting, 1:

Borlaug

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

President pro tempore Bisignano took the chair at 5:22 p.m.

UNFINISHED BUSINESS (Deferred February 28, 1995)

Senate File 10

The Senate resumed consideration of Senate File 10, a bill for an act relating to the appointment and senate confirmation of the executive director of the office of the state board of regents and providing an effective date, deferred February 28, 1995.

Senator Rife offered amendment S—3135 filed by him on March 20, 1995, to page 1 of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S—3135 be adopted?" (S.F. 10) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Boettger
Deluhery	Douglas	Drake	Freeman
Halvorson	Hedge	Iverson	Jensen

Kramer	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 25:

Bisignano	Black	Boswell	Connolly
Dearden	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Absent or not voting, 1:

Borlaug

Amendment S—3135 lost.

Senator Rife withdrew amendment S—3268 filed by him from the floor to page 1 of the bill.

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

On the question "Shall the bill pass?" (S.F. 10) the vote was:

Ayes, 38:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Palmer
Priebe	Rensink	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 11:

Banks	Hedge	Iverson	Jensen
McLaren	Murphy	Neuhauser	Redfern
Rife	Rittmer	Zieman	

Absent or not voting, 1:

Borlaug

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 10** be immediately messaged to the House.

BUSINESS PENDING

Senate File 389

The Senate resumed consideration of Senate File 389, a bill for an act providing for classrooms for the twenty-first century, previously deferred.

Senator Maddox offered amendment S—3269 filed by Senators Maddox and Connolly on March 28, 1995, to page 3 of the bill and moved its adoption.

Amendment S—3269 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. 389) the vote was:

Ayes, 37:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 12:

Banks	Bennett	Boettger	Douglas
Freeman	Hedge	Iverson	Maddox
McKean	McLaren	Rife	Zieman

Absent or not voting, 1:

Borlaug

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 83, 433, 388, 431, 406, 389 and Senate Joint Resolution 13 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 28, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 118, a bill for an act relating to compensation of volunteer fire fighters when subpoenaed as witnesses.

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

House File 406, a bill for an act relating to the investment of the proceeds of bond issues and other evidences of indebtedness and the use of earnings from the investment.

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

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 277, a bill for an act concerning health care coverage availability to unemployed individuals.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Szymoniak, Hammond, Boettger, Bartz, Neuhauser and Vilsack. Nays, none. Absent or not voting, 4: Dvorksy, Hansen, Kramer and Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 101, a bill for an act relating to bond issuance elections and authorizing the imposition of an income surtax to partially fund certain bonds issued by a county, city, school district, or community college and providing for the Act's applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3265.

Final Vote: Ayes, 8: Palmer, Bennett, Connolly, Deluhery, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 5: Husak, Freeman, Hedge, Iverson and McLaren. Absent or not voting, 2: Drake and Priebe.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 384, a bill for an act relating to regulation of food establishments and providing for fees and penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Husak, Connolly, Deluhery, Freeman, McLaren, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 1: Iverson. Absent or not voting, 4: Bennett, Drake, Hedge and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 422, a bill for an act relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other property related matters, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Husak, Connolly, Deluhery, Freeman, Iverson, McLaren, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, none. Absent or not voting, 4: Bennett, Drake, Hedge and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 450, a bill for an act relating to the imposition of an additional fee for the entering of a final decree of dissolution of marriage and appropriating the fees to fund the displaced homemaker program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3263.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Connolly, Deluhery, Freeman, Hedge, McLaren, Neuhauser, Szymoniak and Vilsack. Nays, 2: Iverson and Murphy. Absent or not voting, 2: Drake and Priebe.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 451, a bill for an act relating to the criminal history check requirement for noncitizens applying for permits to carry weapons or permits to acquire handguns, the denial of nonprofessional permits to carry weapons, the review of denials of permits to carry weapons, and the duration of and fees charged for permits to carry weapons.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3261.

Final Vote: Ayes, 12: Palmer, Husak, Bennett, Connolly, Deluhery, Freeman, Hedge, Iverson, McLaren, Murphy, Szymoniak and Vilsack. Nays, 1: Neuhauser. Absent or not voting, 2: Drake and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 28, 1995, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 460 — An act relating to the establishment of the state percent of growth for purposes of the state school foundation program and providing an effective and applicability date provision.

SUBCOMMITTEE ASSIGNMENT

Senate File 420

APPROPRIATIONS: Kibbie, Chair; Kramer and Vilsack

BILLS ASSIGNED TO COMMITTEE

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

H.F.	135	Judiciary
H.F.	394	Judiciary
H.F.	483	Human Resources

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 27 when the vote was taken on Senate File 179.

Had I been present, I would have voted "aye".

ELAINE SZYMONIAK

REPORTS OF STANDING COMMITTEES

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on March 28, 1995, and recommended the appointees be confirmed:

HUMAN RESOURCES

James Smith as Administrator of the Division of Community Action Agencies.

Donald W. Westergard as Administrator of the Division of Persons with Disabilities.

Charlotte B. Nelson as Administrator of the Division on the Status of Women.

Alan J. Beste, Margaret Susan Cigelman and Danny T. Foster as members of the Athletic Trainer Advisory Board.

Mary M. Conway and Linda S. Trudeau as members of the Board of Behavioral Science Examiners.

Mark G. Davis as a member of the Board of Physician Assistant Examiners.

John C. Wellman as a member of the Commission for the Blind.

Bertrum Bidne as a member of the Commission of Elder Affairs.

Polly A. Adam and Marvin W. Tuttle as members of the Commission on the Deaf.

John M. Comstock as a member of the Community Health Management Information System Governing Board.

Dennis D. Killion, Gregg R. Narber and Dianne L. Paca as members of the Council on Human Services.

R. Creig Slayton as Director of the Department for the Blind.

Sharon Blair, Myrna L. Langerud, Jean E. Oxley, Steven Reuter and Beverly Ziemann as members of the Mental Health and Developmental Disabilities Commission.

Monica H. Kurtz, Jerry D. Stilwell and Carol A. Watson as members of the Prevention of Disabilities Policy Council.

Lil M. Perry and Harriet Vande Hoef as members of the State Citizen Foster Care Review Board.

Patricia A. Hofmaster and Dr. Harry C. Rasdal as members of the State Health Facilities Council.

JUDICIARY

Frances V. Colston, Kenneth R. Hoefle, Jim R. Schwiesow and Allan W. Vander Hart as members of the Board of Corrections.

Barbara Binnie as a member of the Board of Parole.

Karen L. Wall as a member of the Drug Abuse Prevention and Education Advisory Council.

Carlynn D. Grupp, A. Patricia Houlihan and Richard P. Tekippe as members of the Indigent Defense Advisory Commission.

Bernard L. Bidne and Sally M. O'Donnell as members of the Iowa State Civil Rights Commission.

Yale H. Jarvis, Lori Lewis and Lt. Russell C. Underwood as members of the Narcotics Enforcement Advisory Council.

Carol A. Golden and Lee W. Holt as members of the State Judicial Nominating Commission.

WAYS AND MEANS

Gayle N. Vogel as a member of the State Board of Tax Review.

REPORTS OF STANDING COMMITTEES

(Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on March 28, 1995, and made no recommendation:

HUMAN RESOURCES

Betty L. Grandquist as Director of the Department of Elder Affairs.

JUDICIARY

Donald Culp as a member of the State Judicial Nominating Commission.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 5 passed the Senate on March 28, 1995.

JACK RIFE

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 420, a bill for an act establishing school-to-work programs focusing on career pathways for students and making an appropriation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3270.

Final Vote: Ayes, 22: Murphy, Boswell, Lind, Banks, Bisignano, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Bartz, Borlaug and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 132, a bill for an act making supplemental appropriations for the fiscal year beginning July 1, 1994, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3271.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Borlaug and Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 25, by Kibbie, a concurrent resolution urging the release of two United States citizens, including one Iowan, from confinement in Iraq.

Read first time under Rule 28 and passed on file.

AMENDMENTS FILED

S—3250	S.F.	420	John P. Kibbie
S—3251	S.F.	431	Jim Lind

S—3252	S.F.	83	Mike Connolly
S—3253	S.F.	389	Robert Dvorsky Donald B. Redfern
S—3254	S.F.	452	Andy McKean
S—3255	S.F.	422	Andy McKean
S—3256	S.F.	358	Andy McKean
S—3257	S.F.	358	Andy McKean
S—3258	H.F.	132	John W. Jensen
S—3259	S.F.	451	Emil J. Husak
S—3260	S.F.	427	John P. Kibbie
S—3261	S.F.	451	Ways and Means
S—3262	S.F.	181	John P. Kibbie
S—3263	S.F.	450	Ways and Means
S—3264	S.F.	83	Mike Connolly
S—3265	S.F.	101	Ways and Means
S—3266	S.F.	181	Mary Kramer Mary A. Lundby
S—3267	H.F.	113	Dennis Black
S—3268	S.F.	10	Jack Rife
S—3269	S.F.	389	O. Gene Maddox Mike Connolly
S—3270	S.F.	420	Appropriations
S—3271	H.F.	132	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Wednesday, March 29, 1995.

JOINT MEMORIAL SERVICE

**SEVENTY-SIXTH GENERAL ASSEMBLY
SENATE CHAMBER
TUESDAY, MARCH 28, 1995
7:00 p.m.**

PROGRAM

SENATOR WILLIAM PALMER, PRESIDING

“Amazing Grace” John Newton
William Vens, accompanied by Senator Mary Kramer

Invocation Senator Wilmer Rensink

MEMORIALS — SENATE

Reading: Senator Michael W. Connolly

MEMORIALS — HOUSE

Reading: Representative C. Arthur Ollie

MEMORIALS — SENATE

Reading: Senator Berl E. Priebe

MEMORIALS — HOUSE

Reading: Representative Effie Lee Boggess

“How Great Thou Art” Stuart K. Hine
Instrumental: Senator Mary Kramer

MEMORIALS — HOUSE AND SENATE

Reading: Senator Jim Lind

Reading: Senator Michael W. Connolly

Reading: Senator Berl E. Priebe

“On Eagle's Wings” Michael Joncas
Senator Merlin E. Bartz

MEMORIALS — HOUSE

Reading: Representative Kenneth Veenstra

MEMORIALS — SENATE

Reading: Senator Jim Lind

MEMORIALS — HOUSE

Reading: Representative Michael J. Cataldo

“Prayer Changes Things” May Agnew Stephens
Choir: Directed by Mary Heaton
Accompanied by Senator Mary Kramer

IN MEMORIAM**SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE**

Honorable Charles Balloun (Tama County) House - 59th, 60th and 60X. (1961-1964) Senate - 62nd, 63rd and 64th. (1967-1972)

Honorable Francis Messerly (Black Hawk County) House - 59th, 60th and 60X. (1961-1964) Senate - 61st, 62nd, 63rd and 64th. (1965-1972)

Honorable Charles P. Miller (Des Moines County) House - 60th, 60X, 61st, 62nd and 63rd. (1963-1970) Senate - 64th, 65th, 66th, 67th, 67X, 68th, 69th, 69X, 70th, 71st, 72nd and 72X. (1971-1988)

Honorable Jack Miller (Woodbury County) House - 56th. (1955-1956) Senate - 57th and 58th. (1957-1960)

Honorable Dale L. Tieden (Clayton County) House - 61st, 62nd, 63rd and 64th. (1965-1972) Senate - 65th, 66th, 67th, 67X, 68th, 69th, 69X, 70th, 71st, 72nd, 72X, 73rd and 74th. (1973-1992)

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Philip A. Davitt (Warren County) 67th, 67X and 68th. (1977-1980)

Honorable Kenneth R. De Groot (Lyon County) 68th, 69th, 69X, 70th, 71st, 72nd, 72X, 73rd, 74th and 74X. (1979-1992)

Honorable Charles P. Distelhorst (Des Moines County) 61st and 62nd. (1965-1968)

Honorable Fred W. Hall (Humboldt County) 57th and 58th. (1957-1960)

Honorable Joseph G. Knock (Union County) 59th, 60th and 60X. (1961-1964)

Honorable James I. Middleswart (Warren County) 62nd, 63rd, 64th, 65th, 66th, 67th and 67X. (1967-1978)

Honorable Alfred Nielsen (Shelby County) 60th, 60X, 61st, 62nd, 63rd and 64th. (1963-1972)

Honorable Carroll I. Redfern (Lee County) 61st and 62nd. (1965-1968)

Honorable C.F. "Frank" Shimanek (Jones County) 48th, 49th, 50th and 50X. (1939-1944)

Honorable Virgil E. Smith (Madison County) 52nd. (1947-1948)

Honorable Vince Steffen (Chickasaw County) 60th, 60X, 61st and 62nd. (1963-1968)

Honorable Semor C. Tofte (Winneshiek County) 65th, 66th, 67th, 67X, 68th, 69th, 69X and 70th. (1973-1984)

Honorable Miss Percie Van Alstine (Humboldt County) 59th, 60th and 60X. (1961-1963)

Honorable Keith Kennedy (Linn County) 61st. (1965-1966)

SERVED IN THE SENATE

Honorable Linn Fuhrman (Buena Vista County) 72nd, 72X, (June and October), 73rd, 74th, 74X and 75th. (1987-1994)

Honorable George W. Gross (Woodbury County) 64th. (1971-1972)

Honorable Jacob Grimstead (Winnebago County) 55th, 56th, 57th, 58th, 59th, 60th and 60X. (1953-1964)

Honorable Harry G. Slife (Black Hawk County) 74th, 74X and 1st half 75th. (1991-1993)

Honorable Edward A. Wearin (Montgomery County) 59th, 60th and 60X. (1961-1964)

Candlelighters

Senator Eugene Fraise
 Senator Maggie Tinsman
 Representative Donna M. Hammitt
 Representative Richard E. Myers

Hosts

Senator Patty Judge
 Senator and Mrs. John P. Kibbie
 Senator and Mrs. Lyle E. Ziemann
 Representative and Mrs. John H. Connors
 Representative Mona Martin and Mr. Martin
 Representative and Mrs. Jerry J. Welter

SENATE MEMORIAL COMMITTEE

Honorable William D. Palmer, Chair
 Honorable Brad Banks
 Honorable Nancy Boettger
 Honorable Berl E. Priebe

HOUSE MEMORIAL COMMITTEE

Honorable Horace Daggett, Chair
 Honorable John H. Connors
 Honorable Minnette Doderer
 Honorable Richard Vande Hoef

Piano compliments of Critchett's Piano and Organ Co., Inc., Des Moines, Iowa

Flowers arranged by The Bloomin' Greenery, Indianola, Iowa

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 29, 1995

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

Prayer was offered by Father Ralph Simington, pastor of the St. Mary's Catholic Church, Marshalltown, Iowa.

"Prayer Changes Things" was sung by the Memorial Choir.

The Journal of Tuesday, March 28, 1995, 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 March 28, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the

transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing 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 46 present, 4 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Borlaug for the day on request of Senator Jensen.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 400

On motion of Senator Redfern, Senate File 400, a bill for an act providing for the reincorporation of nonprofit corporations and providing for retroactive applicability and effective dates, was taken up for consideration.

Senator Redfern offered amendment S—3234 filed by him on March 27, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3234 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 400) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson

Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano Borlaug

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

Senate File 440

On motion of Senator Redfern, Senate File 440, a bill for an act relating to probate including the lien period for estates which have not been administered, the amount which may be passed to a minor without appointing a conservator, the distribution of an intestate estate to the parents, and special use trusts, was taken up for consideration.

Senator Redfern offered amendment S—3205 filed by him on March 23, 1995, to page 4 of the bill and moved its adoption.

Amendment S—3205 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 440) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren

Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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 186

On motion of Senator Dvorsky, House File 186, 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 Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 186) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

CONSIDERATION OF BILLS (Regular Calendar)

House File 30

On motion of Senator Black, House File 30, a bill for an act relating to the fee for a combined hunting and fishing license and providing an effective date and applicability provision, with report of committees on Natural Resources and Ways and Means recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 30) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 333

On motion of Senator Priebe, Senate File 333, a bill for an act relating to notice requirements required for work involving drainage and levee districts and water districts, 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. 333) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 407

On motion of Senator Dearden, Senate File 407, a bill for an act relating to alkaline manganese batteries, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 407) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Cannolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Glynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 447

On motion of Senator Black, Senate File 447, a bill for an act relating to erosion occurring on the site of construction projects by providing civil penalties for violations and for the appropriation and use of the civil penalties, was taken up for consideration.

Senator Black asked and received unanimous consent that action on **Senate File 447** be deferred.

Senate Concurrent Resolution 20

On motion of Senator Banks, Senate Concurrent Resolution 20, a concurrent resolution in support of improvement in the wetland delineation process and a moratorium on wetlands determination until the 1995 farm bill has been passed and signed into the law by the Congress and the President, was taken up for consideration.

Senator Banks offered amendment S—3213 filed by him on March 23, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3213 was adopted by a voice vote.

Senator Banks moved the adoption of Senate Concurrent Resolution 20 as amended, which motion prevailed by a voice vote.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	406	Local Government
H.F.	528	Judiciary
S. C. R.	25	State Government

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 231

On motion of Senator Judge, Senate File 231, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals, was taken up for consideration.

Senator Judge asked and received unanimous consent that House File 113 be substituted for Senate File 231.

House File 113

On motion of Senator Judge, House File 113, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals, was taken up for consideration.

Senator Black offered amendment S—3267 filed by him on March 28, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3267 was adopted by a voice vote.

Senator Rittmer asked and received unanimous consent that action on House File 113 be deferred.

Senate File 255

On motion of Senator Black, Senate File 255, a bill for an act relating to the administration of the department of agriculture and land stewardship, providing for moneys previously appropriated to the department, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 255) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 402

On motion of Senator Judge, Senate File 402, a bill for an act relating to brands registered by the department of agriculture and land stewardship and providing for penalties, was taken up for consideration.

Senator Judge withdrew amendment S-3221 filed by her on March 23, 1995, to page 1 of the bill.

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. 402) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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 255, 333, 400, 402, 407, 440 and Senate Concurrent Resolution 20 and House Files 30 and 186 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 462

On motion of Senator Hammond, Senate File 462, 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 human services and health care and providing for effective and applicability dates, was taken up for consideration.

Senator Hammond asked and received unanimous consent that action on **Senate File 462** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 168

On motion of Senator Hammond, Senate File 168, a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hammond offered amendment S—3273 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 168) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 420

On motion of Senator Kibbie, Senate File 420, a bill for an act establishing school-to-work programs focusing on career pathways for students and making an appropriation, with report of committee on Appropriations recommending amendment and passage was taken up for consideration.

Senator Kibbie offered amendment S—3270 filed by the committee on Appropriations on March 28, 1995, to strike everything after the enacting clause and to the title page 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 amendment S—3250 filed by Senator Kibbie on March 28, 1995, to strike everything after the enacting clause and to the title page of the bill, out of order.

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. 420) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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 420** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:17 a.m., until 3:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 28, 1995, 8:32 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, Sorensen and Ziemann.

Members Absent: McLaren and Palmer (both excused).

Committee Business: Recommended confirmation of governor's appointees.

Adjourned: 8:49 a.m.

HUMAN RESOURCES

Convened: March 28, 1995, 3:52 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: Dvorsky (excused) and Hansen.

Committee Business: Placed 30 governor's appointees on en bloc confirmation calendar and one on individual confirmation calendar; recommended passage of House File 277; Senate File 449 failed recommendation for passage.

Adjourned: 3:30 p.m.

JUDICIARY

Convened: March 28, 1995, 1:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Placed governor's appointees on en bloc and individual confirmation calendars.

Adjourned: 1:40 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: March 28, 1995, 1:08 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Dearden, Freeman, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Borlaug (excused), Deluhery and Gronstal (excused).

Committee Business: Assigned bills to subcommittees; placed governor's appointees on en bloc and individual confirmation calendars.

Adjourned: 1:45 p.m.

STATE GOVERNMENT

Convened: March 28, 1995, 2:50 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, McLaren and Sorensen.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; assigned bills to subcommittees.

Adjourned: 3:00 p.m.

WAYS AND MEANS

Convened: March 28, 1995, 11:26 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Szymoniak and Vilsack.

Members Absent: Drake and Priebe (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 422 and 384; recommended passage of Senate Files 450, 451 and 101 as amended; deferred action on SSB 142; placed governor's appointee on en bloc confirmation calendar.

Adjourned: 11:55 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 168 passed the Senate on March 29, 1995.

BERL E. PRIEBE

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate Concurrent Resolution 20, the following correction was made:

Amendment S—3213:

1. Page 1, line 3, the word "Corp" was changed to the word "Corps".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Thirty twelfth grade students from Woodbury Central High School, Moville, accompanied by Mr. Barke. Senator Banks.

Eleventh grade students from Underwood High School, Underwood. Senator Boettger.

Students from Western Hills Elementary School, West Des Moines. Senator Kramer.

Thirty twelfth grade students from Ruthven-Ayshire High School, accompanied by John Josephson and Phil Geelan. Senator Kibbie.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on March 28, 1995, and recommended the appointees be confirmed:

AGRICULTURE

Terry W. Evans and Bruce A. Yungclas as members of the Iowa Grain Indemnity Fund Board.

Mary J. Boote and Mary Ann B. Drish as members of the State Soil Conservation Committee.

NATURAL RESOURCES

Kathryn J. Draeger, Charlotte Mohr and Gary C. Priebe as members of the Environmental Protection Commission.

Cathy A. Rottinghaus and Jacklyn K. Van Ekeren as members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

Marian L. Kieffer and Joan C. Schneider as members of the Natural Resource Commission.

Myron D. Carlson, David L. Holmes and Eric C. Seuren as members of the Renewable Fuels and Coproducts Advisory Committee.

REPORTS OF STANDING COMMITTEE (Place nominees on Individual Confirmation Calendar)

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following governor's appointment, completed its investigation on March 28, 1995, and made no recommendation:

Esther M. Strother as a member of the Environmental Protection Commission.

ALSO:

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the following governor's appointment, completed its investigation on March 28, 1995, and recommended the appointee be confirmed:

Larry J. Wilson as Director of the Department of Natural Resources.

STUDY BILLS RECEIVED

SSB 343.1 Ways and Means

Relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions.

SSB 352 Ways and Means

Relating to classes of property exempt from taxation and authorizing a city to impose a tax on exempt real property for police and fire protection services, subject to reverse referendum, and providing effective and applicability date provisions.

SSB 353 Ways and Means

Relating to the local option sales and services tax by authorizing political subdivisions that will receive revenues from the tax to issue bonds in anticipation of the receipt of the revenues and providing an effective date.

SSB 354 Ways and Means

Relating to the refund of property taxes paid erroneously and providing effective and applicability dates.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 25**

STATE GOVERNMENT: Kibbie, Chair; Drake and Giannetto

Senate File 203

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM:
Boettger, Chair; Hansen, Maddox, Palmer and Zieman

Senate File 340

LOCAL GOVERNMENT: Halvorson, Chair; Fink and McKean

Senate File 364

LOCAL GOVERNMENT: Judge, Chair; Halvorson and Zieman

Senate File 418

JUDICIARY: Giannetto, Chair; Fraise, Maddox, McKean and Vilsack

House File 125

LOCAL GOVERNMENT: Sorensen, Chair; Fink and Zieman

House File 212

LOCAL GOVERNMENT: Black, Chair; Fink and Maddox

House File 289NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair;
Fink and Lundby**House File 394**

JUDICIARY: Giannetto, Chair; Hansen, McKean, Redfern and Vilsack

House File 406

LOCAL GOVERNMENT: Halvorson, Chair; Black and Maddox

House File 428

LOCAL GOVERNMENT: Fraise, Chair; Black and Rittmer

House File 460

TRANSPORTATION: Connolly, Chair; Fink and Jensen

House File 471

JUDICIARY: Giannetto, Chair; Fraise, Maddox, McKean and Vilsack

House File 483

HUMAN RESOURCES: Bartz, Chair; Dvorsky and Hammond

House File 489

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Rittmer

SSB 343.1

WAYS AND MEANS: Neuhauser, Chair; Iverson and Palmer

SSB 352

WAYS AND MEANS: Szymoniak, Chair; Bennett, Iverson, Neuhauser and Vilsack

SSB 353

WAYS AND MEANS: Szymoniak, Chair; Bennett, Iverson, Neuhauser and Vilsack

SSB 354

WAYS AND MEANS: McLaren, Chair; Deluhery and Palmer

AMENDMENTS FILED

S—3272	S. F.	18	William D. Palmer Mary A. Lundby Sheldon Rittmer Thomas Vilsack
S—3273	S. F.	168	Johnie Hammond
S—3274	H. F.	185	Stewart E. Iverson, Jr.
S—3275	H. F.	185	Stewart E. Iverson, Jr.
S—3276	S. F.	404	Bill Fink
S—3277	S. F.	462	Larry Murphy Jim Lind Merlin E. Bartz
S—3278	H. F.	132	Larry Murphy Tom Vilsack Eugene Fraise
S—3279	S. F.	462	Merlin E. Bartz Andy McKean
S—3280	S. F.	462	Johnie Hammond Maggie Tinsman
S—3281	S. F.	447	Brad Banks
S—3282	H. F.	113	Sheldon Rittmer Wayne Bennett
S—3283	S. F.	404	Mary Lundby Bill Fink
S—3284	S. F.	447	Dennis H. Black

AFTERNOON SESSION

The Senate reconvened at 3:38 p.m., President Boswell presiding.

BUSINESS PENDING

Senate File 462

The Senate resumed consideration of Senate File 462, 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 human services and health care and providing for effective and applicability dates, previously deferred.

Senator Murphy asked and received unanimous consent to withdraw amendment S—3277 filed by Senators Murphy, Lind and Bartz from the floor to pages 6 and 7 of the bill.

Senator Bartz offered amendment S—3279 filed by Senators Bartz and McKean from the floor to page 38 of the bill, moved its adoption and asked for a record roll call.

On the question "Shall amendment S—3279 be adopted?" (S.F. 462) the vote was:

Ayes, 17:

Banks	Bartz	Bennett	Boettger
Drake	Freeman	Hedge	Iverson
Jensen	Kibbie	Lind	Lundby
McKean	Priebe	Rensink	Sorensen
Zieman			

Nays, 31:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Judge
Kramer	Maddox	Murphy	Neuhauser
Palmer	Redfern	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	

Absent or not voting, 2:

Borlaug McLaren

Amendment S—3279 lost.

Senator Bisignano offered amendment S—3287 filed by him from the floor to pages 10 and 12 of the bill.

Senator Hammond asked and received unanimous consent that action on amendment S—3287 be deferred.

Senator Hammond offered amendment S—3280 filed by Senators Hammond and Tinsman from the floor to page 41 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 28.

Amendment S—3280 lost.

Senator Rensink offered amendment S—3290 filed by Senators Rensink and Kibbie from the floor to pages 41 and 45 of the bill.

Senator Hammond raised the point of order that amendment S—3290 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3290 in order.

Senator Rensink moved the adoption of amendment S—3290, which motion prevailed by a voice vote.

Senator Bisignano offered amendment S—3292 filed by him from the floor to pages 10 and 12 of the bill and moved its adoption.

Amendment S—3292 was adopted by a voice vote.

Senator Bisignano withdrew amendment S—3287 to page 10 of the bill, previously deferred.

Senator Zieman offered amendment S—3293 filed by him from the floor to page 38 of the bill and moved its adoption.

Amendment S—3293 lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 462) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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 462** be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 132.

House File 132

On motion of Senator Murphy, House File 132, a bill for an act making supplemental appropriations for the fiscal year beginning July 1, 1994, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3271 filed by the committee on Appropriations on March 28, 1995, to pages 1 and 2 of the bill.

Senator Murphy offered amendment S—3278 filed by Senators Murphy, Vilsack and Fraise from the floor to amendment S—3271 and moved its adoption.

Amendment S—3278 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—3271 as amended, which motion prevailed by a voice vote.

Senator Hammond withdrew amendment S—3103 filed by her on March 8, 1995, to page 1 of the bill.

Senator Jensen offered amendment S—3258 filed by him on March 28, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3258 was adopted by a voice vote.

With the adoption of amendment S—3271, the Chair ruled amendment S—3246 filed by Senators Dvorsky, et al., on March 27, 1995, to page 1 of the bill, out of order.

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

On the question “Shall the bill pass?” (H.F. 132) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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 132** 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:

James Smith as Administrator of the Division of Community Action Agencies.

Alan J. Beste and Danny T. Foster as members of the Athletic Trainer Advisory Board.

Barbara Binnie as a member of the Board of Parole.

John M. Comstock as a member of the Community Health Management Information System Governing Board.

Sharon Blair, Jean E. Oxley and Beverly Ziemann as members of the Mental Health and Developmental Disabilities Commission.

Yale H. Jarvis and Lt. Russell C. Underwood as members of the Narcotics Enforcement Advisory Council.

Carol A. Watson as a member of the Prevention of Disabilities Policy Council.

Lil M. Perry as a member of the State Foster Care Review Board.

Patricia A. Hofmaster as a member of the State Health Facilities Council.

Lee W. Holt as a member of the State Judicial Nominating Commission.

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
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

BUSINESS PENDING

House File 113

The Senate resumed consideration of House File 113, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals, previously deferred.

Senator Rittmer offered amendment S—3282 filed by Senators Rittmer and Bennett from the floor to page 1 and the title page of the bill.

Senator Fink raised the point of order that amendment S—3282 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3282 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. 113) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

WITHDRAWN

Senator Judge asked and received unanimous consent that **Senate File 231** be **withdrawn** from further consideration of the Senate.

BUSINESS PENDING

Senate File 447

The Senate resumed consideration of Senate File 447, a bill for an act relating to erosion occurring on the site of construction projects by providing civil penalties for violations and for the appropriation and use of the civil penalties, previously deferred.

Senator Black offered amendment S—3288 filed by Senators Black and Deluhery from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3288 was adopted by a voice vote.

With the adoption of amendment S—3288, the Chair ruled the following amendments out of order:

S—3281 filed by Senator Banks from the floor to pages 1, 2 and the title page of the bill and S—3284 filed by Senator Black from the floor to pages 1, 2 and the title page of the bill.

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

On the question "Shall the bill pass?" (S.F. 447) the vote was:

Ayes, 36:

Bisignano	Black	Boettger	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lundby	Maddox	McKean	Neuhauser
Palmer	Redfern	Rensink	Rife
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 11:

Banks	Bartz	Bennett	Drake
Giannetto	Hedge	Iverson	McLaren
Priebe	Rittmer	Zieman	

Absent or not voting, 3:

Borlaug

Lind

Murphy

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 292

On motion of Senator Black, Senate File 292, a bill for an act relating to the powers and duties of the department of natural resources by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 292) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lundby
Maddox	McKean	McLaren	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Borlaug

Lind

Murphy

Szymoniak

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

Senate File 79

On motion of Senator Bartz, Senate File 79, a bill for an act relating to the transfer of dogs to educational and scientific institutions by pounds, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 79) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lundby	Maddox
McKean	McLaren	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Black

Absent or not voting, 3:

Borlaug Lind 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 447, 292, 79 and House File 113 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 29, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 84, a bill for an act relating to a city's power to allow registered voters of the city to request reconsideration of a city ordinance.

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

House File 111, a bill for an act exempting from regulation certain homeowners' association swimming pools.

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

House File 198, a bill for an act creating a lien arising from the care and feeding of livestock in a custom cattle feedlot.

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

House File 230, a bill for an act relating to procedural requirements for the enforcement of certain copyrights, and providing for penalties.

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

House File 281, a bill for an act relating to the radio-based communications system transmission of communicable disease information relative to persons being sought or assisted by certain persons in an emergency situation and providing a penalty.

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

House File 346, a bill for an act relating to the verification and defendant's signature required for uniform citations and complaints.

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

House File 395, a bill for an act relating to solid waste by removing wine and alcoholic liquor from the definition of beverage in the mandatory beverage container deposit law, requesting the allocation of landfill alternative financial assistance moneys, and making encouragement of curbside recycling a public policy of the state.

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

House File 405, a bill for an act relating to the powers and duties of the department of natural resources by authorizing distinguishing license plates to vehicles assigned to the department of natural resources, by amending procedures for granting easements by the natural resource commission, by amending procedures for issuing and establishing fees for scientific collector's licenses or permits, by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas, by providing a definition of resident for hunting, fishing, trapping, or taking protected species of animals, and by providing for penalties and other related matters.

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

House File 474, a bill for an act making an appropriation to the community grant fund for juvenile crime prevention programs.

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

House File 481, 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 and retroactive applicability date.

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

House File 487, a bill for an act relating to streamlining government activities.

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

House File 507, a bill for an act relating to state government personnel systems, including affirmative action reports, disability programs, deferred compensation, experimental research projects, the state training system, and health insurance contracts for public employees.

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

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on March 28, 1995, and recommended the appointees be confirmed:

EDUCATION

Mary M. Conrad, Dr. Gerald L. Cowell, Jacqueline M. Parkin and Ann R. Shaw as members of the Board of Educational Examiners.

Margaret P. Borgen as a member of the First in the Nation in Education Foundation Governing Board.

Kathryn A. Thieleke as a member of the Iowa Higher Education Loan Authority.

Ellengray G. Kennedy and Beverly A. Smith as members of the State Board of Regents.

ETHICS

Geraldine M. Leinen as a member of the Iowa Ethics and Campaign Disclosure Board.

HUMAN RESOURCES

Stanton L. Visser as a member of the Board of Behavioral Science Examiners.

Harold B. Davis and Elmer H. Vermeer as members of the Commission of Elder Affairs.

Lois Eichacker and Merl McFarlane as members of the Commission on Community Action Agencies.

Donna S. Hansen as a member of the Commission on the Deaf.

Dennis L. Billings as a member of the Community Health Management Information System Governing Board.

Lois H. Eichacker, Elaine A. Pfalzgraf and Charese E. Yanney as members of the Iowa Council on Human Investment.

STATE GOVERNMENT

Jean E. Kruse, John M. Sklenar, Paul S. Stave and Dorothy L. Votroubek as members of the Accountancy Examining Board.

Romelle H. Slaughter as Administrator of the Division on the Status of African-Americans.

Major General Warren G. Lawson as Adjutant General.

Dr. Suzanne B. Mulder and Shirley M. Woodsmall as members of the Alcoholic Beverages Commission.

Carolyn E. Olsen and Norman H. Rudi as members of the Architectural Examining Board.

Alan L. Thompson as a member of the Board of Barber Examiners.

Dr. Ronald C. Evans as a member of the Board of Chiropractic Examiners.

Susanne E. Wolrab as a member of the Board of Cosmetology Arts and Sciences Examiners.

Dr. Jerry C. Prael, Dr. James A. Raecker and Dr. Fred A. Riddle, Jr. as members of the Board of Dental Examiners.

Margaret B. Tait as a member of the Board of Dietetic Examiners.

Richard T. Clark and Ronald G. Richer as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Dr. James M. Caterine, Mary C. Hodges, Dr. Dale R. Holdiman and Dr. Teresa A. Mock as members of the Board of Medical Examiners.

James W. Barr as a member of the Board of Mortuary Science Examiners.

Rodmon C. Bell, Regene L. Osborne, Richard A. Petersen and Guy W. Richardson as members of the Board of Nursing Examiners.

Jane F. Ecklund, Brenda S. Neville and Dr. Robert H. Sharp as members of the Board of Optometry Examiners.

Jay J. Cayner and Phyllis A. Miller as members of the Board of Pharmacy Examiners.

Diana R. Brower and Eric G. Jacobs as members of the Board of Physical and Occupational Therapy Examiners.

Dr. William W. Gronen as a member of the Board of Podiatry Examiners.

Dr. Dan L. Rogers (3-28-95) and Connie L. Schmett (3-29-95) as members of the Board of Psychology Examiners.

Richard Matland and Kathleen M. Morgan as members of the Board of Social Work Examiners.

Alan K. Heidecker and Dorothy L. McKee as members of the Board of Speech Pathology and Audiology Examiners.

Dr. Edward Stanek as Commissioner of the Lottery.

Dwayne C. Garber and Anne W. McKeown as members of the Engineering and Land Surveying Examining Board.

Kathy G. Kahue and Bruce G. Kelley as members of the Investment Board of the IPERS.

Dr. Donald R. Jacobi as a member of the Iowa Board of Veterinary Medicine.

Cindy Raspiller as a member of the Iowa Emergency Response Commission.

Alfred C. Bohling, Jr. and Diana Hoogestraat as members of the Landscape Architectural Examining Board.

Connie M. Alt and Ross M. Sutton as members of the Lottery Board.

Dorothy F. Carpenter, Merlin D. Hulse and Hubert W. Winebrenner as members of the Personnel Commission.

Terrence D. Culver, David R. Hicks and Cathy G. Jones as members of the Real Estate Appraiser Examining Board.

Terry W. Rogers as a member of the Real Estate Commission.

Earl L. Howard as a member of the Respiratory Care Advisory Committee.

Warren D. Rippey and Patricia E. Tiarks as members of the State Board of Examiners for Nursing Home Administrators.

WAYS AND MEANS

James W. Balmer and Roosevelt Taylor as members of the Iowa Finance Authority.

REPORTS OF STANDING COMMITTEES (Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following governor's appointments, completed its investigations on March 28 and 29, 1995, and made no recommendation:

Mildred R. Dawson and Larry J. Jatho as members of the Commission of Veterans Affairs.

Richard Canella and Bradley R. Peyton as members of the State Racing and Gaming Commission.

REPORTS OF STANDING COMMITTEES
(Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on March 29, 1995, and recommended the appointees be confirmed:

EDUCATION

William H. Jackson as Director of the Department of Cultural Affairs.

HUMAN RESOURCES

Christopher G. Atchison as Director of Public Health.

WAYS AND MEANS

Ted R. Chapler as Executive Director of the Iowa Finance Authority.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Kathryn Draeger be removed from "En Bloc Confirmation Calendar" and placed on the Individual Confirmation Calendar."

PATTY JUDGE

BILLS ASSIGNED TO COMMITTEE

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

H.F.	118	Judiciary
H.F.	346	Judiciary
H.F.	405	Natural Resources
H.F.	474	Appropriations
H.F.	481	Appropriations
H.F.	487	State Government
H.F.	507	State Government

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 410, a bill for an act relating to health care and health care coverage by establishing a health education and advocacy program, by requiring certain disclosure by providers of health care coverage, prohibiting the use of premium income for certain purposes, and establishing complaint procedures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3291.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Bartz, Dvorksy, Kramer, Neuhauser and Tinsman. Nays, 1: Hansen. Absent or not voting, 1: Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 25, a concurrent resolution urging the release of two United States citizens, including one Iowan, from confinement in Iraq.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Halvorson, Lind, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Giannetto and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 360, a bill for an act to increase the fee for the transfer of property in county transfer records.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3289.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 413, a bill for an act relating to underground storage tanks by increasing the environmental protection charge, providing for the use of risk-based corrective action standards, expanding property transfer insurance and loan guarantees, extending the compliance date for upgrade requirements, creating marketability and innocent landowner funds and providing benefits, requiring certification of groundwater professionals and creating a penalty, requiring a study, and providing for repeals, and implementation, effective date, and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe and Vilsack. Nays, none. Absent or not voting, 2: Murphy and Szymoniak.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 464 (SSB 346), a bill for an act establishing a surcharge on misdemeanors and traffic violations and designating the proceeds for the community grant fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Bennett, Connolly, Deluhery, Freeman, Murphy, Neuhauser, Szymoniak and Vilsack. Nays, 5: Drake, Hedge, Iverson, McLaren and Priebe.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 464, by committee on Ways and Means, a bill for an act establishing a surcharge on misdemeanors and traffic violations and designating the proceeds for the community grant fund.

Read first time under Rule 28 and placed on Ways and Means Calendar.

AMENDMENTS FILED

S—3285	S. F.	456	Sheldon Rittmer Randal J. Giannetto
S—3286	S. F.	354	Steven D. Hansen

S—3287	S. F.	462	Tony Bisignano
S—3288	S. F.	447	Dennis H. Black Patrick J. Deluhery
S—3289	S. F.	360	Ways and Means
S—3290	S. F.	462	Wilmer Rensink John P. Kibbie
S—3291	S. F.	410	Human Resources
S—3292	S. F.	462	Tony Bisignano
S—3293	S. F.	462	Lyle E. Zieman
S—3294	H. F.	395	Bill Fink
S—3295	S. F.	404	Bill Fink
S—3296	H. F.	395	Mary Lundby Bill Fink
S—3297	S. F.	458	Richard F. Drake Elaine Szymoniak

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:44 p.m., until 9:00 a.m., Thursday, March 30, 1995.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 30, 1995

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

Prayer was offered by the Reverend John E. Hulsizer, pastor of the Church of the Nazarene, Dubuque, Iowa.

The Journal of Wednesday, March 29, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Borlaug until he arrives on request of Senator Jensen and Senator Murphy 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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 164

On motion of Senator Gronstal, Senate File 164, a bill for an act relating to the meetings of the commission on the status of African-Americans, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 164) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Borlaug Murphy

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

Senate File 394

On motion of Senator Sorensen, Senate File 394, a bill for an act relating to instruments filed or recorded with the county recorder, 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. 394) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise

Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Borlaug Murphy

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

Senate File 410

On motion of Senator Gronstal, Senate File 410, a bill for an act relating to health care and health care coverage by establishing a health education and advocacy program, by requiring certain disclosure by providers of health care coverage, prohibiting the use of premium income for certain purposes, and establishing complaint procedures, with report of committee on Human Resources recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3291 filed by the committee on Human Resources on March 29, 1995, to pages 1-5 and the title page of the bill and moved its adoption.

Amendment S—3291 was adopted by a voice vote.

With the adoption of amendment S—3291, the Chair ruled amendment S—3202 filed by Senator Hammond on March 22, 1995, to page 4 of the bill, 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. 410) the vote was:

Ayes, 46:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 3:

Banks	Freeman	Iverson
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Absent or not voting, 1:

Borlaug

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

Senate File 427

On motion of Senator Kibbie, Senate File 427, a bill for an act relating to authorizing the payment of salaries to senior judges, providing for a maximum retirement annuity amount paid to senior judges, and providing effective and applicability dates, was taken up for consideration.

Senator Kibbie offered amendment S—3260 filed by him on March 28, 1995, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3260 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. 427) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
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Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 73

On motion of Senator Gronstal, Senate File 73, a bill for an act requiring licensure of certain social workers, providing an effective date, imposing fees, and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3134 filed by the committee on State Government on March 20, 1995, to pages 3, 4, 5 and 7 of the bill and moved its adoption.

Amendment S—3134 was adopted by a voice vote.

President pro tempore Bisignano took the chair at 9:52 a.m.

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

On the question "Shall the bill pass?" (S.F. 73) the vote was:

Ayes, 43:

Bartz

Bennett

Bisignano

Boettger

Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 6:

Banks	Black	Fink	Freeman
Hedge	Iverson		

Absent or not voting, 1:

Borlaug

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

Senate File 291

On motion of Senator Fraise, Senate File 291, a bill for an act relating to issuance of motor vehicle licenses by county treasurers and providing moneys to the counties for implementation of the act, was taken up for consideration.

Senator Fraise offered amendment S—3298 filed by him from the floor to pages 1 and 2 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—3298 be deferred.

Senator Lind offered amendment S—3303 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3303 lost by a voice vote.

Senator Lind offered amendment S—3302 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3302 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3298 by Senator Fraise to pages 1 and 2 of the bill, previously deferred.

Senator Horn asked and received unanimous consent that action on amendment S—3298 and **Senate File 291** be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 164, 394, 410, 73 and 427** 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 30, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 36, a concurrent resolution urging the release of two United States citizens, including one Iowan, from confinement in Iraq.

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

ALSO That the House has on March 29, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 163, a bill for an act providing for interests by persons in certain entities owning or leasing agricultural land, and making penalties applicable.

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

RECESS

On motion of Senator Horn, the Senate recessed at 11:05 a.m., until 2:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 29, 1995, 1:36 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Placed governor's appointees on en bloc and individual confirmation calendars.

Adjourned: 2:21 p.m.

ETHICS

Convened: March 29, 1995, 1:25 p.m.

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

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointee.

Adjourned: 1:40 p.m.

HUMAN RESOURCES

Convened: March 29, 1995, 2:40 p.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Bartz, Dvorsky, Hansen, Kramer, Neuhauser and Tinsman.

Members Absent: Vilsack.

Committee Business: Recommended passage of Senate File 410 as amended; placed governor's appointees on en bloc and individual confirmation calendars.

Adjourned: 2:56 p.m.

STATE GOVERNMENT

Convened: March 29, 1995, 2:34 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Halvorson, Lind, McLaren and Sorensen.

Members Absent: Giannetto (excused) and Lundby.

Committee Business: Placed governor's appointees on en bloc and individual confirmation calendars; recommended passage of Senate Concurrent Resolution 25; presentations by IPERS and municipal fire and police retirement system on investments.

Adjourned: 3:37 p.m.

WAYS AND MEANS

Convened: March 29, 1995, 11:25 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 346 as a committee bill; amended and approved Senate File 260 as a committee bill; recommended passage of Senate File 413; recommended passage of Senate File 360 as amended; placed governor's appointees on en bloc and individual confirmation calendars.

Adjourned: 11:59 a.m.

COMPANION BILLS

House files were attached to companion Senate files on the Senate calendar as follows:

H.F. 198	companion	S.F. 210	3-29-95
H.F. 395	companion	S.F. 404	3-29-95

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery;

Eight sixth, seventh and eighth grade students from Callanan Middle School, Des Moines, accompanied by Penny Murphy. Senator Szymoniak.

Thirty twelfth grade students from Tri County High School, Thornburg, accompanied by James Freeze. Senator Hedge.

REPORT OF STANDING COMMITTEE (Place nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Communications and Information Policy assigned to investigate the following appointment, completed its investigation on March 30, 1995, and **made no recommendation**:

Harold M. Thompson as Executive Director of the Iowa Telecommunications and Technology Commission.

COMMITTEE REPORTS

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: HOUSE FILE 161, a bill for an act relating to the fee which may be charged by an Iowa communications network receiving site.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Dvorsky, Deluhery, McLaren, Flynn, Hansen and Redfern. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: *SENATE FILE 465 (formerly Senate File 260), a bill for an act relating to the certification of plumbers and heat, ventilation, and air conditional professionals, and establish fees and penalties and providing for the use of such fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Connolly, Deluhery, Drake, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 5: Bennett, Freeman, Hedge, Iverson and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 465 and they were attached to the committee report.

SUBCOMMITTEE ASSIGNMENTS

House File 125
(Reassigned)

LOCAL GOVERNMENT: Sorensen, Chair; Judge and Zieman

House File 135

JUDICIARY: Fraise, Chair; Boettger, Hammond, Hansen and Maddox

House File 118

JUDICIARY: Vilsack, Chair; Bartz, Boettger, Fraise and Giannetto

House File 238

EDUCATION: Deluhery, Chair; Connolly and Rensink

House File 288

EDUCATION: Connolly, Chair; Murphy and Tinsman

House File 346

JUDICIARY: Redfern, Chair; Drake, Fraise, Giannetto and Vilsack

Senate File 363

EDUCATION: Fink, Chair; Dvorsky and Rensink

House File 438

EDUCATION: Connolly, Chair; Kibbie and Redfern

House File 528

JUDICIARY: Hammond, Chair; Bisignano, Boettger, Giannetto and Maddox

SSB 350

APPROPRIATIONS: Neuhauser, Chair; McLaren and Murphy

AMENDMENTS FILED

S-3298	S.F.	291	Eugene Fraise
S-3299	S.F.	399	Randal J. Giannetto
S-3300	S.F.	444	Randal J. Giannetto
S-3301	S.F.	451	Randal J. Giannetto
S-3302	S.F.	291	Jim Lind
S-3303	S.F.	291	Jim Lind
S-3304	S.F.	64	Randal J. Giannetto Jim Lind
S-3305	S.F.	451	Randal J. Giannetto
S-3306	S.F.	405	Michael E. Gronstal
S-3307	S.F.	463	Tom Vilsack Maggie Tinsman

AFTERNOON SESSION

The Senate reconvened at 2:17 p.m., President Boswell presiding.

INTRODUCTION OF BILL

Senate File 465, by committee on Ways and Means, a bill for an act relating to the certification of plumbers and heat, ventilation, and air conditioning professionals, and establishing fees and penalties, and providing for the use of such fees.

Read first time and **placed on Ways and Means Calendar**.

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, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 393, a bill for an act relating to certain exemptions from federal motor carrier safety regulations.

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

House File 515, a bill for an act relating to the relationship between a licensed real estate salesperson or broker and the parties to a transaction and providing an effective date.

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

QUORUM CALL

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

The vote revealed 38 present, 12 absent and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 358

On motion of Senator McKean, Senate File 358, a bill for an act relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status, was taken up for consideration.

Senator Lind offered amendment S—3212 filed by Senators Lind, et al., on March 23, 1995, to pages 1-3 of the bill and moved its adoption.

Amendment S—3212 was adopted by a voice vote.

Senator McKean offered amendment S—3257 filed by him on March 28, 1995, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3257 was adopted by a voice vote.

Senator McKean offered amendment S—3256 filed by him on March 28, 1995, to page 3 of the bill and moved its adoption.

Amendment S—3256 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 358) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 457

On motion of Senator Giannetto, Senate File 457, a bill for an act relating to the civil rights commission concerning the enforcement of civil rights laws, and the promotion and transfer of employed disabled persons, 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. 457) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senate File 385

On motion of Senator Fink, Senate File 385, a bill for an act authorizing the appointment of a city board of review by certain cities, was taken up for consideration.

On the question "Shall the bill pass?" (S.F. 385) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 5:

Giannetto	Hammond	Jensen	Murphy
Tinsman			

Absent or not voting, 1:

Borlaug

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

Senate File 251

On motion of Senator Bisignano, Senate File 251, a bill for an act relating to the legal age for gambling, providing an effective date, and providing a retroactive applicability provision, with report of committee recommending passage, was taken up for consideration.

Senator Bartz offered amendment S—3123 filed by him on March 13, 1995, to pages 1, 2 and the title page of the bill.

Senator Halvorson raised the point of order that amendment S—3123 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3123 in order.

Senator Bartz moved the adoption of amendment S—3123.

A record roll call was requested.

On the question "Shall amendment S—3123 be adopted?" (S.F. 251) the vote was:

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

Ayes, 17:

Bartz	Bisignano	Dearden	Deluhery
Fink	Gronstal	Hansen	Horn
Jensen	Judge	Kramer	Lind
Lundby	McLaren	Murphy	Rife
Rittmer			

Nays, 32:

Banks	Bennett	Black	Boettger
Boswell	Connolly	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Giannetto	Halvorson	Hammond
Hedge	Husak	Iverson	Kibbie
Maddox	McKean	Neuhauser	Palmer
Priebe	Redfern	Rensink	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Absent or not voting, 1:

Borlaug

Amendment S—3123 lost.

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. 251) the vote was:

Ayes, 22:

Bartz	Bisignano	Connolly	Dearden
Deluhery	Dvorsky	Fink	Gronstal
Hansen	Horn	Judge	Kibbie

Kramer	Lind	Lundby	McLaren
Murphy	Palmer	Priebe	Rife
Rittmer	Szymoniak		

Nays, 27:

Banks	Bennett	Black	Boettger
Boswell	Douglas	Drake	Flynn
Fraise	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hedge	Husak
Iverson	Jensen	Maddox	McKean
Neuhauser	Redfern	Rensink	Sorensen
Tinsman	Vilsack	Zieman	

Absent or not voting, 1:

Borlaug

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 422

On motion of Senator Sorensen, Senate File 422, a bill for an act relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other properly related matters, and providing effective dates, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Lundby offered amendment S—3204 filed by her on March 23, 1995, to pages 1, 4, 8 and 9 of the bill and moved its adoption.

Amendment S—3204 lost by a voice vote.

Senator McKean offered amendment S—3255 filed by him on March 28, 1995, to pages 1, 4, 8 and 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3255 be adopted?" (S.F. 422) the vote was:

Ayes, 19:

Banks	Bartz	Bennett	Boettger
Douglas	Freeman	Halvorson	Hedge
Iverson	Kramer	Lind	Lundby
Maddox	McKean	Redfern	Rensink
Rife	Tinsman	Zieman	

Nays, 30:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	McLaren	Murphy	Neuhauser
Palmer	Priebe	Rittmer	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Borlaug

Amendment S—3255 lost.

Senator Sorensen offered amendment S—3237 filed by him on March 27, 1995, to pages 3, 4 and 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 20.

Amendment S—3237 was adopted.

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. 422) the vote was:

Ayes, 40:

Banks	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Iverson	Jensen

Judge	Kibbie	Lind	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 9:

Bartz	Freeman	Hedge	Husak
Kramer	Lundby	Maddox	McKean
Zieman			

Absent or not voting, 1:

Borlaug

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 March 30, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 132, a bill for an act making supplemental appropriations for the fiscal year beginning July 1, 1994, and providing an effective date. (S—3314)

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 358, 457, 385 and 422** be immediately messaged to the House.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 414** be referred from the Regular Calendar to the committee on **Natural Resources Environment and Energy**.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 132

Senator Murphy called up for consideration, House File 132, a bill for an act making supplemental appropriations for the fiscal year beginning July 1, 1994, and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3314 to Senate amendment H—3603 filed March 30, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Murphy moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 132) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 1:

Tinsman

Absent or not voting, 1:

Borlaug

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 40

On motion of Senator Dearden, Senate File 40, a bill for an act relating to exempting employees of the state fair authority from the state merit personnel system, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Dearden asked and received unanimous consent that House File 170 be substituted for Senate File 40.

House File 170

On motion of Senator Dearden, House File 170, a bill for an act relating to exempting employees of the state fair authority from the state merit personnel system, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 170) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Borlaug

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

Senator Dearden asked and received unanimous consent that **Senate File 40** be **withdrawn** from further consideration of the Senate.

Senate Concurrent Resolution 25

On motion of Senator Kibbie, Senate Concurrent Resolution 25, a concurrent resolution urging the release of two United States citizens, including one Iowan, from confinement in Iraq, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that **House Concurrent Resolution 36** be substituted for **Senate Concurrent Resolution 25**.

House Concurrent Resolution 36

On motion of Senator Kibbie, House Concurrent Resolution 36, a concurrent resolution urging the release of two United States citizens, including one Iowan, from confinement in Iraq, was taken up for consideration.

Senator Kibbie moved the adoption of House Concurrent Resolution 36, which motion prevailed by a voice vote.

Senator Kibbie asked and received unanimous consent that **Senate Concurrent Resolution 25** be **withdrawn** from further consideration of the Senate.

Senate File 336

On motion of Senator Gronstal, Senate File 336, a bill for an act requiring that a publication whose standards are incorporated by reference in agency rulemaking be purchased and provided by the agency to the administrative rules coordinator for deposit in the state law library, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that **House File 477** be substituted for **Senate File 336**.

House File 477

On motion of Senator Gronstal, House File 477, a bill for an act requiring that a publication whose standards are incorporated by reference in agency rulemaking be purchased and provided by the agency to the administrative rules coordinator for deposit in the state law library, 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. 477) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senator Gronstal asked and received unanimous consent that **Senate File 336** be **withdrawn** from further consideration of the Senate.

Senate File 387

On motion of Senator Gronstal, Senate File 387, a bill for an act providing limited immunity for persons responding to oil spills, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that House File 478 be substituted for Senate File 387.

House File 478

On motion of Senator Gronstal, House File 478, a bill for an act providing limited immunity for persons responding to oil spills, 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. 478) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senator Gronstal asked and received unanimous consent that Senate File 387 be **withdrawn** from further consideration of the Senate.

Senate File 392

On motion of Senator Black, Senate File 392, a bill for an act relating to notice requirements for voluntary annexation of property by a city, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, 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
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

BUSINESS PENDING

Senate File 291

The Senate resumed consideration of Senate File 291, a bill for an act relating to issuance of motor vehicle licenses by county treasurers and providing moneys to the counties for implementation of the act, and amendment S—3298 by Senator Fraise to pages 1 and 2 of the bill, previously deferred.

Senator Fraise moved the adoption of amendment S—3298.

A non record roll call was requested.

The ayes were 28, nays 13.

Amendment S—3298 was adopted.

With the adoption of amendment S—3298, the Chair ruled amendment S—3189 filed by Senator Fraise on March 22, 1995, to pages 1 and 2 of the bill, out of order.

President pro tempore Bisignano took the chair at 4:40 p.m.

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. 291) the vote was:

Ayes, 29:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Deluhery
Douglas	Fink	Fraise	Freeman
Gettings	Hedge	Horn	Husak
Iverson	Judge	Kibbie	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Sorensen	Vilsack
Zieman			

Nays, 21:

Bisignano	Connolly	Dearden	Drake
Dvorsky	Flynn	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Jensen
Kramer	Lind	Lundby	Maddox
Rensink	Rife	Rittmer	Szymoniak
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 File 291, House Files 132, 170, 477 and 478 and House Concurrent Resolution 36 be immediately messaged to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 535, a bill for an act relating to a reduction in aid to a recipient of the family investment program for continued truancy by a recipient's child, defining truancy as a delinquent act in certain cases and providing a penalty, establishing a penalty for providing aid, support, or shelter to a runaway or truant, and providing for a civil penalty for truancy, and a conditional effectiveness provision.

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

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following appointments, completed their investigations on March 30, 1995, and recommended the appointees be confirmed:

COMMERCE

James Maret as Consumer Advocate.

Patricia A. Berding and Diane L. Kollasch as members of the Credit Union Review Board.

LOCAL GOVERNMENT

Christine M. Van Meter and Sharon L. Winchell as members of the County Finance Committee.

REPORTS OF STANDING COMMITTEE (Place nominees on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following governor's appointments, completed its investigations on March 30, 1995, and recommended the appointees be confirmed:

Allan T. Thoms as a member and Chairperson of the Utilities Board.

Dr. Therese M. Vaughan as Commissioner of Insurance.

SUBCOMMITTEE ASSIGNMENTS

House File 139

COMMERCE: Hansen, Chair; Bisignano, Freeman, Gronstal, Jensen, Palmer and Redfern

House File 247

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

House File 405

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Black, Chair;
Fink and Lundby

House File 425

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair;
Fink and Lundby

PRESENTATION OF VISITORS

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

United Methodist Women from First United Methodist Church of Cedar Falls, accompanied by Shirley Berg and Reverend Keith Scott. Senator Redfern.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 392 passed the Senate on March 30, 1995.

BERL E. PRIEBE

AMENDMENTS FILED

S—3308	S. F.	101	Stewart E. Iverson, Jr. Emil J. Husak
S—3309	S. F.	210	Randal J. Giannetto
S—3310	S. F.	463	Randal J. Giannetto
S—3311	S. F.	313	Rod Halvorson
S—3312	S. F.	180	Albert Sorensen
S—3313	S. F.	463	Jim Lind
S—3314	H. F.	132	House amendment
S—3315	S. F.	443	Donald B. Redfern

BILLS ASSIGNED TO COMMITTEE

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

H.F.	84	State Government
H.F.	111	Human Resources
H.F.	163	Agriculture
H.F.	230	Commerce
H.F.	281	Judiciary
H.F.	393	Transportation

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:56 p.m., until 2:00 p.m., Monday, April 3, 1995.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 3, 1995

The Senate met in regular session at 2:26 p.m., President Boswell presiding.

Prayer was offered by Harriet Vande Hoef, House of Representative Secretary, Osceola County, Harris, Iowa, who sang "The Lord's Prayer".

The Journal of Thursday, March 30, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bartz until he arrives on request of Senator Rife.

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.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 201

On motion of Senator Neuhauser, Senate File 201, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing retroactive applicability and effective dates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 201) the vote was:

Ayes, 46:

Banks	Bennett	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	Bisignano	Palmer	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.

Senate File 181

On motion of Senator Kibbie, Senate File 181, a bill for an act providing a sales tax exemption relating to aircraft and providing effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie asked and received unanimous consent that action on **Senate File 181** be deferred.

Senate File 458

On motion of Senator Szymoniak, Senate File 458, a bill for an act relating to the duties of the county treasurer and providing effective and applicability dates, was taken up for consideration.

Senator Szymoniak offered amendment S—3297 filed by Senators Drake and Szymoniak on March 29, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3297 was adopted by a voice vote.

Senator Maddox offered amendment S—3215 filed by him on March 23, 1995, to page 10 of the bill and moved its adoption.

Amendment S—3215 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. 458) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Palmer	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.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 443

On motion of Senator Redfern, Senate File 443, a bill for an

act to prohibit assaults upon peace officers and fire fighters by providing penalties and enhancing penalties for resisting or obstructing peace officers and fire fighters who are performing their duties, was taken up for consideration.

Senator Redfern offered amendment S—3315 filed by him on March 30, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3315 was adopted by a voice vote.

Senator Fraise offered amendment S—3319 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3319 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 443) the vote was:

Ayes, 49:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

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

Senate File 454

On motion of Senator Tinsman, Senate File 454, a bill for an act relating to the establishment of an assisted living program within the department of elder affairs, providing for implementation, and providing penalties, was taken up for consideration.

Senator Tinsman offered amendment S—3320 filed by her from the floor to pages 2 and 4 of the bill and moved its adoption.

Amendment S—3320 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 454) the vote was:

Ayes, 49:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

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

Senate File 450

On motion of Senator Hammond, Senate File 450, a bill for an act relating to the imposition of an additional fee for the entering

of a final decree of dissolution of marriage and appropriating the fees to fund the displaced homemaker program, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—3263 filed by the committee on Ways and Means on March 28, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3263 was adopted by a voice vote.

Senator Hammond offered amendment S—3326 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3326 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 450) the vote was:

Ayes, 40:

Bennett	Bisignano	Black	Boettger
Borlaug	Boswell	Connolly	Dearden
Deluhery	Drake	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Jensen	Judge	Kibbie
Kramer	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 9:

Banks	Douglas	Freeman	Hedge
Husak	Iverson	Lind	Murphy
Rife			

Absent or not voting, 1:

Bartz

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 Halvorson, Senate File 360, a bill for an act to increase the fee for the transfer of property in county transfer records, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—3289 filed by the committee on Ways and Means on March 29, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3289 lost by a voice vote.

The Chair ruled amendment S—3235 filed by Senator Priebe on March 27, 1995, to page 1 of the bill, out of order because the same subject matter was considered in amendment S—3289.

Senator Halvorson moved that the bill be read the last time now and placed upon its passage, 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, 29:

Bennett	Bisignano	Boswell	Connolly
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Halvorson	Hammond	Horn
Husak	Judge	Kibbie	Kramer
Lundby	Maddox	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Nays, 20:

Banks	Black	Boettger	Borlaug
Drake	Freeman	Gronstal	Hansen
Hedge	Iverson	Jensen	Lind
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Absent or not voting, 1:

Bartz

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 Sorensen, Senate File 180, a bill for an act relating to the determination of the annual salary of a deputy sheriff, was taken up for consideration.

Senator Sorensen offered amendment S—3312 filed by him on March 30, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3312 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. 180) the vote was:

Ayes, 9:

Fink	Fraise	Gettings	Hammond
Horn	Judge	Kibbie	Palmer
Sorensen			

Nays, 39:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Freeman	Giannetto
Gronstal	Halvorson	Hedge	Husak
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Absent or not voting, 2:

Bartz	Hansen
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 365

On motion of Senator Fraise, Senate File 365, a bill for an act increasing the scheduled fines for certain motor vehicle operation violations, 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. 365) the vote was:

Ayes, 14:

Connolly	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Kibbie	Murphy	Sorensen
Szymoniak	Vilsack		

Nays, 35:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Freeman	Hedge
Husak	Iverson	Jensen	Judge
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Absent or not voting, 1:

Bartz.

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 384

On motion of Senator Connolly, Senate File 384, a bill for an act relating to regulation of food establishments and providing for fees and penalties, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Connolly offered amendment S—3179 filed by him on March 22, 1995, to page 3 of the bill and moved its adoption.

Amendment S—3179 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that action on **Senate File 384** be deferred.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate Joint Resolution 16** be referred from the Regular Calendar to the committee on **Rules and Administration**.

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to the committee on **Judiciary**:

Senate Files 257, 395, 397, 399, 419, 442, 444 and 452.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 201, 458, 443, 454, 450** and **360** be immediately messaged to the House.

COMPANION AND SIMILAR BILLS

House files were attached to companion or similar Senate files on the senate calendar as follows:

H.F. 515	similar	S.F. 313	3-30-95
H.F. 154	companion	S.F. 435	3-20-95

CONSIDERATION OF BILLS

(Regular Calendar)

Senate File 338

On motion of Senator Bisignano, Senate File 338, a bill for an act relating to the regulation of games of skill, games of chance, and amusement devices, and subjecting violators to penalties, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **Senate File 338** be deferred.

Senate File 435

On motion of Senator Dearden, Senate File 435, a bill for an act relating to the exemption of certain dentists and dental hygienists from state licensing requirements, was taken up for consideration.

Senator Dearden asked and received unanimous consent that House File 154 be substituted for Senate File 435.

House File 154

On motion of Senator Dearden, House File 154, a bill for an act relating to the exemption of certain dentists and dental hygienists from state licensing requirements, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 154) the vote was:

Ayes, 49:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

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

Senator Dearden asked and received unanimous consent that Senate File 435 be **withdrawn** from further consideration of the Senate.

Senate File 347

On motion of Senator Vilsack, Senate File 347, a bill for an act relating to the third-party payment of health care coverage costs for prevention care services and mental health and substance abuse treatment services, was taken up for consideration.

Senator Vilsack offered amendment S—3223 filed by him on March 23, 1995, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3223 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. 347) the vote was:

Ayes, 44:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Drake	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 4:

Douglas	Freeman	Iverson	Kramer
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Absent or not voting, 2:

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

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:

John M. Sklenar and Dorothy L. Votroubek as members of the Accountancy Examining Board.

Donald W. Westergard as Administrator of the Division of Persons with Disabilities.

Charlotte B. Nelson as Administrator of the Division on the Status of Women.

Dr. Suzanne B. Mulder and Shirley M. Woodsmall as members of the Alcoholic Beverages Commission.

Norman H. Rudi as a member of the Architectural Examining Board.

Margaret Susan Cigelman as a member of the Athletic Trainer Advisory Board.

Dr. Ronald C. Evans as a member of the Board of Chiropractic Examiners.

Kenneth R. Hoefle, Jim R. Schwiesow and Allan W. Vander Hart as members of the Board of Corrections.

Dr. James A. Raecker and Dr. Fred A. Riddle, Jr. as members of the Board of Dental Examiners.

Dr. Gerald L. Cowell as a member of the Board of Educational Examiners.

Richard T. Clark as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Mary C. Hodges and Dr. Teresa A. Mock as members of the Board of Medical Examiners.

Rodmon C. Bell and Guy W. Richardson as members of the Board of Nursing Examiners.

Jane F. Ecklund and Dr. Robert H. Sharp as members of the Board of Optometry Examiners.

Eric G. Jacobs as a member of the Board of Physical and Occupational Therapy Examiners.

Dr. Dan L. Rogers as a member of the Board of Psychology Examiners.

Dr. Edward Stanek as Commissioner of the Lottery.

Lois H. Eichacker as a member of the Commission on Community Action Agencies.

Dennis L. Billings as a member of the Community Health Management Information System Governing Board.

Dianne L. Paca as a member of the Council on Human Services.

Gary C. Priebe as a member of the Environmental Protection Commission.

Lois H. Eichacker as a member of the Iowa Council on Human Investment.

Bruce A. Yungclas as a member of the Iowa Grain Indemnity Fund Board.

Diana Hoogestraat as a member of the Landscape Architectural Examining Board.

Connie M. Alt as a member of the Lottery Board.

Steven Reuter as a member of the Mental Health and Developmental Disabilities Commission.

Marian L. Kieffer and Joan C. Schneider as members of the Natural Resource Commission.

Merlin D. Hulse and Hubert W. Winebrenner as members of the Personnel Commission.

Terrence D. Culver, David R. Hicks and Cathy G. Jones as members of the Real Estate Appraiser Examining Board.

Terry W. Rogers as a member of the Real Estate Commission.

Myron D. Carlson and David L. Holmes as members of the Renewable Fuels and Coproducts Advisory Committee.

Warren D. Rippey as a member of the State Board of Examiners for Nursing Home Administrators.

Mary J. Boote 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, 49:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate File 347 and House File 154 be immediately messaged to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 393

On motion of Senator Connolly, Senate File 393, a bill for an act relating to school finance by increasing the foundation base level for special education, providing for additional enrollment for transportation costs based upon a sparsity factor, and providing additional state aid for school districts with schools which have a percentage of pupils eligible for free or reduced price lunches in excess of the state average, and making appropriations and providing effective date provisions, was taken up for consideration.

Senator Flynn offered amendment S—3318 filed by him from the floor 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—3318 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3318 in order.

President pro tempore Bisignano took the chair at 5:01 p.m.

Senator Flynn asked and received unanimous consent that action on amendment S—3318 and **Senate File 393** be deferred.

Senate File 331

On motion of Senator Giannetto, Senate File 331, a bill for an act changing the number of state employees required to activate automatic payroll deduction for payment of professional or trade association dues or fees, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 331) the vote was:

Ayes, 39:

Bisignano
Connolly

Black
Dearden

Boettger
Deluhery

Boswell
Douglas

Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	

Nays, 10:

Banks	Bennett	Borlaug	Hedge
Iverson	Maddox	McKean	McLaren
Rife	Zieman		

Absent or not voting, 1:

Bartz

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 Hansen, Senate File 354, a bill for an act relating to autopsies of certain children under the age of two years, with report of committee recommending passage, was taken up for consideration.

Senator Hansen offered amendment S—3286 filed by him on March 29, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3286 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 354) the vote was:

Ayes, 49:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge

Horn
Judge
Lundby
Murphy
Redfern
Sorensen
Zieman

Husak
Kibbie
Maddox
Neuhauser
Rensink
Szymoniak

Iverson
Kramer
McKean
Palmer
Rife
Tinsman

Jensen
Lind
McLaren
Priebe
Rittmer
Vilsack

Nays, none.

Absent or not voting, 1:

Bartz

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 168

Senator Priebe withdrew the motion to reconsider Senate File 168, a bill for an act relating to child abuse and child sexual abuse reporting and increasing a penalty, filed by him on March 29, 1995, and found on page 942 of the Senate Journal.

Senate File 392

Senator Priebe withdrew the motion to reconsider Senate File 392, a bill for an act relating to notice requirements for voluntary annexation of property by a city, filed by him on March 30, 1995, and found on page 996 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 331, 354, 168 and 392 be immediately messaged to the House.

APPENDIX

PETITIONS

The following petitions favoring issuance of motor vehicle licenses by county treasurers were presented and placed on file by:

Senator Boswell from 626 residents of Decatur County.
Senator McLaren from 41 residents of Montgomery County.

The following petition was presented and placed on file by:

Fifty-four residents of Polk County favoring true parental notification of a parent or legal guardian prior to performance of an abortion on a minor (definition of "parent" would exclude grandparents, siblings or other relatives) and providing for a judicial bypass.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 30, 1995, 1:34 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundy, Palmer, Priebe and Redfern.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; placed governor's appointees on en bloc and individual confirmation calendars; reviewed House File 126.

Adjourned: 2:02 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: March 30, 1995, 11:43 a.m.

Members Present: Dvorsky, Chair; Deluhery, Vice Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: none.

Committee Business: Recommended passage of House File 161; placed governor's appointee on individual confirmation calendar without recommendation.

Adjourned: 11:50 a.m.

LOCAL GOVERNMENT

Convened: March 30, 1995, 1:37 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Fraise, Halvorson, Judge, McKean, Rittmer and Zieman.

Members Absent: Black.

Committee Business: Assigned bills to subcommittees; placed governor's appointees on en bloc confirmation calendar.

Adjourned: 1:43 p.m.

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Convened: March 30, 1995, 11:10 a.m.

Members Present: Hansen, Chair; Judge, Vice Chair; Zieman, Ranking Member; Bennett, Boettger, Flynn, Giannetto, Kibbie, Maddox, Sorensen, Szymoniak and Vilsack.

Members Absent: Borlaug and Palmer (both excused) and McKean.

Committee Business: Assigned bills to subcommittees; placed governor's appointees on en bloc confirmation calendar.

Adjourned: 11:27 a.m.

TRANSPORTATION

Convened: March 30, 1995, 11:05 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Connolly, Dearden, Douglas, Fink, Halvorson and Lind.

Members Absent: Black, Jensen and Rittmer (all excused).

Committee Business: Assigned bills to subcommittees; placed governor's appointees on en bloc confirmation calendar.

Adjourned: 11:25 a.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 422, the following corrections were made:

1. Page 9, line 19, the words and numbers "Sections 1 through 23" were changed to the words and numbers "Sections 1 through 24".
2. Page 9, line 21, the word and number "Section 24" were changed to the word and number "Section 25".

JOHN F. DWYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Christina Beck, Guthrie Center — For being selected to the Iowa All-State Speech Team. Senator Douglas (3-29-95).

Jessica Lewis, Guthrie Center — For being selected to the Iowa All-State Girls' Basketball Team. Senator Douglas (3-29-95).

Craig Sylvester, Hedrick — For being named "Southeast Iowa Farmer of the Year". Senator Hedge (3-25-95).

STUDY BILLS RECEIVED**SSB 355 Appropriations**

Relating to agriculture and natural resources, by providing for appropriations and revenue, providing related statutory changes, and providing effective dates.

SSB 356 Appropriations

Making an annual appropriation to the passenger rail service revolving fund.

SUBCOMMITTEE ASSIGNMENTS**House File 87**

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Gronstal and Lundby.

House File 393

TRANSPORTATION: Gettings, Chair; Connolly and Rittmer

House File 487

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 507

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

SSB 355

APPROPRIATIONS: Black, Chair; Banks and Murphy

SSB 356

APPROPRIATIONS: Halvorson, Chair; Fraise and Iverson

REPORTS OF STANDING COMMITTEES

(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on March 30, 1995, and recommended the appointees be confirmed:

SMALL BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

Ann Jorgensen and Eldon E. Leonard as members of the Iowa Economic Development Board.

Sarah A. Falb, Frances S. Fleck and Leona E. Westphal as members of the Small Business Advisory Council.

Steven S. Berger, Nadine S. Drennan and Marlys D. Johnson as members of the Wallace Technology Transfer Foundation of Iowa.

TRANSPORTATION

Donald S. Lynn and Thomas S. Mullin as members of the Iowa Law Enforcement Academy Council.

Thomas L. Aller as a member of the State Transportation Commission.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 180 failed to pass the Senate on April 3, 1995.

EMIL J. HUSAK

AMENDMENTS FILED

S-3316	S. F.	463	Tom Vilsack
S-3317	S. F.	463	JoAnn Douglas
S-3318	S. F.	393	Tom Flynn
S-3319	S. F.	443	Eugene Fraise
S-3320	S. F.	454	Maggie Tinsman
S-3321	S. F.	463	Allen Borlaug
S-3322	S. F.	463	Allen Borlaug
S-3323	S. F.	463	Allen Borlaug
S-3324	S. F.	463	Allen Borlaug
S-3325	S. F.	463	Allen Borlaug
S-3326	S. F.	450	Johnie Hammond
S-3327	S. F.	306	Bill Fink
S-3328	H. F.	185	Stewart E. Iverson, Jr.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:20 p.m., until 9:00 a.m., Tuesday, April 4, 1995.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 4, 1995

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

Prayer was offered by the Reverend Larry Conrad, pastor of the Polk City United Methodist Church, Polk City, Iowa.

The Journal of Monday, April 3, 1995, 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 3, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 14, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayers' rights by limiting the growth rate of taxes, revenue, and spending of the state and local governments and by increasing the people's control over taxes, revenue, and spending of the state and local governments.

This resolution was read first time and passed on file.

ALSO: That the House has on April 3, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 256, a bill for an act relating to the definition of the practice of engineering and the suspension or revocation of the certificate of registration of a professional engineer or land surveyor.

This bill was read first time and passed on file.

House File 387, a bill for an act relating to the appointment of the student member to the state board of regents, reducing the student member's term, and providing implementation and transition provisions.

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

House File 470, a bill for an act relating to the assessment of certain public improvement costs to abutting property at the request of the property owner.

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

House File 504, a bill for an act relating to a motor vehicle owner's liability for damages caused by the driver.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bartz for the day on request of Senator Jensen.

SPECIAL GUESTS

Senator Hedge presented Shanon Gutierrez, Queen of the Sixtieth Annual Tulip Time Festival, who in turn introduced the members of her court: Jill Van Wyk, Lynne Van Roekel, Teresa Zuidema and Kara DeHaan.

Queen Shannon invited members of the Senate to attend the Tulip Time Festival in Pella on May 11, 12 and 13.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

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:

Susanne E. Wolrab as a member of the Board of Cosmetology Arts and Sciences Examiners.

James W. Barr as a member of the Board of Mortuary Science Examiners.

Bertrum Bidne as a member of the Commission of Elder Affairs.

Dennis D. Killion as a member of the Council on Human Services.

Christine M. Van Meter as a member of the County Finance Committee.

Patricia A. Berding and Diane L. Kollasch as members of the Credit Union Review Board.

Geraldine M. Leinen as a member of the Iowa Ethics and Campaign Disclosure Board.

Donald S. Lynn as a member of the Iowa Law Enforcement Academy Council.

Bernard L. Bidne as a member of the Iowa State Civil Rights Commission.

Monica H. Kurtz as a member of the Prevention of Disabilities Policy Council.

Thomas L. Aller as a member of the State Transportation Commission.

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	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 453

On motion of Senator Dvorsky, Senate File 453, a bill for an act relating to public health by providing for measurers related to lead inspection and abatement, and providing a penalty, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 453) the vote was:

Ayes, 12:

Bisignano	Connolly	Dearden	Deluhery
Fink	Flynn	Gronstal	Hammond
Horn	Neuhauser	Sorensen	Szymoniak

Nays, 37:

Banks	Bennett	Black	Boettger
Borlaug	Boswell	Douglas	Drake
Dvorsky	Fraise	Freeman	Gettings
Giannetto	Halvorson	Hansen	Hedge
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Vilsack
Zieman			

Absent or not voting, 1:

Bartz

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 313

On motion of Senator Halvorson, Senate File 313, a bill for an act relating to the relationship between a licensed real estate salesperson or broker and the parties to a transaction and providing an effective date, was taken up for consideration.

Senator Halvorson offered amendment S—3311 filed by him on March 30, 1995, to pages 3, 4 and 9 of the bill and moved its adoption.

Amendment S—3311 was adopted by a voice vote.

Senator Halvorson asked and received unanimous consent that **House File 515 be substituted for Senate File 313 as amended.**

House File 515

On motion of Senator Halvorson, House File 515, a bill for an act relating to the relationship between a licensed real estate salesperson or broker and the parties to a transaction and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 515) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, none.

Absent or not voting, 2:

Bartz Vilsack

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

Senator Halvorson asked and received unanimous consent that **Senate File 313** be **withdrawn** from further consideration of the Senate.

Senate File 429

On motion of Senator Szymoniak, Senate File 429, a bill for an act relating to advanced registered nurse practitioners by providing for coverage of services provided by such practitioners under a policy or contract providing for health care coverage, was taken up for consideration.

Senator Deluhery requested that Senate File 429 be referred to the committee on Commerce.

Senator Deluhery withdrew his request.

(Action on Senate File 429 was deferred.)

Senate File 401

On motion of Senator Deluhery, Senate File 401, a bill for an act relating to consumer-related actions, was taken up for consideration.

Senator Giannetto asked that Senate File 401 be referred to the committee on Judiciary.

Senator Deluhery stated he had no objection to Senate File 401 being referred to the committee on Judiciary.

Senator Giannetto asked and received unanimous consent that action on Senate File 401 be deferred.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that House File 515 be immediately messaged to the House.

UNFINISHED BUSINESS

(Deferred April 3, 1995)

Senate File 181

The Senate resumed consideration of Senate File 181, a bill for an act providing a sales tax exemption relating to aircraft and providing effective date and retroactive applicability provisions, deferred April 3, 1995.

Senator Kibbie offered amendment S—3186 filed by the committee on Ways and Means on March 22, 1995, to page 1 and the title page of the bill.

Senator Kramer offered amendment S—3266 filed by Senators Kramer and Lundby on March 28, 1995, to amendment S—3186.

Senator Connolly asked and received unanimous consent that action on amendment S—3266 to amendment S—3186, amendment S—3186 and Senate File 181 be deferred.

UNFINISHED BUSINESS

(Deferred April 3, 1995)

Senate File 384

The Senate resumed consideration of Senate File 384, a bill for an act relating to regulation of food establishments and providing for fees and penalties, deferred April 3, 1995.

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. 384) the vote was:

Ayes, 31:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lundby	Maddox
Murphy	Neuhauser	Palmer	Rittmer
Szymoniak	Tinsman	Vilsack	

Nays, 16:

Banks	Bennett	Boettger	Borlaug
Douglas	Drake	Freeman	Hedge
Iverson	Lind	McLaren	Priebe
Redfern	Rensink	Rife	Zieman

Voting present, 2:

McKean	Sorensen
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Absent or not voting, 1:

Bartz

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 384 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:00 a.m., until 1:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 458, the following corrections were made:

1. Page 10, line 16, the words and numbers "sections 18, 19, 21, and 22" were changed to the words and numbers "sections 17, 18, 20, and 21".
2. Page 10, line 21, the word and number "Section 11" were changed to the word and number "Section 10".

JOHN F. DWYER
Secretary of the Senate

PETITION

The following petition was presented and placed on file by:

Senator Maddox from 54 residents of Polk County favoring true parental notification of a parent or legal guardian prior to performance of an abortion on a minor (definition of "parent" would exclude grandparents, siblings or other relatives) and providing for a judicial bypass.

PRESENTATION OF VISITORS

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

Members of Boy Scout Troop 321 from Winfield, accompanied by Scout Master Connop. Senator Vilsack.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 453 failed to pass the Senate on April 4, 1995.

ROBERT E. DVORSKY

SUBCOMMITTEE ASSIGNMENTS

House File 84

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

House File 111

HUMAN RESOURCES: Hansen, Chair; Boettger and Neuhauser

House File 230

COMMERCE: Bisignano, Chair; Husak and Redfern

House File 474

APPROPRIATIONS: Flynn, Chair; Gronstal and Rensink

House File 481

APPROPRIATIONS: Neuhauser, Chair; Hammond and Tinsman

House File 483

(Reassignment)

HUMAN RESOURCES: Vilsack, Chair; Hammond and Tinsman

AMENDMENTS FILED

S—3329	S. F.	64	Michael E. Gronstal
S—3330	S. F.	181	John P. Kibbie
S—3331	S. F.	463	Derryl McLaren
S—3332	S. F.	429	Jim Lind
S—3333	S. F.	299	Steven D. Hansen
S—3334	S. F.	429	Jim Lind
			Tom Flynn

AFTERNOON SESSION

The Senate reconvened at 1:38 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 4, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 246, a bill for an act relating to civil litigation by inmates and prisoners and deductions from inmate accounts for certain expenses, including costs of litigation by inmates.

This bill was read first time and assigned to committee on **Judiciary**.

INTRODUCTION OF BILL

Senate File 466, by committee on Ways and Means, a bill for an act relating to tax provisions involving income tax, machinery, equipment and computers property tax reimbursement, and services paid for by property taxes and property tax reductions and credits and providing appropriations, penalties, effective dates, and retroactive applicability provisions.

Read first time and placed on **Ways and Means Calendar**.

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 2:00 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:35 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 April 4, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 337, a bill for an act to amend the criteria and procedures necessary to establish that a person is seriously mentally impaired for purposes of involuntary hospitalization.

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

House File 492, a bill for an act relating to landlord remedies for tenant noncompliance with a rental agreement and acts constituting a clear and present danger.

This bill was read first time and assigned to committee on **Judiciary**.

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.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: *SENATE FILE 466 (SSB 357), a bill for an act relating to tax provisions involving income tax, machinery, equipment and computers property tax reimbursement, and services paid for by property taxes and property tax reductions and credits and providing appropriations, penalties, effective dates, and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 2: Bennett and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 466 and they were attached to the committee report.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 466.

Senate File 466

On motion of Senator Vilsack, Senate File 466, a bill for an act relating to tax provisions involving income tax, machinery, equipment and computers property tax reimbursement, and services paid for by property taxes and property tax reductions and credits and providing appropriations, penalties, effective dates, and retroactive applicability provisions, was taken up for consideration.

Senator Borlaug offered amendment S—3337 filed by Senators Borlaug, Rife and Tinsman from the floor to pages 2-4 and the title page of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—3337 be deferred.

Senator Horn asked and received unanimous consent that action on **Senate File 466** be deferred.

BUSINESS PENDING

Senate File 181

The Senate resumed consideration of Senate File 181, a bill for an act providing a sales tax exemption relating to aircraft and providing effective date and retroactive applicability provisions, amendment S—3186 by the committee on Ways and Means to page 1 and the title page of the bill, and amendment S—3266 by Senators Kramer and Lundby to amendment S—3186, previously deferred.

Senator Kramer moved the adoption of amendment S—3266 to amendment S—3186 and requested a record roll call.

On the question "Shall amendment S—3266 to amendment S—3186 be adopted?" (S.F. 181) the vote was:

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

Ayes, 25:

Banks	Bennett	Boettger	Borlaug
Douglas	Drake	Flynn	Freeman
Hansen	Hedge	Iverson	Jensen
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Szymoniak	Tinsman
Zieman			

Nays, 22:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Horns	Husak	Judge
Kibbie	Murphy	Neuhauser	Palmer
Sorensen	Vilsack		

Absent or not voting, 3:

Bartz	Hammond	Priebe
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Amendment S—3266 was adopted.

With the adoption of amendment S—3266, the Chair ruled amendment S—3330 filed by Senator Kibbie from the floor to amendment S—3186, out of order.

Senator Kibbie moved the adoption of amendment S—3186 as amended, which motion prevailed by a voice vote.

Senator Kibbie offered amendment S—3262 filed by him on March 28, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3262 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. 181) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bartz Hammond

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

UNFINISHED BUSINESS (Deferred April 3, 1995)

Senate File 338

The Senate resumed consideration of Senate File 338, a bill for an act relating to the regulation of games of skill, games of chance, and amusement devices, and subjecting violators to penalties, deferred April 3, 1995.

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. 338) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise

Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bartz Hammond

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 181 and 338 be immediately messaged to the House.

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

The Senate resumed session at 5:12 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 466

The Senate resumed consideration of Senate File 466, a bill for an act relating to tax provisions involving income tax, machinery, equipment and computers property tax reimbursement, and services paid for by property taxes and property tax reductions and credits and providing appropriations, penalties, effective dates, and retroactive applicability provisions

and amendment S—3337 by Senators Borlaug, Rife and Tinsman to pages 2-4 and the title page of the bill, previously deferred.

Senator Vilsack asked and received unanimous consent that action on amendment S—3337 continue to be deferred for consideration of amendment S—3347.

Senator Freeman offered amendment S—3347 filed by her from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3347 was adopted by a voice vote.

With the adoption of amendment S—3347, the Chair ruled the following amendments to the bill out of order:

S—3336 filed by Senator Bennett from the floor to page 23 and the title page of the bill.

S—3337 by Senators Borlaug, Rife and Tinsman, previously deferred.

S—3339 filed by Senator Lind from the floor to page 1.

S—3340 filed by Senator Rittmer from the floor to pages 11, 21 and 23.

S—3341 filed by Senators Tinsman and Rittmer from the floor to page 1.

S—3342 filed by Senators Iverson and Bennett from the floor to pages 2, 4 and the title page of the bill.

S—3343 filed by Senator Rittmer from the floor to pages 13 and 14.

S—3344 filed by Senator Bennett from the floor to page 4.

S—3345 filed by Senator Hedge from the floor to page 3.

S—3346 filed by Senators Banks, et al., from the floor to page 23 and the title page of the bill.

S—3348 filed by Senator Iverson from the floor to pages 3 and 4.

S—3349 filed by Senator Lind from the floor to pages 3 and 4.

S—3350 filed by Senator Lind from the floor to pages 17 and 23.

S—3351 filed by Senators Borlaug, et al., from the floor to pages 2-4 and the title page of the bill.

S—3352 filed by Senator Tinsman from the floor to pages 1 and 2.

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. 466) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Zieman		

Nays, 3:

Hansen	Szymoniak	Vilsack
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Absent or not voting, 1:

Bartz

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

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S.F.	401	Judiciary
S.F.	429	Commerce

APPENDIX

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following governor's appointments, completed its investigation on April 4, 1995, and recommended the appointees be confirmed:

Gerald D. Bair as Director of the Department of Revenue and Finance.

Darwin T. Lynner, Jr. as a member of the Iowa Finance Authority.

PRESENTATION OF VISITORS

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

Members of Girl Scout Troops 848 and 17, Winterset, accompanied by Roxann Rhoads. Senator Douglas.

Fifth grade students from Pleasant Valley School District, LeClaire, accompanied by Sonia Vogel. Senators Tinsman and Rittmer.

STUDY BILL RECEIVED

SSB 357 Ways and Means

Relating to tax provisions involving income tax, machinery, equipment and computers property tax reimbursement, and services paid for by property taxes and property tax reductions and credits and providing appropriations, penalties, effective date, and retroactive applicability provisions.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	256	State Government
H.F.	337	Human Resources
H.F.	387	State Government
H.F.	470	Local Government

H.F. 504 Transportation
 H.F. 535 Education

SUBCOMMITTEE ASSIGNMENTS

House File 281

JUDICIARY: Hammond, Chair; Boettger, Giannetto, Redfern and Vilsack

SSB 357

WAYS AND MEANS: Vilsack, Chair; Bennett and Palmer

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 466 passed the Senate on April 4, 1995.

WILLIAM D. PALMER

AMENDMENTS FILED

S—3335	S. F.	335	Dick L. Dearden Michael E. Gronstal
S—3336	S. F.	466	Wayne Bennett
S—3337	S. F.	466	Allen Borlaug Jack Rife Maggie Tinsman
S—3338	S. F.	408	Randal J. Giannetto
S—3339	S. F.	466	Jim Lind
S—3340	S. F.	466	Sheldon Rittmer
S—3341	S. F.	466	Maggie Tinsman Sheldon Rittmer
S—3342	S. F.	466	Stewart E. Iverson, Jr. Wayne Bennett
S—3343	S. F.	466	Sheldon Rittmer
S—3344	S. F.	466	Wayne Bennett
S—3345	S. F.	466	H. Kay Hedge
S—3346	S. F.	466	Brad Banks Maggie Tinsman Stewart E. Iverson, Jr. Mary Lou Freeman
S—3347	S. F.	466	Mary Lou Freeman
S—3348	S. F.	466	Stewart E. Iverson, Jr.

S—3349	S.F.	466	Jim Lind
S—3350	S.F.	466	Jim Lind
S—3351	S.F.	466	Allen Borlaug Brad Banks Andy McKean Mary A. Lundby
S—3352	S.F.	466	Maggie Tinsman
S—3353	S.F.	299	Jim Lind

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:22 p.m. until 9:00 a.m., Wednesday, April 5, 1995.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 5, 1995

The Senate met in regular session at 9:11 a.m., President Boswell presiding.

Prayer was offered by the Reverend Jim Eschenbrenner, pastor of the Union Chapel Church, Hedrick, Iowa.

The Journal of Tuesday, April 4, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bartz for the day on request of Senator Rife.

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 9:46 a.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 11:33 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 April 5, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 345, a bill for an act relating to the rate of interest charged on judgments and decrees.

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

House File 400, a bill for an act relating to the joint purchasing of equipment by political subdivisions of the state.

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

House File 517, a bill for an act relating to motor carrier certification by establishing a motor carrier education course, requiring a compliance review, and imposing fees.

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

House File 520, a bill for an act relating to electronic transfer of funds and establishing certain requirements for full-function point-of-sale terminals and electronic funds transfer facilities maintained or operated by a national card association, establishing a civil penalty, and providing an effective date.

This bill was read first time and assigned to the committee on **Commerce**.

ALSO: That the House has on April 4, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date.

This bill was read first time and assigned to the committee on **Agriculture**.

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:

Jean E. Kruse as a member of the Accountancy Examining Board.

Ann R. Shaw as a member of the Board of Educational Examiners.

Dr. Dale R. Holdiman as a member of the Board of Medical Examiners.

Phyllis A. Miller as a member of the Board of Pharmacy Examiners.

Mark G. Davis as a member of the Board of Physician Assistant Examiners.

Connie L. Schmett as a member of the Board of Psychology Examiners.

Harold B. Davis as a member of the Commission of Elder Affairs.

James Maret as Consumer Advocate.

Sharon L. Winchell as a member of the County Finance Committee.

Karen L. Wall as a member of the Drug Abuse Prevention and Education Advisory Council.

Charlotte Mohr as a member of the Environmental Protection Commission.

Bruce G. Kelley as a member of the Investment Board of the IPERS.

Eldon E. Leonard as a member of the Iowa Economic Development Board.

Kathryn A. Thieleke as a member of the Iowa Higher Education Loan Authority.

Thomas S. Mullin as a member of the Iowa Law Enforcement Academy Council.

Ross M. Sutton as a member of the Lottery Board.

Barbara J. Lips as a member of the Mental Health and Developmental Disabilities Commission.

Lori Lewis as a member of the Narcotics Enforcement Advisory Council.

Dorothy F. Carpenter as a member of the Personnel Commission.

Eric C. Seuren as a member of the Renewable Fuels and Coproducts Advisory Committee.

Sarah A. Falb and Frances S. Fleck as members of the Small Business Advisory Council.

Harriet Vande Hoef as a member of the State Citizen Foster Care Review Board.

Carol A. Golden as a member of the State Judicial Nominating Commission.

Senator Horn moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Hedge	Redfern
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

MOTION TO RECONSIDER ADOPTED

Senator Dvorsky called up the motion to reconsider Senate File

453 filed by him on April 4, 1995, and found on page 1029 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 453) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Rensink
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 1:

Rife

Absent or not voting, 3:

Bartz Hedge Redfern

The motion prevailed.

Senator Dvorsky moved to reconsider the vote by which Senate File 453 went to its last reading, which motion prevailed by a voice vote.

Senate File 453

On motion of Senator Dvorsky, Senate File 453, a bill for an act relating to public health by providing for measures related to lead inspection and abatement, and providing a penalty, was taken up for reconsideration.

Senator Dvorsky offered amendment S—3355 filed by Senators Dvorsky and Banks from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3355 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 453) the vote was:

Ayes, 49:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Bartz

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 453 be immediately messaged to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:50 a.m., until 4:50 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 4, 1995, 11:10 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Placed governor's appointees on en bloc confirmation calendar; amended and approved SSB 354 as a committee bill; approved SSB 357 as a committee bill.

Adjourned: 12:05 p.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 466 passed the Senate on April 4, 1995.

WAYNE BENNETT

PRESENTATION OF VISITORS

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

Forty-five students from Kanawha Community School District. Senator Priebe.

Forty junior high students from Holmes Junior High School, Cedar Falls, accompanied by Dave Andreesen. Senator Redfern.

STUDY BILLS RECEIVED

SSB 358 Judiciary

To legalize the transfer of certain property by the City of Keokuk and providing an effective date.

SSB 359 Ways and Means

Relating to the imposition of a local option sales and services tax in certain cities located in two counties and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 257**

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, Maddox and Redfern

Senate File 395

JUDICIARY: Vilsack, Chair; Fraise, Giannetto, McKean and Redfern

Senate File 397

JUDICIARY: Giannetto, Chair; Boettger, Maddox, Neuhauser and Vilsack

Senate File 399

JUDICIARY: Giannetto, Chair; Bartz, Hansen, Redfern and Vilsack

Senate File 401

JUDICIARY: Redfern, Chair; Bisignano, Fraise, Giannetto and McKean

Senate File 419

JUDICIARY: Giannetto, Chair; Bisignano, Maddox, Redfern and Vilsack

Senate File 429

COMMERCE: Gronstal, Chair; Bisignano, Freeman, Hansen, Jensen, Palmer and Redfern

Senate File 442

JUDICIARY: Giannetto, Chair; Bartz, Fraise, McKean and Vilsack

Senate File 444

JUDICIARY: Giannetto, Chair; Fraise, Maddox, McKean and Vilsack

Senate File 452

JUDICIARY: McKean, Chair; Fraise, Giannetto, Redfern and Vilsack

House File 246

JUDICIARY: Bisignano, Chair; Boettger, Giannetto, McKean and Vilsack

House File 256

STATE GOVERNMENT: Sorensen, Chair; Dearden and Drake

House File 258

BUSINESS AND LABOR: Dearden, Chair; Freeman and Gettings

House File 337

HUMAN RESOURCES: Szymoniak, Chair; Dvorsky and Kramer

House File 387

STATE GOVERNMENT: Connolly, Chair; Kibbie and Lind

House File 492

JUDICIARY: Szymoniak, Chair; Boettger, Giannetto, McKean and Vilsack

SSB 358

JUDICIARY: Giannetto, Chair; Bartz, Bisignano, Drake and Fraise

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: HOUSE FILE 238, a bill for an act relating to the joint purchase of group health benefits by multiple school districts or area education agencies pursuant to an intergovernmental agreement.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Kibbie, Redfern, Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 288, a bill for an act relating to juvenile justice by providing for notification of school officials of alcoholic beverage violations, authorizing school districts to adopt a dress code policy, the expulsion of a student for bringing a weapon to school, an exemption in the definition of assault, eliminating the twenty-four hour notice to students of a periodic inspection of students' lockers, giving access to certain juvenile court records to a designated school representative, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3359.

Final Vote: Ayes, 13: Connolly, Kibbie, Redfern, Deluhery, Fink, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman. Nays, 2: Dvorsky and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 337, a bill for an act to amend the criteria and procedures necessary to establish that a person is seriously mentally impaired for purposes of involuntary hospitalization.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Bartz and Dvorksy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 203, a bill for an act relating to the location of the office of the commission of veterans affairs, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 217, a bill for an act relating to education requirements for nurses.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 252, a bill for an act relating to the regulation of real estate brokers and salespersons.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, 1: Bisignano. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 256, a bill for an act relating to the definition of the practice of engineering and the suspension or revocation of the certificate of registration of a professional engineer or land surveyor.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 387, a bill for an act relating to the appointment of the student member to the state board of regents, reducing the student member's term, and providing implementation and transition provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lundby and Sorensen. Nays, 1: Lind. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 475, a bill for an act relating to the state archivists's office.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 2: Bisignano and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 476, a bill for an act eliminating the appeal period for the awarding of contracts by the purchasing division of the department of general services.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby and Sorensen. Nays, none. Absent or not voting, 2: Bisignano and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 507, a bill for an act relating to state government personnel systems, including affirmative action reports, disability programs, deferred compensation, experimental research projects, the state training system, and health insurance contracts for public employees.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bennett, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind and Lundby. Nays, none. Absent or not voting, 3: Bisignano, McLaren and Sorensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the following committees assigned to investigate the following governor's appointments, completed their investigations on April 5, 1995, and recommended the appointees be confirmed:

EDUCATION

James E. Ehmen as a member of the Board of Educational Examiners.

HUMAN RESOURCES

Denise A. Harklau as a member of the Athletic Trainer Advisory Board.

Dr. Patricia A. Banwart as a member of the Board of Physician Examiners.

Stephanie A. Stebens as a member of the Commission on Community Action Agencies.

Barbara J. Lips as a member of the Mental Health and Developmental Disabilities Commission.

REPORT OF STANDING COMMITTEE

(Place nominee on Individual Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following governor's appointment, completed its investigation on April 5, 1995, and made no recommendation:

David J. Fisher as a member of the State Board of Regents.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Cory Parker, Guthrie Center — For being selected to the 1st Team All-State in basketball. Senator Douglas (4-5-95).

SIMILAR BILL RECEIVED

On April 5, 1995, House File 485 was received and attached to similar Senate File 452 on the Senate calendar.

AMENDMENTS FILED

S—3354	S. F.	464	Tom Vilsack
S—3355	S. F.	453	Robert Dvorsky Brad Banks
S—3356	S. F.	344	O. Gene Maddox
S—3357	S. F.	238	Steven D. Hansen

S—3358	H.F.	128	Albert Sorensen
S—3359	H.F.	288	Education
S—3360	S.F.	466	Wayne Bennett

AFTERNOON SESSION

The Senate reconvened at 4:55 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 April 5, 1995, adopted the following resolutions in which the concurrence of the Senate is asked:

House Joint Resolution 11, 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.

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

House Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

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

ALSO: That the House has on April 5, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 150, a bill for an act authorizing cities and counties access to the Iowa communications network, and providing an effective date.

This bill was read first time and assigned to the committee on **Communications and Information Policy**.

House File 334, a bill for an act relating to the hearing and election provisions of the instructional support program of school districts.

This bill was read first time and assigned to the committee on **Education**.

House File 456, a bill for an act relating to grain transactions, by providing for credit-sale contracts.

This bill was read first time and assigned to the committee on **Agriculture**.

House File 461, a bill for an act relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility.

This bill was read first time and assigned to the committee on **Communications and Information Policy**.

House File 485, a bill for an act relating to remedies upon the dishonoring of a financial instrument and providing penalties.

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

House File 514, a bill for an act relating to Iowa motor vehicle registration plates, by providing for special United States armed forces retired plates, special plates for education and an Iowa education transportation enhancement fund, and special silver and bronze star plates, providing for special registration plates with distinguishing processed emblems, providing for required plate specifications, making penalties applicable, and providing an effective date.

This bill was read first time and assigned to the committee on **Transportation**.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	345	Judiciary
H.F.	400	State Government
H.F.	517	Transportation

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: *SENATE FILE 467 (SSB 355), a bill for an act relating to agriculture and natural resources, by providing for appropriations and revenue, providing related statutory changes, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, Lind, Banks, Black, Douglas, Dvorsky, Flynn, Fraise, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 3: Bartz, Bisignano and Gronstal.

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 467 and they were attached to the committee report.

COMMERCE

Final Bill Action: HOUSE FILE 139, a bill for an act relating to the disclosure of the methods used by insurance companies and nonprofit health service corporations to determine the usual and customary fees for dental care benefit coverages.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 483, a bill for an act relating to activities of the department of human services, including provisions involving the state hospitals and other institutions, commitments of persons with mental retardation, and the department's public housing unit.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3362.

Final Vote: Ayes, 8: Szymoniak, Hammond, Boettger, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none. Absent or not voting, 2: Bartz and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 401, a bill for an act relating to consumer-related actions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 452, a bill for an act relating to remedies upon the dishonoring of a financial instrument and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Bisignano, Boettger, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 3: Bartz, Drake and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 103, a bill for an act relating to the liability of persons involved in domesticated animal activities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 118, a bill for an act relating to the compensation of volunteer fire fighters when subpoenaed as witnesses.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Redfern and Szymoniak. Nays, 1: Neuhauser. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 246, a bill for an act relating to civil litigation by inmates and prisoners and deductions from inmate accounts for certain expenses, including costs of litigation by inmates.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 346, a bill for an act relating to the verification and defendant's signature required for uniform citations and complaints.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 471, a bill for an act relating to prison time served by persons convicted of an aggravated misdemeanor or greater offense, by providing for changes in the mandatory minimum terms of sentences to be served, by permitting the imposition of up to ninety days of the total sentence in a county jail in addition to any terms of probation, and providing for a reduction in the amount of good and honor time that may be earned by forcible felons.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 2: Bartz and Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Giannetto, Vilsack, McKean, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 3: Bartz, Bisignano and Maddox.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 425, a bill for an act repealing air toxics fees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Fink, Black, Lundby, Borlaug, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Banks and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 467, by committee on Appropriations, a bill for an act relating to agriculture and natural resources, by providing for appropriations and revenue, providing related statutory changes, and providing effective dates.

Read first time under Rule 28 and placed on Appropriations Calendar.

AMENDMENTS FILED

S-3361	S.F.	69	Wayne Bennett
S-3362	H.F.	483	Human Resources

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Thursday, April 6, 1995.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 6, 1995

The Senate met in regular session at 9:06 a.m., President Boswell presiding.

Prayer was offered by the Reverend David Ruhe, pastor of the Plymouth Congregational United Church of Christ, Des Moines, Iowa.

The Journal of Wednesday, April 5, 1995, 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, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 115, a bill for an act relating to rest areas by permitting refreshments during holiday periods and concerning the promotion of Iowa agricultural products.

This bill was read first time and assigned to the committee on **Transportation**.

House File 166, a bill for an act relating to procedures and criteria for recovery by private property owners due to inverse condemnation of real property by state government action and providing an applicability date.

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

House File 340, a bill for an act providing for the operation of snowmobiles and all-terrain vehicles by defining public land.

This bill was read first time and assigned to the committee on **Transportation**.

House File 430, a bill for an act relating to rules adopted by the department of human services pertaining to child day care meals.

This bill was read first time and assigned to the committee on **Human Resources**.

House File 447, a bill for an act relating to certain state purchasing procedures and charges for publications involving the department of general services.

This bill was read first time and assigned to the committee on **State Government**.

House File 448, a bill for an act relating to solid waste reduction and recycling goals.

This bill was read first time and assigned to the committee on **Natural Resources**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 26, by committee on State Government, a concurrent resolution urging the Congress of the United States to allow retired members of the United States Armed Forces who have a service-connected disability to concurrently receive retired pay and disability compensation.

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

INTRODUCTION OF BILL

Senate File 468, by committee on Judiciary, a bill for an act to legalize the transfer of certain property by the City of Keokuk and providing an effective date.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Bartz for the day on request of Senator Borlaug and Senator Szymoniak until she arrives on request of Senator Vilsack.

RECESS

On motion of Senator Horn, the Senate recessed at 9:25 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 5, 1995, 5:39 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Bartz, Bisignano and Gronstal (all excused).

Committee Business: Amended and approved SSB 355 as a committee bill.

Adjourned: 6:10 p.m.

COMMERCE

Convened: April 5, 1995, 2:41 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 139; recommended passage of House File 247 as amended.

Adjourned: 3:05 p.m.

EDUCATION

Convened: April 5, 1995, 1:36 p.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink, Szymoniak and Tinsman.

Members Absent: none.

Committee Business: Placed governor's appointee on individual confirmation calendar without recommendation; placed governor's appointee on en bloc confirmation calendar; recommended passage of House File 238; recommended passage of House File 288 as amended.

Adjourned: 2:36 p.m.

HUMAN RESOURCES

Convened: April 5, 1995, 11:51 a.m.

Members Present: Szymoniak, Chair; Hammond, Vice Chair; Boettger, Ranking Member; Hansen, Kramer, Neuhauser, Tinsman and Vilsack.

Members Absent: Bartz and Dvorsky (both excused).

Committee Business: placed governor's appointees on en bloc confirmation calendar; recommended passage of House File 483 as amended; Senate File 339 failed recommendation for passage; recommended passage of House File 337.

Adjourned: 12:26 p.m.

JUDICIARY

Convened: April 5, 1995, 3:35 p.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: Bartz (excused).

Committee Business: Recommended passage of Senate Files 401 and 452 and House Files 492, 103, 118, 246, 346, 528, 471 and SSB 358.

Adjourned: 4:50 p.m.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: April 5, 1995, 3:35 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: Deluhery.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 289 and 303 as amended; recommended passage of House File 425.

Adjourned: 4:33 p.m.

STATE GOVERNMENT

Convened: April 5, 1995, 12:00 noon.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind, Lundby, and Sorensen.

Members Absent: McLaren (excused).

Committee Business: Recommended passage of House Files 507, 476, 475, 217, 256, 387, 203 and 252; approved LSB 2441 as a committee bill.

Adjourned: 12:35 p.m.

COMPANION BILL RECEIVED

On March 6, 1995, **House File 166** was received and attached to companion **Senate File 58** on the Senate calendar.

BILLS ASSIGNED TO COMMITTEE

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

H.J.R.	11	Judiciary
H.J.R.	13	State Government
H.J.R.	14	Ways and Means

SUBCOMMITTEE ASSIGNMENTS

Senate File 414

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Black and Lundby

House File 115

TRANSPORTATION: Douglas, Chair; Gettings and Halvorson

House File 150

COMMUNICATIONS AND INFORMATION POLICY: Dvorsky, Chair; Deluhery and McLaren

House File 163

AGRICULTURE: Giannetto, Chair; Bartz, Boswell, Hedge and Husak

House File 334

EDUCATION: Kibbie, Chair; Dvorsky and Rensink

House File 340

TRANSPORTATION: Black, Chair; Douglas and Fink

House File 345

JUDICIARY: Hammond, Chair; Giannetto, McKean, Redfern and Vilsack

House File 400

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 430

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Hammond

House File 447

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 448

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Fink, Chair; Black and Lundby

House File 456

AGRICULTURE: Husak, Chair; McLaren and Ziemann

House File 461

COMMUNICATIONS AND INFORMATION POLICY: Hansen, Chair; Dvorsky and McLaren

House File 470

LOCAL GOVERNMENT: Maddox, Chair; Judge and Sorensen

House File 504

TRANSPORTATION: Gettings, Chair; Fraise and Rittmer

House File 514

TRANSPORTATION: Fraise, Chair; Drake and Gettings

House File 517

TRANSPORTATION: Drake, Chair; Dearden and Gettings

House File 519

AGRICULTURE: Priebe, Chair; Banks, Hedge, Husak, Judge, McLaren and Palmer

House File 520

COMMERCE: Deluhery, Chair; Douglas and Flynn

House File 535

EDUCATION: Szymoniak, Chair; Connolly, Kibbie, Redfern and Tinsman

House Joint Resolution 13

STATE GOVERNMENT: Gronstal, Chair; Kibbie and Lundby

SSB 359

WAYS AND MEANS: Szymoniak, Chair; Connolly and McLaren

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: HOUSE FILE 456, a bill for an act relating to grain transactions, by providing for credit-sale contracts.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date.

Recommendation: WITHOUT RECOMMENDATION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 247, a bill for an act relating to the regulation of insurance, including the authority of the insurance division to regulate certain policies and contracts and parties to such policies and contracts, establishing fees, and providing civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3366.

Final Vote: Ayes, 15: Deluhery, Hansen, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 334, a bill for an act relating to the hearing and election provisions of the instructional support program of school districts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3367.

Final Vote: Ayes, 12: Connolly, Kibbie, Redfern, Dvorsky, Fink, Hammond, Iverson, Kramer, Murphy, Neuhauser, Rensink and Tinsman. Nays, none. Absent or not voting, 3: Deluhery, Lind and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 94, a bill for an act to permit certain dissolutions of marriage to take place without a hearing.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Giannetto, Vilsack, McKean, Boettger, Halvorson, Hammond, Hansen and Maddox. Nays, none. Absent or not voting, 7: Bartz, Bisignano, Drake, Fraise, Neuhauser, Redfern and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 468 (SSB 358), a bill for an act to legalize the transfer of certain property by the City of Keokuk and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Giannetto, Vilsack, McKean, Bisignano, Boettger, Drake, Fraise, Hammond, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none. Absent or not voting, 1: Bartz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 289, a bill for an act relating to solid waste tonnage fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3364.

Final Vote: Ayes, 13: Fink, Black, Lundby, Borlaug, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Banks and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 303, a bill for an act relating to pipelines and underground storage of hazardous liquids, and providing penalties and effective and retroactive applicability date provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3365.

Final Vote: Ayes, 13: Fink, Black, Lundby, Borlaug, Dearden, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none. Absent or not voting, 2: Banks and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 26 (LSB 2441) a concurrent resolution urging the Congress of the United States to allow retired members of the United States Armed Forces who have a service-connected disability to concurrently receive retired pay and disability compensation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Giannetto, Halvorson, Lind and Sorensen. Nays, 1: Lundby. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 115, a bill for an act relating to rest areas by permitting refreshments during holiday period and concerning the promotion of Iowa agricultural products.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 340, a bill for an act providing for the operation of snowmobiles and all-terrain vehicles by defining public land.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 393, a bill for an act relating to certain exemptions from federal motor carrier safety regulations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3369.

Final Vote: Ayes, 10: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 460, a bill for an act relating to governmental control of property by allowing governmental entities to enter and test property for condemnation of property for highway purposes, providing for the interest rates assessed for condemnation damages, providing for right-of-way notice filings, and concerning advertising control laws on scenic highways.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3370.

Final Vote: Ayes, 10: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 504, a bill for an act relating to a motor vehicle owner's liability for damages caused by the driver.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3368.

Final Vote: Ayes, 10: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 514, a bill for an act relating to Iowa motor vehicle registration plates, by providing for special United States armed forces retired plates, special plates for education and an Iowa education transportation enhancement fund, and special silver and bronze star plates, providing for special registration plates with distinguishing processed emblems, providing for required plate specifications, making penalties applicable, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gettings, Fraise, Drake, Black, Dearden, Douglas, Halvorson, Jensen and Rittmer. Nays, 1: Fink. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 517, a bill for an act relating to motor carrier certification by establishing a motor carrier education course, requiring a compliance review, and imposing fees.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gettings, Fraise, Drake, Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer. Nays, none. Absent or not voting, 2: Connolly and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3363	S.F.	344	Mary E. Kramer
S—3364	H.F.	289	Natural Res., Environ. & Energy
S—3365	H.F.	303	Natural Res., Environ. & Energy
S—3366	H.F.	247	Commerce
S—3367	H.F.	334	Education
S—3368	H.F.	504	Transportation
S—3369	H.F.	393	Transportation
S—3370	H.F.	460	Transportation

AFTERNOON SESSION

The Senate reconvened at 4:07 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 April 6, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 177, a bill for an act relating to the applicability of the special valuation provisions for certain wind energy conversion property and providing an effective date.

This bill was read first time and assigned to the committee on **Natural Resources**.

House File 205, a bill for an act relating to health care benefits coverage by providing for coordination of benefits with state medical assistance, for continuation of benefits pursuant to court-ordered medical child support, and for coverage for an adopted child.

This bill was read first time and assigned to the committee on **Human Resources**.

House File 419, a bill for an act providing for class "C" area service system roads and providing a penalty.

This bill was read first time and assigned to the committee on **Transportation**.

House File 486, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing requirements related to the sale of preneed funeral contracts and the sale of funeral and cemetery merchandise, establishing fees and use of those fees, and providing penalties.

This bill was read first time and assigned to the committee on **Commerce**.

House File 494, a bill for an act relating to the office of secretary of state, the conduct of elections, and the registration of voters in the state and relating to corrective and technical changes to Iowa's election laws.

This bill was read first time and assigned to the committee on **State Government**.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar and placed on the Unfinished Business Calendar:

Senate Files 53, 58, 101, 210, 256, 261, 273, 306, 323, 335, 344, 404, 408, 411, 413, 441, 452, 463 and 467.

APPENDIX

COMMITTEE REPORTS

BUSINESS AND LABOR

Final Bill Action: HOUSE FILE 258, a bill for an act relating to drug testing of certain employees and applicants for employment, providing for employer defenses, and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3371.

Final Vote: Ayes, 9: Dearden, Gettings, Freeman, Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox. Nays, none. Absent or not voting, 1: Banks.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 126, a bill for an act relating to certain franchise agreements by amending provisions relating to transfer, termination, and nonrenewal of franchise agreements, and to a civil cause of action for appropriate relief, and repealing certain franchise provisions.

Recommendation: AMEND AS PROVIDED IN AMENDMENT S—3373 AND THE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Deluhery, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern. Nays, none. Absent or not voting, 2: Hansen and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 520, a bill for an act relating to electronic transfer of funds and establishing certain requirements for full-function point-of-sale terminals and electronic funds transfer facilities maintained or operated by a national card association, establishing a civil penalty, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Deluhery, Jensen, Bisignano, Douglas, Flynn, Freeman, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern. Nays, none. Absent or not voting, 3: Hansen, Gettings and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS AND INFORMATION POLICY

Final Bill Action: HOUSE FILE 461, a bill for an act relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Dvorsky, Deluhery, McLaren, Flynn, Hansen, Jensen and Redfern. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 492, a bill for an act relating to landlord remedies for tenant noncompliance with a rental agreement and acts constituting a clear and present danger.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3372.

Final Vote: Ayes, 10: Giannetto, McKean, Bisignano, Boettger, Fraise, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 3: Vilsack, Halvorson and Hammond. Absent or not voting, 2: Bartz and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 128, a bill for an act relating to administrative procedures of rural water districts.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer and Ziemann. Nays, none. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 212, a bill for an act relating to the delegation of authority to an administrative agency of a city.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge. McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 406, a bill for an act relating to the investment of the proceeds of bond issues and other evidences of indebtedness and the use of earnings from the investment.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, McKean, Rittmer and Zieman. Nays, none. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 428, a bill for an act relating to the expenditure of moneys deposited in an E911 service fund.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Rittmer and Zieman. Nays, 1: McKean. Absent or not voting, 1: Judge.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 470, a bill for an act relating to the assessment of certain public improvement costs to abutting property at the request of the property owners.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge. McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 489, a bill for an act authorizing an increase in the amount of taxes dedicated to the reserve account by township trustees for supplies and equipment related to fire protection, emergency warning systems, and ambulance services.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Sorensen, Fink, Maddox, Black, Fraise, Halvorson, Judge. McKean, Rittmer and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE JOINT RESOLUTION 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Giannetto and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 437, a bill for an act relating to the financing of political campaigns and by adding and changing definitions of commissioner and political committee, changing the providing for the appointment of committee personnel and the maintenance of committee funds, providing for the retention of records, establishing requirements for committee names, specifying requirements for out-of-state committee filings, prohibiting political committees from supporting a single candidate, revising filing deadlines and the contents of disclosure reports, providing for disclaimers on published materials by nonregistered entities, including federal corporations under corporate activity prohibitions, allowing candidates to donate funds to district political party central committees and political subdivisions, providing for the establishment of ethics and campaign disclosure board staff salaries, and making other related changes.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 2: Giannetto and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 447, a bill for an act relating to certain state purchasing procedures and charges for publications involving the department of general services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gronstal, Kibbie, Rittmer, Bennett, Bisignano, Connolly, Drake, Fink, Lind, Lundby, McLaren and Sorensen. Nays, none. Absent or not voting, 3: Dearden, Giannetto and Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 494, a bill for an act relating to the office of secretary of state, the conduct of elections, and the registration of voters in the state and relating to corrective and technical changes to Iowa's election laws.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Kibbie, Bennett, Bisignano, Drake, Fink, Giannetto, Halvorson, Lind and Sorensen. Nays, none. Absent or not voting, 5: Rittmer, Connolly, Dearden, Lundby and McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3371	H.F.	258	Business and Labor
S—3372	H.F.	492	Judiciary
S—3373	H.F.	126	Commerce

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:15 p.m., until 2:00 p.m., Monday, April 10, 1995.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 10, 1995

The Senate met in regular session at 2:22 p.m., President Boswell presiding.

Prayer was offered by Father Donald P. Schmitt, pastor of the St. Athanasius Church, Jesup, Iowa.

The Journal of Thursday, April 6, 1995, 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 6, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 140, a bill for an act to legalize the proceedings taken by the administration and board of directors of the Cedar Rapids Community School District concerning the sale of certain school district property and providing an effective date.

ALSO: That the House has on April 6, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 518, a bill for an act relating to authorization of price regulation for utilities providing communications services.

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

House File 530, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights,

the commission of veterans affairs, and the governor's alliance on substance abuse.

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

INTRODUCTION OF BILLS

Senate File 469, by committee on Ways and Means, a bill for an act relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions.

Read first time and **placed on Ways and Means Calendar.**

Senate File 470, by committee on Ways and Means, a bill for an act relating to the imposition of a local option sales and services tax in certain cities located in two counties and providing an effective date.

Read first time and **placed on Ways and Means Calendar.**

Senate File 471, by committee on Ways and Means, a bill for an act relating to the wagering tax on gambling games at pari-mutuel racetrack enclosures.

Read first time and **placed on Ways and Means Calendar.**

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKean until he arrives on request of Senator Freeman.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Senate Calendar no longer eligible under Senate Rule 60 be referred to committee:

S. F.	67	Commerce
S. F.	77	Local Government
S. F.	194	Local Government
S. F.	198	Local Government
S. F.	254	Judiciary

S. F.	259	State Government
S. F.	283	Transportation
S. F.	378	Transportation
S. F.	383	Business and Labor
S. F.	393	Education
S. F.	415	Natural Resources, Environment and Energy
S. F.	425	State Government
S. F.	451	Judiciary
S. F.	455	Judiciary

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Senate Regular Calendar be referred to committee:

H. F.	247	Ways and Means
H. F.	334	Appropriations
H. F.	489	Ways and Means
H. F.	517	Ways and Means
H. F.	519	Agriculture

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:

Paul S. Stave as a member of the Accountancy Examining Board.

Warren G. Lawson as Adjutant General.

Romelle H. Slaughter as Administrator of the Division on the Status of African-Americans.

Denise A. Harklau as a member of the Athletic Trainer Advisory Board.

Alan L. Thompson as a member of the Board of Barber Examiners.

Frances V. Colston as a member of the Board of Corrections.

James E. Ehmen and Jacqueline M. Parkin as members of the Board of Educational Examiners.

Dr. James M. Caterine as a member of the Board of Medical Examiners.

Regene L. Osborne and Richard A. Petersen as members of the Board of Nursing Examiners.

Jay J. Cayner as a member of the Board of Pharmacy Examiners.

Diana R. Brower as a member of the Board of Physical and Occupational Therapy Examiners.

Patricia A. Banwart as a member of the Board of Physician Assistant Examiners.

Dr. William W. Gronen as a member of the Board of Podiatry Examiners.

Alan K. Heidecker as a member of the Board of Speech Pathology and Audiology Examiners.

Polly A. Adam and Marvin W. Tuttle as members of the Commission on the Deaf.

Gerald D. Bair as Director of Revenue and Finance.

Dwayne C. Garber and Anne W. McKeown as members of the Engineering and Land Surveying Examining Board.

Margaret P. Borgen as a member of the First in the Nation in Education Foundation Governing Board.

Richard P. Tekippe as a member of the Indigent Defense Advisory Commission.

Jacklyn K. Van Ekeren as a member of the Iowa Petroleum Underground Storage Tank Fund Board.

Elaine A. Pfalzgraf as a member of the Iowa Council on Human Investment.

James W. Balmer, Darwin T. Lynner, Jr. and Roosevelt Taylor as members of the Iowa Finance Authority.

Terry W. Evans as a member of the Iowa Grain Indemnity Fund Board.

Sally M. O'Donnell as a member of the Iowa State Civil Rights Commission.

Alfred C. Bohling, Jr. as a member of the Landscape Architectural Examining Board.

Gary L. Gansemer and Barbara J. Lips as members of the Mental Health and Developmental Disabilities Commission.

Earl L. Howard as a member of the Respiratory Care Advisory Committee.

Ellengray G. Kennedy as a member of the State Board of Regents.

Gayle M. Vogel as a member of the State Board of Tax Review.

Mary Ann B. Drish 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, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

McLaren

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

MOTION TO RECONSIDER ADOPTED

Senator Husak called up the motion to reconsider Senate File 180 filed by him on April 3, 1995, found on page 1020 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 180) the vote was:

Ayes, 39:

Banks	Bartz	Boettger	Borlaug
Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Lind	Lundby	Murphy	Neuhauser
Palmer	Redfern	Rensink	Sorensen
Szymoniak	Vilsack	Zieman	

Nays, 10:

Bennett	Bisignano	Black	Kramer
Maddox	McKean	Priebe	Rife
Rittmer	Tinsman		

Absent or not voting, 1:

McLaren

The motion prevailed.

Senator Husak moved to reconsider the vote by which Senate File 180 went to its last reading, which motion prevailed by a voice vote.

Senate File 180

On motion of Senator Sorensen, Senate File 180, a bill for an act relating to the determination of the annual salary of a deputy sheriff, was taken up for reconsideration.

Senator Rittmer asked and received unanimous consent that action on **Senate File 180** be deferred.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 277

On motion of Senator Boettger, House File 277, a bill for an act concerning health care coverage availability to unemployed individuals, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 277) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 118

On motion of Senator Vilsack, House File 118, a bill for an act relating to compensation of volunteer fire fighters when subpoenaed as witnesses, 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?" (H.F. 118) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 238

On motion of Senator Deluhery, House File 238, a bill for an act relating to the joint purchase of group health benefits by multiple school districts or area education agencies pursuant to an intergovernmental agreement, 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. 238) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rittmer

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

House File 337

On motion of Senator Szymoniak, House File 337, a bill for an act to amend the criteria and procedures necessary to establish that a person is seriously mentally impaired for purposes of involuntary hospitalization, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent that action on **House File 337** be deferred.

House File 387

On motion of Senator Connolly, House File 387, a bill for an act relating to the appointment of the student member to the state board of regents, reducing the student member's term, and providing implementation and transition provisions, with report of committee recommending passage, was taken up for consideration.

Senator Lind offered amendment S—3374 filed by him from the floor to pages 1 and 2 of the bill.

Senator Connolly raised the point of order that amendment S—3374 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3374 in order.

Senator Lind moved the adoption of amendment S—3374.

A non record roll call was requested.

The ayes were 30, nays 12.

Amendment S—3374 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. 387) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 425

On motion of Senator Gronstal, House File 425, a bill for an act repealing air toxics fees, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 425) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 475

On motion of Senator Gronstal, House File 475, a bill for an act relating to the state archivist's office, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 475) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson

Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Neuhauser

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

House File 483

On motion of Senator Vilsack, House File 483, a bill for an act relating to activities of the department of human services, including provisions involving the state hospital-schools and other institutions, commitments of persons with mental retardation, and the department's public housing unit, with report of committee recommending amendment and passage was taken up for consideration.

Senator Szymoniak offered amendment S—3362 filed by the committee on Human Resources on April 5, 1995, to pages 2 and 8 of the bill and moved its adoption.

Amendment S—3362 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?" (H.F. 483) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind

Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Connolly

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

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills on the Senate Calendar no longer eligible under Senate Rule 60 be referred to committee:

S. F.	64	State Government
S. F.	108	Judiciary
S. F.	127	Rules and Administration
S. F.	188	Business and Labor
S. F.	196	Business and Labor
S. F.	243	Transportation
S. F.	299	State Government
S. F.	334	Agriculture
S. F.	405	Natural Resources, Environ. & Energy
S. F.	421	Commerce
S. F.	426	State Government
S. F.	430	Human Resources
S. F.	434	Ethics
S. F.	456	Local Government

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 26.

Senate Concurrent Resolution 26

On motion of Senator Giannetto, Senate Concurrent Resolution 26, a concurrent resolution urging the Congress of the United States to allow retired members of the United States Armed Forces who have a service-connected disability to concurrently receive retired pay and disability compensation, was taken up for consideration.

Senator Giannetto moved the adoption of Senate Concurrent Resolution 26, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House Files 115, 128, 212, 289, 303, 406, 456 and 504.

House File 115

On motion of Senator Douglas, House File 115, a bill for an act relating to rest areas by permitting refreshments during holiday periods and concerning the promotion of Iowa agricultural products, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 115) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer

Sorensen
Zieman

Szymoniak

Tinsman

Vilsack

Nays, none.

Absent or not voting, 1:

Rife

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

House File 128

On motion of Senator Fraise, House File 128, a bill for an act relating to administrative procedures of rural water districts, with report of committee recommending passage, was taken up for consideration.

Senator Sorensen offered amendment S—3358 filed by him on April 5, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3358 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. 128) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 212

On motion of Senator Black, House File 212, a bill for an act relating to the delegation of authority to an administrative agency of a city, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 212) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 1:

Zieman

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

House File 289

On motion of Senator Gronstal, House File 289, a bill for an act relating to solid waste tonnage fees, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3364 filed by the committee on Natural Resources on April 6, 1995, to page 3 of the bill and moved its adoption.

Amendment S—3364 was adopted by a voice vote.

President pro tempore Bisignano took the chair at 4:20 p.m.

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

On the question "Shall the bill pass?" (H.F. 289) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 303

On motion of Senator Gronstal, House File 303, a bill for an act relating to pipelines and underground storage of hazardous liquids, and providing penalties and effective and retroactive applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3365 filed by the committee on Natural Resources, on April 6, 1995, to pages 13, 19 and 37 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3365 and **House File 303** be deferred.

House File 406

On motion of Senator Halvorson, House File 406, a bill for an act relating to the investment of the proceeds of bond issues and other evidences of indebtedness and the use of earnings from the investment, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 406) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 456

On motion of Senator Husak, House File 456, a bill for an act relating to grain transactions, by providing for credit-sale contracts, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 456) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 504

On motion of Senator Gettings, House File 504, a bill for an act relating to a motor vehicle owner's liability for damages caused by the driver, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—3368 filed by the committee on Transportation on April 6, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3368 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 504) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 277, 118, 238, 387, 425, 475, 483, 115, 128, 212, 289, 406, 456, 504** and **Senate Concurrent Resolution 26** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 157, a bill for an act relating to solid waste by eliminating the polystyrene ban and providing an effective date.

Senate File 207, a bill for an act relating to the distribution and sale of beer, providing for the regulation of brewer and wholesaler agreements, prohibiting certain conduct, providing for the transfer of business assets, providing judicial remedies, specifying applicability, and providing for other properly related matters.

Senate File 280, a bill for an act authorizing townships to provide emergency medical services.

ALSO: That the House has on April 10, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 94, a bill for an act relating to reciprocal license fees for nonresident real estate brokers and salespersons (S—3378).

Senate File 117, a bill for an act adopting a new uniform anatomical gift Act and providing a penalty (S—3375).

Senate File 118, a bill for an act relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability (S—3379).

Senate File 278, a bill for an act providing that animals classified as ostriches, rheas, and emus are considered livestock (S—3380).

INTRODUCTION OF BILL

Senate File 472, by committee on Ways and Means, a bill for an act relating to the local option sales and services tax by authorizing political subdivisions that will receive revenues from the tax to issue bonds in anticipation of the receipt of the revenues and providing an effective date.

Read first time and placed on Ways and Means Calendar.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 6, 1995, 8:00 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Banks, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Zieman.

Members Absent: Bartz, Ranking Member (excused) and Black.

Committee Business: Recommended passage of House Files 519 and 456.

Adjourned: 8:56 a.m.

BUSINESS AND LABOR

Convened: April 6, 1995, 9:56 a.m.

Members Present: Dearden, Chair; Gettings, Vice Chair; Freeman, Ranking Member; Connolly, Dvorsky, Giannetto, Hammond, Iverson and Maddox.

Members Absent: Banks (excused).

Committee Business: Assigned bill to subcommittee; recommended passage of House File 258 as amended.

Adjourned: 10:07 a.m.

COMMERCE

Convened: April 6, 1995, 3:18 p.m.

Members Present: Deluhery, Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Priebe and Redfern.

Members Absent: Hansen, Vice Chair (excused) and Palmer.

Committee Business: Recommended passage of House File 520; amended House File 126 and the bill without recommendation.

Adjourned: 3:37 p.m.

COMMERCE

Convened: April 6, 1995, 4:21 p.m.

Members Present: Deluhery, Chair; Jensen, Ranking Member; Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern.

Members Absent: Hansen, Vice Chair (excused).

Committee Business: Recommended passage of House File 486 as amended.

Adjourned: 4:30 p.m.

COMMUNICATIONS AND INFORMATION POLICY

Convened: April 6, 1995, 8:25 a.m.

Members Present: Dvorsky, Chair; McLaren, Ranking Member; Flynn, Hansen, Jensen and Redfern.

Members Absent: Deluhery, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; presentations by the president of the Iowa league of women voters and the director of the Davenport public library.

Adjourned: 11:04 a.m.

EDUCATION

Convened: April 6, 1995, 8:55 a.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink and Tinsman.

Members Absent: Szymoniak (excused).

Committee Business: Discussed House File 334.

Adjourned: 9:02 a.m.

Reconvened: April 6, 1995, 9:29 a.m.

Members Present: Connolly, Chair; Kibbie, Vice Chair; Redfern, Ranking Member; Deluhery, Dvorsky, Fink, Hammond, Iverson, Kramer, Lind, Murphy, Neuhauser, Rensink and Tinsman.

Members Absent: Szymoniak (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 334 as amended.

Adjourned: 9:46 a.m.

JUDICIARY

Convened: April 6, 1995, 11:30 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Boettger, Halvorson, Hammond, Hansen and Maddox.

Members Absent: Bartz, Bisignano, Drake, Fraise, Neuhauser, Redfern and Szymoniak (all excused).

Committee Business: Placed House File 94 on the calendar without recommendation.

Adjourned: 11:45 a.m.

LOCAL GOVERNMENT

Convened: April 6, 1995, 3:20 p.m.

Members Present: Sorensen, Chair; Fink, Vice Chair; Maddox, Ranking Member; Black, Fraise, Halvorson, Judge, McKean, Rittmer and Ziemann.

Members Absent: none.

Committee Business: Assigned bill to subcommittee; recommended passage of House Files 128, 428, 406, 470, 489 and 212.

Adjourned: 3:50 p.m.

STATE GOVERNMENT

Convened: April 6, 1995, 2:40 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Rittmer, Ranking Member; Bennett, Bisignano, Connolly, Dearden, Drake, Fink, Lind, Lundby, McLaren and Sorensen.

Members Absent: Giannetto (excused) and Halvorson.

Committee Business: Recommended passage of House Files 447 and 437 and House Joint Resolution 13.

Recessed: 3:10 p.m.

Reconvened: April 6, 1995, 4:20 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Bennett, Bisignano, Drake, Fink, Giannetto, Halvorson, Lind and Sorensen.

Members Absent: Rittmer, Ranking Member; Connolly, Dearden, Lundby and Mc Laren (all excused).

Committee Business: Recommended passage of House File 494.

Adjourned: 4:23 p.m.

TRANSPORTATION

Convened: April 6, 1995, 10:45 a.m.

Members Present: Gettings, Chair; Fraise, Vice Chair; Drake, Ranking Member; Black, Dearden, Douglas, Fink, Halvorson, Jensen and Rittmer.

Members Absent: Connolly and Lind (both excused).

Committee Business: Recommended passage of House Files 514, 340, 517 and 115; recommended passage of House Files 393, 504 and 460 as amended.

Adjourned: 11:11 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Husak from 182 residents of Benton, Black Hawk, Iowa and Tama Counties favoring legislation to enact stronger laws concerning branding and brand inspections, including inspections of brands at all livestock and horse sales/auctions.

Senator McLaren from 63 residents of Montgomery County favoring issuance of motor vehicle licenses by county treasurers.

Senator Palmer from 45 residents of Polk County favoring reestablishing funding for the Older Iowans Legislature.

PRESENTATION OF VISITORS

Senator Dearden presented Dr. Li Xiaotao and Nurse Yan Ying from Hebei People Hospital, Shijiazhuang, Hebei, China. They will be working at Mercy Medical Center until July, 1995.

Senator Kramer presented the following group of journalists from seven countries of the former Soviet Union:

Alexander Pukemov, Usbekistan; Kainar Olzhayev, Kazakhstan; Victor Verk, Kazakhstan; Mikhail Ustyugov, Kazakhstan; Miriam Marvtyunian, Armenia; Vasile Grozavv, Moldova; Anatol Barbei, Moldova; Alexander Sambrus, Ukraine and Victor Malikov, Ukraine.

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

Forty students from the Iowa Podiatric Medical College. Senator Szymoniak.

COMMUNICATION FROM THE GOVERNOR

The following communication from the governor was presented:

April 7, 1995

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

Due to the resignation of Judge Carlynn D. Grupp from the Indigent Defense Advisory Commission, her name is hereby withdrawn from consideration by the Senate.

This position is deferred at this time until an appropriate candidate can be found.

Sincerely,
TERRY E. BRANSTAD
Governor

STUDY BILLS RECEIVED**SSB 360 Ways and Means**

Relating to the state franchise tax imposed on financial institutions by disallowing the deduction for expenses related to a financial institution's investment in investment subsidiaries and providing effective and applicability dates.

SSB 361 Ways and Means

Providing for technology for classrooms for the twenty-first century and making an appropriations.

SUBCOMMITTEE ASSIGNMENTS**Senate File 415**

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Fink, Chair; Black and Lundby.

House File 177

NATURAL RESOURCES, ENVIRONMENT & ENERGY: Fink, Chair; Black and Lundby.

House File 486

COMMERCE: Deluhery, Chair; Gettings and Hedge

House File 494

STATE GOVERNMENT: Gronstal, Chair; Dearden, Drake, Kibbie and Rittmer

BILL ASSIGNED TO COMMITTEE

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

H.F. 530 Appropriations

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: HOUSE FILE 486, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and

nonperpetual care cemeteries, establishing requirements related to the sale of preneed funeral contracts and the sale of funeral and cemetery merchandise, establishing fees and use of those fees, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3376.

Final Vote: Ayes, 13: Deluhery, Jensen, Bisignano, Douglas, Flynn, Freeman, Gettings, Gronstal, Hedge, Husak, Lundby, Palmer, Priebe and Redfern. Nays, 1: Lundby. Absent or not voting, 1: Hansen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 10, a concurrent resolution relating to border city trucking agreements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Gettings, Fraise, Drake, Black, Connolly, Dearden, Douglas, Fink, Halvorson, Jensen, Lind and Rittmer. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 469 (SSB 343.1), a bill for an act relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Drake, Freeman, Hedge, Iverson, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 4: Connolly, Deluhery, McLaren and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 470 (SSB 359), a bill for an act relating to the imposition of a local option sales and services tax in certain cities located in two counties and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 471 (SSB 142), a bill for an act relating to the wagering tax on gambling games at pari-mutuel racetrack enclosures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Drake, Freeman, Hedge, Iverson, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 1: Bennett. Absent or not voting, 4: Connolly, Deluhery, McLaren and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 472 (SSB 353), a bill for an act relating to the local option sales and services tax by authorizing political subdivisions that will receive revenues from the tax to issue bonds in anticipation of the receipt of the revenues and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Deluhery.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 472 and they were attached to the committee report.

AMENDMENTS FILED

S—3374	H.F.	387	Jim Lind
S—3375	S.F.	117	House amendment
S—3376	H.F.	486	Commerce
S—3377	H.F.	514	Bill Fink
S—3378	S.F.	94	House amendment
S—3379	S.F.	118	House amendment
S—3380	S.F.	278	House amendment

S—3381

H.F.

246

Tom Vilsack

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Tuesday, April 11, 1995.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 11, 1995

The Senate met in regular session at 9:04 a.m., President Boswell presiding.

Prayer was offered by the Reverend Thomas J. Bower, pastor of the First Presbyterian Church, Marshalltown, Iowa.

The Journal of Monday, April 10, 1995, 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 10, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, permitting the charging of fees, and providing penalties (S—3383).

Senate File 178, a bill for an act relating to emergency medical services (S—3384).

ALSO: That the House has on April 10, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 352, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for certain federal waivers and providing applicability provisions .

Senate File 440, a bill for an act relating to probate including the lien period for estates which have not been administered, the amount which may be passed to a minor without appointing a conservator, the distribution of an intestate estate to the parents, and special use trusts.

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:

Mary M. Conway and Linda S. Trudeau as members of the Board of Behavioral Science Examiners.

Ronald G. Richer as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Brenda S. Neville as a member of the Board of Optometry Examiners.

Dorothy L. McKee as a member of the Board of Speech Pathology and Audiology Examiners.

John C. Wellman as a member of the Commission for the Blind.

Donna S. Hansen as a member of the Commission on the Deaf.

R. Creig Slayton as Director of the Department for the Blind.

A. Patricia Houlihan as a member of the Indigent Defense Advisory Commission.

Cathy A. Rottinghaus as a member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

Jerry D. Stilwell as a member of the Prevention of Disabilities Policy Council.

Leona E. Westphal as a member of the Small Business Advisory Council.

Beverly A. Smith as a member of the State Board of Regents.

Steven S. Berger 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, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The apointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS (Deferred April 10, 1995)

House File 337

The Senate resumed consideration of House File 337, a bill for an act to amend the criteria and procedures necessary to establish that a person is seriously mentally impaired for purposes of involuntary hospitalization, deferred April 10, 1995.

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. 337) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 4:

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

CONSIDERATION OF BILLS (Regular Calendar)

House File 41

On motion of Senator Bartz, House File 41, a bill for an act relating to the establishment of legal settlement for certain blind persons and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Bartz offered amendment S—3382 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3382 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 41) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 161

On motion of Senator Dvorsky, House File 161, a bill for an act relating to the fee which may be charged by an Iowa communications network receiving site, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 161) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean

McLaren
Priebe
Rittmer
Vilsack

Murphy
Redfern
Sorensen
Zieman

Neuhauser
Rensink
Szymoniak

Palmer
Rife
Tinsman

Nays, none.

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

House File 346

On motion of Senator Redfern, House File 346, a bill for an act relating to the verification and defendant's signature required for uniform citations and complaints, with report of committee recommending passage, was taken up for consideration.

Senator Redfern asked and received unanimous consent that action on House File 346 be deferred.

House File 447

On motion of Senator Gronstal, House File 447, a bill for an act relating to certain state purchasing procedures and charges for publications involving the department of general services, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 447) the vote was:

Ayes, 49:

Banks
Black
Connolly
Drake
Fraise
Gronstal
Horn
Judge
Lundby
Murphy
Redfern

Bartz
Boettger
Dearden
Dvorsky
Freeman
Halvorson
Husak
Kibbie
Maddox
Neuhauser
Rensink

Bennett
Borlaug
Deluhery
Fink
Gettings
Hansen
Iverson
Kramer
McKean
Palmer
Rife

Bisignano
Boswell
Douglas
Flynn
Giannetto
Hedge
Jensen
Lind
McLaren
Priebe
Rittmer

Sorensen
Zieman

Szymoniak

Tinsman

Vilsack

Nays, none.

Absent or not voting, 1:

Hammond

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

House File 460

On motion of Senator Connolly, House File 460, a bill for an act relating to governmental control of property by allowing governmental entities to enter and test property for condemnation of property for highway purposes, providing for the interest rates assessed for condemnation damages, providing for right-of-way notice filings, and concerning advertising control laws on scenic highways, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Connolly offered amendment S—3370 filed by the committee on Transportation on April 6, 1995, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3370 was adopted by a voice vote.

Senator McKean asked and received unanimous consent that action on **House File 460** be deferred.

UNFINISHED BUSINESS CALENDAR

Senate File 256

On motion of Senator Judge, Senate File 256, a bill for an act providing for notification of the application of pesticides, and placed on the Unfinished Business Calendar on April 6, 1995, 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. 256) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Gronstal

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

Senate File 452

On motion of Senator McKean, Senate File 452, a bill for an act relating to remedies upon the dishonoring of a financial instrument and providing penalties, with report of committee on Judiciary recommending passage, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator McKean offered amendment S—3254 filed by him on March 28, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3254 was adopted by a voice vote.

Senator McKean asked and received unanimous consent that House File 485 be substituted for Senate File 452 as amended.

House File 485

On motion of Senator McKean, House File 485, a bill for an act relating to remedies upon the dishonoring of a financial

instrument and providing penalties, 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. 485) the vote was:

Ayes, 24:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Flynn
Freeman	Giannetto	Hedge	Husak
Kramer	Lind	Lundby	Maddox
McKean	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Zieman

Nays, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Horn	Iverson
Jensen	Judge	Kibbie	McLaren
Murphy	Neuhauser	Palmer	Priebe
Rife	Vilsack		

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 261

On motion of Senator Bisignano, Senate File 261, a bill for an act relating to cost of play and value of prizes of games of skill and games of chance conducted at amusement concessions, placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that House File 117 be substituted for Senate File 261.

House File 117

On motion of Senator Bisignano, House File 117, a bill for an act relating to cost of play and value of prizes of games of skill

and games of chance conducted at amusement concessions, 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. 117) the vote was:

Ayes, 25:

Bisignano	Black	Dearden	Deluhery
Drake	Fink	Fraise	Gettings
Gronstal	Hansen	Horn	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Murphy	Palmer	Priebe
Rife	Rittmer	Szymoniak	Tinsman
Vilsack			

Nays, 25:

Banks	Bartz	Bennett	Boettger
Borlaug	Boswell	Connolly	Douglas
Dvorsky	Flynn	Freeman	Giannetto
Halvorson	Hammond	Hedge	Husak
Jensen	Maddox	McKean	McLaren
Neuhauser	Redfern	Rensink	Sorensen
Zieman			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senator Bisignano asked and received unanimous consent that **Senate File 261** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

House File 256

On motion of Senator Sorensen, House File 256, a bill for an act relating to the definition of the practice of engineering and the suspension or revocation of the certificate of registration of a professional engineer or land surveyor, with report of committee recommending passage, was taken up for consideration.

Senator Hansen asked and received unanimous consent that action on **House File 256** be deferred.

House File 514

On motion of Senator Fraise, House File 514, a bill for an act relating to Iowa motor vehicle registration plates, by providing for special United States armed forces retired plates, special plates for education and an Iowa education transportation enhancement fund, and special silver and bronze star plates, providing for special registration plates with distinguishing processed emblems, providing for required plate specifications, making penalties applicable, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Fink offered amendment S—3377 filed by him on April 10, 1995 to pages 2, 8 and 12 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3377 be adopted?" (H.F. 514) the vote was:

Ayes, 22:

Bartz	Boettger	Connolly	Deluhery
Dvorsky	Fink	Flynn	Giannetto
Hammond	Hansen	Horn	Judge
Kramer	Lundby	Maddox	McLaren
Murphy	Neuhauser	Palmer	Redfern
Sorensen	Szymoniak		

Nays, 27:

Banks	Bennett	Bisignano	Black
Borlaug	Boswell	Dearden	Douglas
Drake	Fraise	Freeman	Gettings
Gronstal	Halvorson	Hedge	Husak
Iverson	Kibbie	Lind	McKean
Priebe	Rensink	Rife	Rittmer
Tinsman	Vilsack	Zieman	

Absent or not voting, 1:

Jensen

Amendment S—3377 lost.

Senator Sorensen asked and received unanimous consent that action on **House File 514** be deferred.

UNFINISHED BUSINESS CALENDAR

Senate File 53

On motion of Senator Bisignano, Senate File 53, a bill for an act relating to the qualifications of an applicant for a license to sell real estate in this state, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Bisignano offered amendment S—3068 filed by him on February 20, 1995, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—3068 was adopted by a voice vote.

Senator Bisignano asked and received unanimous consent that **House File 54** be substituted for **Senate File 53** as amended.

House File 54

On motion of Senator Bisignano, House File 54, a bill for an act relating to the qualifications of an applicant for a license to sell real estate in this state, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen until he returns on request of Senator Rife.

BUSINESS PENDING

House File 54

The Senate resumed consideration of House File 54.

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. 54) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Jensen

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

Senator Bisignano asked and received unanimous consent that **Senate File 53** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 337, 41, 161, 447 and 54** and **Senate File 256** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:22 a.m., until 1:30 p.m.

APPENDIX

SIMILAR BILL RECEIVED

On April 10, 1995, **House File 518** was received and attached to similar **Senate File 411** on the Senate Calendar.

EXPLANATION OF VOTES

MR. PRESIDENT: I was hospitalized and necessarily absent from the Senate on April 3-6 when several bills were placed on final passage. Had I been present, I would have voted as follows:

"Aye" on Senate Files 201, 338, 458, 347, 466, 443, 180, 331, 453, 454, 354 and 181; and House Files 154 and 515.

"Nay" on Senate Files 450, 453, 360, 384 and 365.

I would have voted "aye" on the motion to reconsider Senate File 453, amendment S-3266 to Senate File 181 and the three roll call votes taken on the En Bloc Confirmation Calendar.

MERLIN E. BARTZ

PRESENTATION OF VISITORS

Senator Szymoniak presented Svetlana Lazarova, a journalist and writer on public affairs from Bulgaria, who is in Iowa to speak on communication and the arts in the Balkans.

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

Thirteen third, fourth and fifth grade students from Prairie City Elementary School, Prairie City, accompanied by Sid Graham. Senator Black.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 485 failed to pass the Senate on April 11, 1995.

STEVEN D. HANSEN

MR. PRESIDENT: I move to reconsider the vote by which House File 485 failed to pass the Senate on April 11, 1995.

MICHAEL E. GRONSTAL

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 6, 1995, 1:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: Deluhery.

Committee Business: Assigned bill to subcommittee; approved SSBs 343.1, 142 and 359 as committee bills; amended and approved SSB 353 as a committee bill.

Adjourned: 2:25 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 108

JUDICIARY: McKean, Chair; Fraise, Giannetto, Redfern and Vilsack

Senate File 254

JUDICIARY: Bisignano, Chair; Giannetto, McKean, Redfern and Vilsack

Senate File 451

JUDICIARY: Fraise, Chair; Bartz, Drake, Giannetto and Vilsack

Senate File 455

JUDICIARY: Giannetto, Chair; Bartz, Boettger, Hansen and Vilsack

House Joint Resolution 11

JUDICIARY: Bartz, Chair; Fraise, Giannetto, Redfern and Vilsack

House File 247

WAYS AND MEANS: Deluhery, Chair; Iverson and Priebe

House File 489

WAYS AND MEANS: Priebe, Chair; Hedge and Szymoniak

House File 517

WAYS AND MEANS: Husak, Chair; Drake and Szymoniak

SSB 360

WAYS AND MEANS: Palmer, Chair; Bennett and Neuhauser

SSB 361

WAYS AND MEANS: Murphy, Chair; Connolly and McLaren

AMENDMENTS FILED

S—3382	H.F.	41	Merlin E. Bartz
S—3383	S.F.	93	House amendment
S—3384	S.F.	178	House amendment
S—3385	S.F.	180	Sheldon Rittmer
S—3386	H.F.	346	Randal J. Giannetto
S—3387	H.F.	340	Don E. Gettings
S—3388	H.F.	471	Randal J. Giannetto
			Patrick J. Deluhery
			Maggie Tinsman
S—3389	S.F.	82	House amendment
S—3390	S.F.	141	House amendment

AFTERNOON SESSION

The Senate reconvened at 1:36 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 April 11, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 155, a bill for an act relating to employment services by eliminating wage credit liability transfers and allowing all employers relief from charges when an unemployment compensation overpayment is made and providing an applicability date.

Senate File 159, a bill for an act relating to the payment of wages to a suspended or terminated employee under the Iowa wage payment collection law.

Senate File 162, a bill for an act eliminating the minimum amount which must be borrowed under a home equity line of credit.

Senate File 174, a bill for an act relating to health facilities under the purview of the department of inspections and appeals.

Senate File 175, a bill for an act relating to the definition of the federal Truth in Lending Act in the Iowa consumer credit code.

Senate File 233, a bill for an act relating to the suspension and revocation of driver's licenses and providing penalties for violations of out-of-service orders.

Senate File 234, a bill for an act relating to the powers and duties of the department of natural resources by amending procedures for issuing and establishing fees for scientific collector's licenses or permits.

Senate File 247, a bill for an act relating to plastic garbage can liners with recycled content.

Senate File 271, a bill for an act relating to the authorization of a bank office where a state bank may maintain its management and bookkeeping functions.

Senate File 274, a bill for an act relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

Senate File 375, a bill for an act relating to abandoned property subject to control by the treasurer of state.

Senate File 385, a bill for an act authorizing the appointment of a city board of review by certain cities.

Senate File 458, a bill for an act relating to the duties of the county treasurer and providing effective and applicability dates.

ALSO: That the House has on April 11, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 82, a bill for an act relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance and providing an effective date (S—3389).

Senate File 141, a bill for an act relating to notice for vacating and closing roads (S—3390).

Senate File 214, a bill for an act to provide greater protection for consumers who purchase or lease motor vehicles and providing effective dates (S—3392).

Senate File 290, a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing effective and applicability dates (S—3391).

QUORUM CALL

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

The vote revealed 33 present, 17 absent and a quorum present.

The Senate stood at ease at 1:50 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:57 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 11, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 512, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the Iowa seed capital corporation, the international development foundation, the public employment relations board, and the department of employment services, making related statutory changes, and providing an immediate effective date.

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

CONSIDERATION OF BILLS (Regular Calendar)

House File 246

On motion of Senator Bisignano, House File 246, a bill for an act relating to civil litigation by inmates and prisoners and deductions from inmate accounts for certain expenses, including costs of litigation by inmates, with report of committee recommending passage, was taken up for consideration.

Senator Vilsack offered amendment S—3381 filed by him on April 10, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3381 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?" (H.F. 246) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Palmer

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

House File 471

On motion of Senator Giannetto, House File 471, a bill for an act relating to prison time served by persons convicted of an aggravated misdemeanor or greater offense, by providing for changes in the mandatory minimum terms of sentences to be served, by permitting the imposition of up to ninety days of the total sentence in a county jail in addition to any terms of probation, and providing for a reduction in the amount of good and honor time that may be earned by forcible felons, with report of committee recommending passage, was taken up for consideration.

Senator Giannetto offered amendment S—3388 filed by Senators Giannetto, Deluhery and Tinsman from the floor to pages 1-5 and the title page of the bill and moved its adoption.

Amendment S—3388 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. 471) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 1:

Zieman

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

CONFIRMATION OF GOVERNOR'S APPOINTEES (Individual Confirmation Calendar)

Senator Hansen called up the appointment of Dr. Beth K. Bruening as a member of the Community Health Management Information System Governing Board, placed on the Individual Confirmation Calendar on March 16, 1995, and found on page 677 of the Senate Journal.

Senator Hansen 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
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Giannetto Palmer

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hansen called up the appointment of David J. Lyons as Director of the Department of Economic Development, placed on the Individual Confirmation Calendar on February 22, 1995, and found on page 426 of the Senate Journal.

The Senate stood at ease at 4:30 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:25 p.m., President Boswell presiding.

Senator Hansen moved that the appointment of David J. Lyons as Director of the Department of Economic Development be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
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Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Szymoniak called up the reappointment of Betty L. Grandquist as Director of the Department of Elder Affairs, placed on the Individual Confirmation Calendar on March 28, 1995, without recommendation, and found on page 921 of the Senate Journal.

Senator Szymoniak moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Priebe

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 Priebe until he returns on request of Senator Sorensen.

CONFIRMATION OF GOVERNOR'S APPOINTEES (Individual Confirmation Calendar)

Senator Gronstal called up the appointment and reappointment of Dr. Therese M. Vaughan as Commissioner of Insurance, placed on the Individual Confirmation Calendar for appointment on February 21, 1995, page 414 of the Senate Journal, and for reappointment on March 30, 1995, page 995 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, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Hammond

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Lind called up the appointment of Janet E. Phipps as Director of the Department of General Services, placed on the Individual Confirmation Calendar on February 23, 1995, and found on page 445 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, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

**REFUSAL OF GOVERNOR'S APPOINTEE
(Individual Confirmation Calendar)**

Senator Bennett called up the reappointment of Ted R. Chapler as Executive Director of the Iowa Finance Authority, placed on the Individual Confirmation Calendar on March 29, 1995, and found on page 963 of the Senate Journal.

Senator Bennett moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 27:

Bennett	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Drake
Dvorsky	Fink	Flynn	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Judge	Kibbie
Lundby	Neuhauser	Palmer	Redfern
Sorensen	Szymoniak	Vilsack	

Nays, 22:

Banks	Bartz	Boettger	Borlaug
Douglas	Fraise	Freeman	Hedge
Husak	Iverson	Jensen	Kramer
Lind	Maddox	McKean	McLaren
Murphy	Rensink	Rife	Rittmer
Tinsman	Zieman		

Absent or not voting, 1:

Priebe

The appointee not having received a two-thirds vote, the Chair declared the Senate refused to confirm the appointment of Ted R. Chapler.

**CONFIRMATION OF GOVERNOR'S APPOINTEES
(Individual Confirmation Calendar)**

Senator Fink called up the reappointment of Larry J. Wilson

as Director of the Department of Natural Resources, placed on the Individual Confirmation Calendar on March 29, 1995, and found on page 943 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, 46:

Banks	Bartz	Bisignano	Black
Borlaug	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Vilsack	Zieman		

Nays, 3:

Bennett	Boettger	Tinsman
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Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Szymoniak called up the reappointment of Christopher G. Atchison as Director of Public Health, placed on the Individual Confirmation Calendar on March 29, 1995, and found on page 963 of the Senate Journal.

Senator Szymoniak moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Redfern called up the appointment of Joan U. Axel as a member of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on February 22, 1995, and found on page 426 of the Senate Journal.

Senator Redfern moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Bisignano

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hansen called up the appointment of Richard A. Westcott as a member of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on February 22, 1995, and found on page 426 of the Senate Journal.

Senator Hansen 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	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Bisignano

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Kibbie called up the appointment of Randy G. Brown as Executive Director of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on February 21, 1995, and found on page 407 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	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 2:

Bisignano Husak

Absent or not voting, 1:

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The Senate stood at ease at 5:55 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 6:07 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 44 present, 6 absent and a quorum present.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 13, a senate resolution deferring action on the confirmation of appointments submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Horn, Boswell, Bisignano, Gettings, Gronstal and Husak.
Nays, 3: Rife, Kramer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 13.

Senate Resolution 13

On motion of Senator Kibbie, Senate Resolution 13, a senate resolution deferring action on the confirmation of appointments submitted by the Governor, was taken up for consideration.

Senator Kibbie moved the adoption of Senate Resolution 13.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.R. 13) the vote was:

Ayes, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhausser	Palmer	Sorensen
Szymoniak	Vilsack		

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Absent or not voting, 1:

Priebe

The motion prevailed and the resolution was adopted.

APPENDIX

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 8, a concurrent resolution supporting the United Nations' recognition of the Republic of China on Taiwan.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Horn, Boswell, Rife, Gettings, Husak, Kramer and Lind. Nays, 2: Bisignano and Gronstal.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 350.1 Appropriations

Establishing an oversight, audit and government reform committee, and providing an effective date.

SSB 362 Appropriations

Establishing a school improvement and technology program, providing for properly related matters, and making an appropriation.

SSB 363 Appropriations

Relating to state financial provisions and providing applicability provisions and effective dates.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Marilyn Lihs, Iowa City — For being installed as President of the Business and Professional Women of Iowa. Senator Dvorsky (5-6-95).

SUBCOMMITTEE ASSIGNMENTS

SSB 350.1

APPROPRIATIONS: Neuhauser, Chair; McLaren and Murphy.

SSB 362

APPROPRIATIONS: Dvorsky, Chair; Kramer and Neuhauser

SSB 363

APPROPRIATIONS: Murphy, Chair; Boswell and Lind

PRESENTATION OF VISITORS

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

Fourteen tenth, eleventh and twelfth grade students from West High School, Iowa City, accompanied by Gary Neuzil. Senators Dvorsky and Neuhauser.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 246 passed the Senate on April 11, 1995.

JOHNNIE HAMMOND

MR. PRESIDENT: I move to reconsider the vote by which House File 117 failed to pass the Senate on April 11, 1995.

EMIL J. HUSAK

SIMILAR BILL RECEIVED

On April 11, 1995, House File 512 was received and attached to similar Senate File 463 on the Senate Calendar.

AMENDMENTS FILED

S-3391	S. F.	290	House amendment
S-3392	S. F.	214	House amendment

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:16 p.m., until 9:00 a.m., Wednesday, April 12, 1995.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 12, 1995

The Senate met in regular session at 9:20 a.m., President pro tempore Bisignano presiding.

Prayer was offered by the Reverend John C. Koedyker, pastor of the Community Reformed Church, Clinton, Iowa.

The Journal of Tuesday, April 11, 1995, was approved.

INTRODUCTION OF BILL

Senate File 473, by committee on Ways and Means, a bill for an act relating to the refund of property taxes paid erroneously and providing effective and retroactive applicability dates.

Read first time and placed on Ways and Means Calendar.

President Boswell took the chair at 9:28 a.m.

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.

HOUSE AMENDMENTS CONSIDERED

Senate File 117

Senator Szymoniak called up for consideration Senate File 117, a bill for an act adopting a new uniform anatomical gift act and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—3375 filed April 10, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Szymoniak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 117) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Kramer Palmer

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

Senate File 118

Senator Szymoniak called up for consideration Senate File 118, a bill for an act relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability, amended by the House, and moved that the Senate concur in House amendment S—3379 filed April 10, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Szymoniak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 118) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

UNFINISHED BUSINESS (Deferred March 22, 1995)

Senate File 396

The Senate resumed consideration of Senate File 396, a bill for an act relating to limited liability companies, deferred March 22, 1995.

Senator Lundby asked and received unanimous consent to withdraw amendment S—3194 filed by Senators Lundby and Gronstal on March 22, 1995, to page 2 of the bill.

Senator Bartz asked and received unanimous consent that House File 490 be substituted for Senate File 396.

House File 490

On motion of Senator Bartz, House File 490, a bill for an act relating to limited liability companies, was taken up for consideration.

Senator Bartz asked and received unanimous consent that action on **House File 490** be deferred.

CONSIDERATION OF BILL (Regular Calendar)

House File 470

On motion of Senator Maddox, House File 470, a bill for an act relating to the assessment of certain public improvement costs to abutting property at the request of the property owner, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 470) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Neuhauser

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

HOUSE AMENDMENTS CONSIDERED

Senate File 94

Senator Kibbie called up for consideration Senate File 94, a bill for an act relating to reciprocal license fees for nonresident real estate brokers and salespersons, amended by the House, and moved that the Senate concur in House amendment S—3378 filed April 10, 1995.

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. 94) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Murphy

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

Senate File 278

Senator Black called up for consideration Senate File 278, a bill for an act providing that animals classified as ostriches, rheas, and emus are considered livestock, amended by the House, and moved that the Senate concur in House amendment S—3380 filed April 10, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Black moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 278) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Murphy Palmer

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

BUSINESS PENDING

House File 490

The Senate resumed consideration of House File 490, a bill for an act relating to limited liability companies, previously deferred.

Senator Lundby offered amendment S—3396 filed by her from the floor to page 2 of the bill and moved its adoption.

Amendment S—3396 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 490) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Palmer

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

Senator Bartz asked and received unanimous consent that **Senate File 396** be **withdrawn** from further consideration of the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Husak called up the following eligible appointees on the En Bloc Confirmation Calendar:

Kathleen M. Morgan as a member of the Board of Social Work Examiners.

Kathy G. Kahue as a member of the Investment Board of the IPERS.

Dr. Donald R. Jacobi as a member of the Iowa Board of Veterinary Medicine.

Cindy Raspiller as a member of the Iowa Emergency Response Commission.

Dr. Harry C. Rasdal as a member of the State Health Facilities Council.

Senator Husak moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that House Files 470 and 490 be immediately messaged to the House and to send an immediate message to the House on Senate Files 117, 118, 94 and 278.

HOUSE AMENDMENT CONSIDERED

Senate File 178

Senator Hammond called up for consideration Senate File 178, a bill for an act relating to emergency medical services, amended by the House, and moved that the Senate concur in House amendment S—3384 filed April 11, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hammond 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. 178) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

UNFINISHED BUSINESS
(Deferred April 11, 1995)

House File 346

The Senate resumed consideration of House File 346, a bill for an act relating to the verification and defendant's signature required for uniform citations and complaints, deferred April 11, 1995.

Senator Giannetto offered amendment S—3386 filed by him on April 11, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3386 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 346) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 CALENDAR

Senate File 210

On motion of Senator Giannetto, Senate File 210, a bill for an act creating a lien arising from the care and feeding of livestock in a custom cattle feedlot, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Giannetto offered amendment S—3309 filed by him on March 30, 1995, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3309 was adopted by a voice vote.

Senator Giannetto asked and received unanimous consent that House File 198 be substituted for Senate File 210 as amended.

House File 198

On motion of Senator Giannetto, House File 198, a bill for an act creating a lien arising from the care and feeding of livestock in a custom cattle feedlot, 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. 198) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean

McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 210** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 11, 1995)

House File 256

The Senate resumed consideration of House File 256, a bill for an act relating to the definition of the practice of engineering and the suspension or revocation of the certificate of registration of a professional engineer or land surveyor, deferred April 11, 1995.

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. 256) the vote was:

Ayes, 34:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Murphy	Neuhauser	Palmer
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 16:

Banks	Bartz	Bennett	Boettger
Borlaug	Freeman	Giannetto	Hedge

Iverson
Priebe

Maddox
Redfern

McKean
Rife

McLaren
Zieman

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 346, 198 and 256 be immediately messaged to the House and to send an immediate message to the House on Senate File 178.

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 12, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 9, a bill for an act relating to the performance of duties of the office of recorder on abolition of the office and the filing of documents and providing an effective date and for retroactive applicability.

Senate File 215, a bill for an act relating to agricultural management account moneys and county grants for private rural water well, testing, sealing, and closure.

Senate File 255, a bill for an act relating to the administration of the department of agriculture and land stewardship, providing for moneys previously appropriated to the department, and providing an effective date.

Senate File 298, a bill for an act relating to implements of husbandry, concerning the definition of implements of husbandry and weight restrictions for certain implements of husbandry.

Senate File 333, a bill for an act relating to notice requirements required for work involving drainage and levee districts and water districts.

ALSO: That the House has on April 11, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 462, 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 human services and health care and providing for effective and applicability dates (S-3394).

INTRODUCTION OF BILL

Senate File 474, by committee on Ways and Means, a bill for an act relating to state and local taxes including appeals of department of revenue and finance actions, the prohibition of unconstitutional or illegal tax collections, assessment procedures pertaining to amended returns, corporate income tax rates, sales tax on test laboratory services, collection of sales tax by out-of-state retailers, interest accrual on sales and use tax refunds, sales tax permit denial for delinquent taxes, bonding provisions for sales tax and environmental protection charge contested case decisions, costs associated with contested case hearings, penalty for underpayment of corporation income and franchise taxes, services subject to use tax, penalty for underpayment of use tax, the repeal of obsolete property tax provisions, and imposition of the drug excise tax on unprocessed marijuana plants and providing effective and applicability date provisions.

Read first time and placed on Ways and Means Calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 11:48 a.m., until 2:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 11, 1995, 6:25 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Bisignano (excused).

Committee Business: Amended and approved SSBs 350.1 and 363 as committee bills.

Adjourned: 7:02 p.m.

RULES AND ADMINISTRATION

Convened: April 11, 1995, 5:55 p.m.

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

Members Absent: none.

Committee Business: Approved proposed committee resolution deferring governor's appointees; recommended passage of House Concurrent Resolution 8 relating to the United Nations recognition of Taiwan.

Adjourned: 6:02 p.m.

WAYS AND MEANS

Convened: April 11, 1995, 11:35 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; amended and approved SSBs 135 and 354 as committee bills; deferred action on SSB 349 and House File 247.

Adjourned: 12:25 p.m.

MOTION TO RECONSIDER
(Filed April 11, 1995)

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Ted R. Chapler failed to be approved by the Senate on April 11, 1995.

LARRY MURPHY

MOTION TO RECONSIDER
(Filed April 12, 1995)

MR. PRESIDENT: I move to reconsider the vote by which Senate Resolution 13 passed the Senate on April 11, 1995.

WALLY E. HORN

PRESENTATION OF VISITORS

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

Eighth grade students from West Central Middle School, Redfield, Iowa, accompanied by Lee Schipull. Senator Douglas.

Forty high school students from Waco High School, Wayland, accompanied by Greg Thomas. Senator Vilsack.

Senator McLaren presented Alexander Muravsky, Vice Chairman of the Economic Industry and Privatization Commission, Parliament of Muldova, Kishiner, Muldova.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 15: Priebe, Judge, Bartz, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Ziemann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 473 (SSB 354), a bill for an act relating to the refund of property taxes paid erroneously and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 474 (SSB 135), a bill for an act relating to state and local taxes including appeals of department of revenue and finance actions, the prohibition of unconstitutional or illegal tax collections, assessment procedures pertaining to amended returns, corporate income tax rates, sales tax on test laboratory services, collection of sales tax by out-of-state retailers, interest accrual on sales and use tax refunds, sales tax permit denial for delinquent taxes, bonding provisions for sales tax and environmental protection charge contested case decisions, costs associated with contested case hearings, penalty for underpayment of corporation income and franchise taxes, services subject to use tax, penalty for underpayment of use tax, the repeal of obsolete property tax provisions, and imposition of the drug excise tax on unprocessed marijuana plants and providing effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 474 and they were attached to the committee report.

AMENDMENTS FILED

S—3393	H.F.	485	Steven D. Hansen
S—3394	S.F.	462	House amendment
S—3395	S.F.	290	Rod Halvorson
S—3396	H.F.	490	Mary Lundby
S—3397	H.F.	507	Michael E. Gronstal
S—3398	H.F.	507	Michael E. Gronstal
S—3399	H.F.	303	Michael E. Gronstal
S—3400	H.F.	514	Bill Fink
S—3401	S.F.	463	Tom Vilsack

AFTERNOON SESSION

The Senate reconvened at 2:20 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 House has on April 12, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 446, a bill for an act relating to the possession or use of alcohol while operating a motor vehicle by requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, excluding the revocation from application of certain motor vehicle financial responsibility requirements, providing for minimum periods of license revocation, providing a scheduled fine for possession of an open alcohol container while operating a motor vehicle, providing for the impoundment or immobilization of motor vehicles driven or owned by persons convicted of operating while intoxicated and being a second or subsequent offender, providing criminal penalties, and other related matters.

INTRODUCTION OF BILL

Senate File 475, by committee on Appropriations, a bill for an act relating to state financial provisions and providing applicability provisions and effective dates.

Read first time and placed on Appropriations Calendar.

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.

HOUSE AMENDMENTS CONSIDERED

Senate File 141

Senator Fraise called up for consideration Senate File 141, a bill for an act relating to notice for vacating and closing roads, amended by the House, and moved that the Senate concur in House amendment S—3390 filed April 11, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fraise moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 141) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 214

Senator Fraise called up for consideration Senate File 214, a bill for an act to provide greater protection for consumers who purchase or lease motor vehicles and providing effective dates,

amended by the House, and moved that the Senate concur in House amendment S—3392 filed April 11, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fraise moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 214) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

IMMEDIATE MESSAGE

Senator Horn asked and received unanimous consent to send an immediate message to the House on Senate Files 141 and 214.

MOTION TO RECONSIDER ADOPTED

Senator Horn called up the motion to reconsider Senate Resolution 13 filed by him on April 12, 1995, found on page 1164 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote.

INTRODUCTION OF RESOLUTION

Senate Resolution 13, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of appointments submitted by the Governor.

Read first time and placed on calendar.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Resolution 13

On motion of Senator Kibbie, Senate Resolution 13, a senate resolution deferring action on the confirmation of appointments submitted by the Governor, was taken up for reconsideration.

Senator Kibbie moved the adoption of Senate Resolution 13.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.R. 13) the vote was:

Ayes, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

The motion prevailed and the resolution was adopted.

HOUSE AMENDMENT CONSIDERED

Senate File 462

Senator Hammond called up for consideration, Senate File 462, 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 human services and health care and providing for effective and applicability dates, amended by the House in House amendment S—3394 filed April 12, 1995.

Senator Hammond offered amendment S—3402 filed by her from the floor to pages 4, 5, 7, 8 and 10 of House amendment S—3394 and moved its adoption.

Amendment S—3402 was adopted by a voice vote.

Senator Hammond 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 Hammond 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. 462) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

UNFINISHED BUSINESS CALENDAR

Senate File 463

On motion of Senator Vilsack, Senate File 463, bill for an act appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the public employment relations board, the Iowa seed capital corporation, the international development foundation, and the department of employment services and making related statutory changes, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Vilsack offered amendment S—3401 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Rife asked and received unanimous consent that action on amendment S—3401 and **Senate File 463** be deferred.

The Senate stood at ease at 2:55 p.m. until the fall of the gavel.

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 462** be immediately messaged to the House.

The Senate stood at ease at 2:59 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:26 p.m., President Boswell presiding.

BUSINESS PENDING**Senate File 463**

The Senate resumed consideration of Senate File 463, bill for an act appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the public employment relations board, the Iowa seed capital corporation, the international development foundation, and the department of employment services and making related statutory changes, and amendment S—3401 by Senator Vilsack previously deferred.

Senator Vilsack moved the adoption of amendment S—3401 which motion prevailed by a voice vote.

With the adoption of amendment S—3401, the Chair ruled the following amendments to the bill, out of order:

S—3307 filed by Senators Vilsack and Tinsman on March 30, 1995, to page 23.

S—3310 filed by Senator Giannetto on March 30, 1995, to pages 18-23.

S—3313 filed by Senator Lind on March 30, 1995, to page 5.

S—3316 filed by Senator Vilsack on April 3, 1995, to pages 1, 2, 9, 17 and 23.

S—3317 filed by Senator Douglas on April 3, 1995, to pages 2 and 6.

S—3321 filed by Senator Borlaug on April 3, 1995, to page 3.

S—3322 filed by Senator Borlaug on April 3, 1995, to page 10.

S—3323 filed by Senator Borlaug on April 3, 1995, to page 6.

S—3324 filed by Senator Borlaug on April 3, 1995, to page 6.

S—3325 filed by Senator Borlaug on April 3, 1995, to page 5.

S—3331 filed by Senator McLaren on April 4, 1995, to page 7.

Senator Vilsack asked and received unanimous consent that House File 512 be substituted for Senate File 463 as amended.

House File 512

On motion of Senator Vilsack, House File 512, a bill for an act appropriating funds to the department of economic development, the Iowa finance authority, the Wallace technology transfer foundation, division of insurance of the department of commerce, the Iowa seed capital corporation, the international development foundation, the public employment relations board, and the department of employment services, making related statutory changes, and providing an immediate effective date, was taken up for consideration.

Senator Borlaug offered amendment S—3403 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3403 lost by a voice vote.

Senator Borlaug offered amendment S—3404 filed by him from the floor to page 7 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3404 be adopted?" (H.F. 512) the vote was:

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

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 26:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn

Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Bisignano

Amendment S—3404 lost.

Senator McLaren offered amendment S—3407 filed by him from the floor to page 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3407 be adopted?" (H.F. 512) the vote was:

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

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Husak	Judge	Kibbie	Lundby
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 2:

Horn Murphy

Amendment S—3407 lost.

Senator McLaren offered amendment S—3406 filed by Senators McLaren, Borlaug and Tinsman from the floor to page 10 of the bill.

Senator Lundby offered amendment S—3408 filed by her from the floor to amendment S—3406 and moved its adoption.

Amendment S—3408 was adopted by a voice vote.

Senator McLaren asked and received unanimous consent to withdraw amendment S—3406 as amended.

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?" (H.F. 512) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 2:

Gronstal	Iverson
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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 Vilsack asked and received unanimous consent that **Senate File 463** be **withdrawn** from further consideration of the Senate.

Senator Horn asked and received unanimous consent that **House File 512** be **immediately messaged** to the House.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Fraise called up the appointment of Donald Culp, as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 28, 1995, without recommendation, and found on page 921 of the Senate Journal.

Senator Fraise moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 22:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Flynn
Freeman	Hedge	Iverson	Kramer
Lind	Lundby	Maddox	McKean
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Nays, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 2:

Jensen	McLaren
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Donald Culp.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Lind called up the reappointment of Richard Canella as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 29, 1995, without recommendation, and found on page 963 of the Senate Journal.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen and McLaren until they return on request of Senator Rife.

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
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Sorensen

Absent or not voting, 2:

Jensen

McLaren

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Lind called up the appointment of Bradley R. Peyton as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 29, 1995, without recommendation and found on page 963 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
Black	Boettger	Borlaug	Boswell
Cannolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 1:

Sorensen

Absent or not voting, 2:

Jensen

McLaren

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 Giannetto called up the reappointment of Larry J. Jatho as a member of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on March 29, 1995, without recommendation, and found on page 962 of the Senate Journal.

Senator Giannetto 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	Boettger
Borlaug	Deluhery	Douglas	Drake
Freeman	Hedge	Iverson	Judge
Kramer	Lind	Lundby	Maddox
McKean	Redfern	Rensink	Rife
Rittmer	Sorensen	Tinsman	Zieman

Nays, 24:

Bisignano	Black	Boswell	Connolly
Dearden	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Kibbie	Murphy	Neuhauser
Palmer	Priebe	Szymoniak	Vilsack

Absent or not voting, 2:

Jensen	McLaren
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Larry J. Jatho.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Bisignano called up the appointment of Allan T. Thoms as a member of the Utilities Board, placed on the Individual Confirmation Calendar on March 30, 1995, and found on page 995 of the Senate Journal.

Senator Bisignano moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Judge	Kibbie
Kramer	Lind	Lundby	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 6:

Bartz	Fink	Maddox	McKean
Murphy	Zieman		

Absent or not voting, 2:

Jensen	McLaren
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

INTRODUCTION OF BILLS

Senate File 476, by committee on Ways and Means, a bill for an act relating to interest earned on rental deposits.

Read first time and placed on Ways and Means Calendar.

Senate File 477, by committee on Appropriations, a bill for an act establishing an oversight, audit and government reform committee, and providing an effective date.

Read first time and placed on Appropriations Calendar.

Senate File 478, by committee on Ways and Means, a bill for an act relating to the state franchise tax imposed on financial institutions by disallowing the deduction for expenses related to a financial institution's investment in investment subsidiaries and providing effective and applicability dates.

Read first time and placed on Ways and Means Calendar.

APPENDIX

STUDY BILLS RECEIVED

SSB 362.1 Appropriations

Establishing a school improvement and technology program, providing for properly related matters, and making appropriations.

SSB 364 Appropriations

Relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date.

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

West Ridge Elementary School, 4th Grade Odyssey of the Mind Group, Harlan — For advancing to World Odyssey of the Mind Competition. Senator Boettger (3-27-95).

PRESENTATION OF VISITORS

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

Fifty-eight eighth grade students from Pekin Middle School, Packwood, accompanied by Art Milligan. Senator Gettings.

SUBCOMMITTEE ASSIGNMENTS

Senate File 243

TRANSPORTATION: Rittmer, Chair; Black and Gettings

Senate File 283

TRANSPORTATION: Black, Chair; Douglas and Fink

Senate File 378

TRANSPORTATION: Lind, Chair; Drake and Gettings

House File 205

HUMAN RESOURCES: Szymoniak, Chair; Kramer and Vilsack

House File 419

TRANSPORTATION: Gettings, Chair; Drake and Fraise

House File 519

AGRICULTURE: Priebe, Chair; Banks, Hedge, Husak, Judge, McLaren and Palmer

House File 530

APPROPRIATIONS: Flynn, Chair; Murphy and Rensink

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 475 (SSB 363), a bill for an act relating to state financial provisions and providing applicability provisions and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, Lind, Bartz, Black, Borlaug, Douglas, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 1: Banks. Absent or not voting, 2: Bisignano and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 477 (SSB 350.1), a bill for an act establishing an oversight, audit and government reform committee, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 1: Banks. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 481 (SSB 364), a bill for an act relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 530, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the commission of veterans affairs, and the governor's alliance on substance abuse.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3409.

Final Vote: Ayes, 23: Murphy, Boswell, Lind, Banks, Bartz, Bisigano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 1: Iverson. Absent or not voting: 1: McLaren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 476 (SSB 348), a bill for an act relating to interest earned on rental deposits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, Priebe and Szymoniak. Nays, none. Absent or not voting, 4: McLaren, Murphy, Neuhauser and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 478 (SSB 360), a bill for an act relating to the state franchise tax imposed on financial institutions by disallowing the deduction for expenses related to a financial institution's investment in investment subsidiaries and providing effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Murphy and Neuhauser.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: *SENATE FILE 479 (SSB 342), a bill for an act relating to the definition of entities eligible for property tax exemption for construction of speculative shell buildings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Hedge, Iverson, Neuhauser, Priebe, Szymoniak. Nays, none. Absent or not voting, 4: Freeman, McLaren, Murphy and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 479 and they were attached to the committee report.

ALSO:

Final Bill Action: *SENATE FILE 480 (SSB 349), a bill for an act relating to changing the point of taxation of motor vehicle fuel by requiring supplier's, restrictive supplier's, importer's, exporter's, dealer's, user's, or blender's licenses, changing reporting periods, and adding penalties and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Hedge, Iverson, Neuhauser, Priebe, Szymoniak. Nays, none. Absent or not voting, 4: Freeman, McLaren, Murphy and Vilsack.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 480 and they were attached to the committee report.

ALSO:

Final Bill Action: HOUSE FILE 247, a bill for an act relating to the regulation of insurance, including the authority of the insurance division to regulate certain policies and contracts and parties to such policies and contracts, establishing fees, and providing civil penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3405.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Priebe, Szymoniak and Vilsack. Nays, none. Absent or not voting, 2: Murphy and Neuhauser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILLS

Senate File 479, by committee on Ways and Means, a bill for an act relating to the definition of entities eligible for property tax exemption for construction of speculative shell buildings.

Read first time under Rule 28 and placed on Ways and Means Calendar.

Senate File 480, by committee on Ways and Means, a bill for an act relating to changing the point of taxation of motor vehicle fuel by requiring supplier's, restrictive supplier's, importer's, exporter's, dealer's, user's, or blender's licenses, changing reporting periods, and adding penalties and providing an effective date.

Read first time under Rule 28 and placed on **Ways and Means Calendar**.

Senate File 481, by committee on Appropriations, a bill for an act relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date.

Read first time under Rule 28 and placed on **Appropriations Calendar**.

AMENDMENTS FILED

S—3402	S.F.	462	Johnie Hammond
S—3403	H.F.	512	Allen Borlaug
S—3404	H.F.	512	Allen Borlaug
S—3405	H.F.	247	Ways and Means
S—3406	H.F.	512	Derryl McLaren Allen Borlaug Maggie Tinsman
S—3407	H.F.	512	Derryl McLaren
S—3408	H.F.	512	Mary Lundby
S—3409	H.F.	530	Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Thursday, April 13, 1995.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 13, 1995

The Senate met in regular session at 9:20 a.m., President Boswell presiding.

Prayer was offered by Dr. Craig Bex, pastor of the Community Church, Kamrar, Iowa.

The Journal of Wednesday, April 12, 1995, 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 12, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 272, a bill for an act relating to the validity of a notarial act by an officer, director, or shareholder of a corporation and providing for retroactive application.

Senate File 320, a bill for an act relating to the regulation of state banks and other financial institutions by the division of banking of the department of commerce.

Senate File 341, a bill for an act relating to delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer.

Senate File 377, a bill for an act relating to the payment of patronage dividends by cooperative associations which are public utilities.

ALSO: That the House has on April 12, 1995, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability (S—3410).

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Freeman for the day on request of Senator Lind and Senator Jensen until he arrives on request of Senator Rife.

ANNOUNCEMENT BY THE PRESIDENT

The President made the following statement from the chair:

Statutory deadline for Senate confirmation of Governor's appointees is April 15.

The 15th is Saturday. The Senate will not be in session either Friday or Saturday, therefore, today becomes the effective last day for Governor's appointees to be considered by the Senate.

If any member had any question about the timing for appointees, that is the ruling of the Chair.

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:

Margaret B. Tait as a member of the Board of Dietetic Examiners.

Mary M. Conrad as a member of the Board of Educational Examiners.

Merl McFarlane and Stephanie A. Stebens as members of the Commission on Community Action Agencies.

Gregg R. Narber as a member of the Council on Human Services.

Charese E. Yanney as a member of the Iowa Council on Human Investment.

Myrna L. Langerud as a member of the Mental Health and Developmental Disabilities Commission.

Nadine S. Drennan and Marlys D. Johnson as members 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, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy

Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Freeman	Jensen
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

The Senate stood at ease at 9:40 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:11 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 April 13, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 116, a bill for an act authorizing certain persons to access dependent adult abuse information.

Senate File 132, a bill for an act relating to compensation for victims of crimes, by providing for compensation to secondary victims of crimes and increasing the maximum amount that may be recovered for loss of work income due to injuries received by victims.

Senate File 147, a bill for an act providing for the issuance of single general permits by the department of natural resources and providing an effective date.

ALSO: That the House has on April 12, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 553, a bill for an act relating to agriculture and natural resources, including for appropriations involving agriculture and natural resources, providing related statutory changes, and providing effective dates.

This bill was read first time and passed on file.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Kibbie called up the reappointment of William H. Jackson as Director of the Department of Cultural Affairs, placed on the Individual Confirmation Calendar on March 29, 1995, and found on page 963 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, 40:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Vilsack	Zieman

Nays, 7:

Bisignano	Dvorsky	Hammond	Husak
Lind	Murphy	Tinsman	

Absent or not voting, 3:

Freeman	Jensen	Kramer
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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 Connolly called up the appointment of Derald L. Judson, Jr. as a member of the Employment Appeal Board, placed on the Individual Confirmation Calendar on February 15, 1995, without recommendation, and found on page 366 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:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Deluhery	Douglas
Drake	Dvorsky	Gronstal	Hammond
Hedge	Horn	Iverson	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Szymoniak	Tinsman	Zieman	

Nays, 17:

Black	Boswell	Connolly	Dearden
Fink	Flynn	Fraise	Gettings
Giannetto	Halvorson	Hansen	Husak
Judge	Kibbie	Murphy	Sorensen
Vilsack			

Absent or not voting, 2:

Freeman	Jensen
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Derald L. Judson, Jr.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Borlaug called up the appointment of Kathryn Draeger as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 29, 1995, and found on page 963 of the Senate Journal.

Senator Borlaug 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	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Judge	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 2:

Giannetto	Kibbie
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Absent or not voting, 3:

Freeman	Jensen	Priebe
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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 Borlaug until he returns on request of Senator Rife.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Black called up the appointment of Esther M. Strother as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 29, 1995, without recommendation, and found on page 943 of the Senate Journal.

Senator Black moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

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

Ayes, 24:

Banks	Bartz	Bennett	Boettger
Douglas	Drake	Flynn	Halvorson
Hedge	Husak	Iverson	Judge
Kramer	Lind	Lundby	Maddox
McLaren	Redfern	Rensink	Rife
Rittmer	Sorensen	Tinsman	Zieman

Nays, 21:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Fraise	Gettings	Giannetto	Gronstal
Hammond	Hansen	Horn	Kibbie
McKean	Murphy	Palmer	Szymoniak
Vilsack			

Voting present, 1:

Priebe

Absent or not voting, 4:

Borlaug	Freeman	Jensen	Neuhauser
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Esther M. Strother.

DISTINGUISHED VISITOR

Senator Black presented Dr. Peter Sabluk, Ukraine First Deputy Prime Minister for Agriculture, who is visiting Iowa to discuss a project which would increase Iowa's agribusiness exports to the Ukraine, and to sign a memorandum of Understanding.

Dr. Sabluk addressed the Senate briefly expressing his desire to expand co-operation between Iowa and the Ukraine.

He noted that Iowa was the "breadbasket" of the United States, and that he was working toward reestablishing the Ukraine as the breadbasket of Europe.

The Senate rose to express its welcome.

REFUSAL OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Connolly called up the appointment of David J. Fisher as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 5, 1995, without recommendation, and found on page 1055 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, 29:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Connolly
Douglas	Drake	Dvorsky	Gronstal
Hedge	Husak	Iverson	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Zieman			

Nays, 19:

Black	Dearden	Deluhery	Fink
Flynn	Fraise	Gettings	Giannetto
Halvorson	Hammond	Hansen	Horn
Judge	Kibbie	Murphy	Neuhauser
Palmer	Szymoniak	Vilsack	

Absent or not voting, 2:

Freeman	Jensen
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of David J. Fisher.

Senator Dvorsky called up the appointment of Robert F. Baur as a member of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on February 22, 1995, and found on page 426 of the Senate Journal.

Senator Dvorsky moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 27:

Banks	Bartz	Bennett	Boettger
Borlaug	Connolly	Deluhery	Douglas
Drake	Gronstal	Halvorson	Hedge
Horn	Iverson	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 21:

Bisignano	Black	Boswell	Dearden
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Hammond	Hansen
Husak	Judge	Kibbie	Neuhauser
Palmer	Priebe	Sorensen	Szymoniak
Vilsack			

Absent or not voting, 2:

Freeman

Jensen

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Robert F. Baur.

DEFERRAL OF APPOINTEE
(Individual Confirmation Calendar)

Senator Dvorsky called up the appointment of Harold M. Thompson as Executive Director of the Iowa Telecommunications and Technology Commission, placed on the Individual Confirmation Calendar on March 30, 1995, without recommendation, and found on page 976 of the Senate Journal.

(Action on the appointment of Harold M. Thompson was deferred.)

RECESS

On motion of Senator Horn, the Senate recessed at 12:28 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 12, 1995, 10:51 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Ziemann.

Members Absent: none.

Committee Business: Placed House File 519 on the Senate Calendar without recommendation.

Adjourned: 10:53 a.m.

APPROPRIATIONS

Convened: April 12, 1995, 6:00 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: McLaren (excused).

Committee Business: Amended and approved SSB 364 as a committee bill; recommended passage of House File 530 as amended.

Adjourned: 6:55 p.m.

COMMERCE

Convened: April 12, 1995, 1:18 p.m.

Members Present: Deluhery, Chair; Hansen, Vice Chair; Jensen, Ranking Member; Bisignano, Flynn, Freeman, Gettings, Gronstal, Hedge, Lundby and Redfern.

Members Absent: Douglas, Husak, Palmer and Priebe.

Committee Business: Informational meeting on Allan Thoms, gubernatorial appointment to Utilities Board.

Adjourned: 2:01 p.m.

WAYS AND MEANS

Convened: April 12, 1995, 11:05 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack.

Members Absent: none.

Committee Business: Amended and approved SSBs 349 and 342 as committee bills; approved SSBs 348 and 360 as a committee bills; recommended passage of House File 247 as amended.

Adjourned: 11:27 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Esther M. Strother failed to be approved by the Senate on April 13, 1995.

ANDY McKEAN

PRESENTATION OF VISITORS

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

Fifty-one eleventh grade students from Colo Nesco High School, Colo, accompanied by Jack Roberts and Steve Buhrow. Senator Giannetto.

AMENDMENTS FILED

S—3410	S.F.	459	House amendment
S—3411	H.F.	303	Eugene Fraise
S—3412	H.F.	530	Larry Murphy
S—3413	H.F.	247	Michael E. Gronstal
S—3414	S.F.	436	House amendment
S—3415	S.F.	472	H. Kay Hedge
S—3416	S.F.	481	Rod Halvorson
			O. Gene Maddox

S—3417	S.F.	481	Rod Halvorson Andy McKean
S—3418	S.F.	481	Rod Halvorson
S—3419	S.F.	87	House amendment
S—3420	S.F.	60	House amendment
S—3421	S.F.	481	Eugene Fraise John P. Kibbie Derryl McLaren Wayne Bennett
S—3422	H.F.	530	Maggie Tinsman Tom Flynn Mary Kramer
S—3423	H.F.	460	Larry Murphy Andy McKean Mike Connolly

AFTERNOON SESSION

The Senate reconvened at 2:11 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 April 13, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 79, a bill for an act relating to the transfer of dogs to educational and scientific institutions by pounds.

Senate File 88, 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.

Senate File 149, a bill for an act relating to child support recovery.

Senate File 152, a bill for an act relating to the name of those persons who engage in the practice of podiatry.

Senate File 164, a bill for an act relating to the meetings of the commission on the status of African-Americans.

Senate File 206, a bill for an act striking Code language that conflicts with federal work-study program requirements and language relating to unfunded programs administered by the college student aid commission, and repealing from the Code certain unfunded programs administered by the college student aid commission.

Senate File 229, a bill for an act eliminating certain requirements regarding the purchase of coal by public agencies.

Senate File 386, a bill for an act relating to restitution in certain traffic offenses which are simple misdemeanors.

Senate File 402, a bill for an act relating to brands registered by the department of agriculture and land stewardship and providing for penalties.

Senate File 443, a bill for an act to prohibit assaults upon peace officers, basic emergency medical care providers, advanced emergency medical care providers, and fire fighters by providing penalties and enhancing penalties for resisting or obstructing peace officers, basic emergency medical care providers, advanced emergency medical care providers, and fire fighters who are performing their duties.

ALSO: That the House has on April 13, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 60, a bill for an act relating to establishing a linked investment program for speculative building development (S—3420).

Senate File 66, a bill for an act relating to cruelty to police service dogs and providing for enhanced penalties (S—3425).

Senate File 87, a bill for an act relating to nonsubstantive Code corrections, and providing effective and applicability date provisions (S—3419).

Senate File 189, a bill for an act relating to the transfer of real estate by exempting certain transfers of real estate from the real estate transfer tax and providing that a lien for a purchase money mortgage has priority over other interests in the property (S—3428).

Senate File 226, a bill for an act relating to the disposition of valueless mobile homes, modular homes, and manufactured homes (S—3427).

Senate File 400, a bill for an act providing for the reincorporation of nonprofit corporations and providing for retroactive applicability and effective dates (S—3430).

Senate File 409, a bill for an act relating to the activities of clerks of the district court, and providing additional court fees (S—3431).

Senate File 423, a bill for an act relating to delayed deposit services businesses and providing penalties (S—3434).

Senate File 433, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions (S—3433).

Senate File 436, a bill for an act relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers, for certain publicly operated facilities or programs, and for certain purposes of public employers (S—3414).

Senate File 437, a bill for an act relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system (S—3435).

Senate File 439, a bill for an act relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date (S—3432).

ALSO: That the House has on April 13, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 562, a bill for an act to legalize the proceedings taken by the board of supervisors and county auditor of Mahaska county regarding the levy of a local option sales tax to finance the construction and maintenance of a county jail and providing an effective date.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 14, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

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

BUSINESS PENDING
(Individual Confirmation Calendar)

The Senate resumed consideration of the appointment of Harold M. Thompson as Executive Director of the Iowa Telecommunications and Technology Commission, previously deferred.

(Action on the appointment of Harold M. Thompson was deferred.)

The Senate stood at ease at 2:20 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:55 p.m., President Boswell presiding.

BUSINESS PENDING
(Individual Confirmation Calendar)

The Senate resumed consideration of the appointment of Harold M. Thompson as Executive Director of the Iowa Telecommunications and Technology Commission.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hansen until he returns on request of Senator Bisignano.

Senator Dvorsky moved that the appointment of Harold M. Thompson 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, 29:

Banks	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Gettings	Gronstal	Halvorson	Hammond

Horn	Judge	Kibbie	Kramer
Maddox	Murphy	Neuhauser	Palmer
Priebe	Rittmer	Szymoniak	Vilsack
Zieman			

Nays, 18:

Bartz	Bennett	Boettger	Borlaug
Fraise	Giannetto	Hedge	Husak
Iverson	Lind	Lundby	McKean
McLaren	Redfern	Rensink	Rife
Sorensen	Tinsman		

Absent or not voting, 3:

Freeman	Hansen	Jensen
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Harold M. Thompson.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 14, a Senate Resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Horn, Boswell, Bisignano, Gettings, Gronstal and Husak. Nays, 2: Rife and Lind. Absent or not voting, 1: Kramer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 14.

Senate Resolution 14

On motion of Senator Bisignano, Senate Resolution 14, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor (Allan T. Thoms), was taken up for consideration.

Senator Bisignano moved the adoption of Senate Resolution 14.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.R. 14) the vote was:

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

Ayes, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack

Nays, 19:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Hedge
Iverson	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Redfern
Rensink	Rife	Zieman	

Absent or not voting, 3:

Freeman	Hansen	Jensen
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The motion prevailed and the resolution was adopted.

MOTION TO RECONSIDER ADOPTED (Governor's Appointee)

Senator Murphy called up the motion to reconsider the vote by which the Senate refused to confirm the appointment of Ted R. Chapler as Executive Director of the Iowa Finance Authority, filed by him on April 11, 1995, found on page 1164 of the Senate Journal, and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" the vote was:

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

Ayes, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Horn	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Nays, 20:

Banks	Bartz	Bennett	Boettger
Borlaug	Fraise	Hedge	Husak
Iverson	Kramer	Lind	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Absent or not voting, 3:

Freeman	Hansen	Jensen
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The motion prevailed and the confirmation of Ted R. Chapler was taken up for reconsideration.

Senator Horn asked and received unanimous consent that action on the confirmation of **Ted R. Chapler** be **deferred**.

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:

Carolyn E. Olsen as a member of Architectural Examining Board.

Stanton L. Visser as a member of the Board of Behavioral Science Examiners.

Dr. Jerry C. Prahl as a member of the Board of Dental Examiners.

Richard Matland as a member of the Board of Social Work Examiners.

Elmer H. Vermeer as a member of the Commission of Elder Affairs.

Dr. Scharron A. Clayton as a member of the Commission on the Status of African-Americans.

Ann Jorgensen as a member of the Iowa Economic Development Board.

Patricia E. Tiarks 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, 45:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hedge	Horn	Husak
Iverson	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Banks

Absent or not voting, 4:

Freeman	Hansen	Jensen	Murphy
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The appointees having received a two-thirds vote were declared to have been confirmed by the State.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 530.

House File 530

On motion of Senator Flynn, House File 530, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the commission of veterans affairs, and the governor's alliance on substance abuse, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Flynn offered amendment S—3409 filed by the committee on Appropriations on April 12, 1995, to pages 2-3, 5-7, 21 and 23 of the bill.

Senator Giannetto offered amendment S—3429 filed by Senators Giannetto and Flynn from the floor to amendment S—3409 and moved its adoption.

Amendment S—3429 was adopted by a voice vote.

Senator Rensink called for a division of amendment S—3409 as amended: lines 3 and 4 as division S—3409A and lines 5-43 as division S—3409B.

Senator Flynn moved the adoption of division S—3409B as amended, which motion prevailed by a voice vote.

Senator Flynn moved the adoption of division S—3409A, which motion prevailed by a voice vote.

Senator Tinsman offered amendment S—3422 filed by Senators Tinsman, et al., from the floor to page 18 of the bill and moved its adoption.

Amendment S—3422 was adopted by a voice vote.

Senator Murphy offered amendment S—3412 filed by him from the floor to page 22 of the bill and moved its adoption.

Amendment S—3412 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 530) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hedge	Horn
Husak	Iverson	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

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

Senator Horn asked and received unanimous consent that **House File 530** be immediately messaged to the House.

The Senate stood at ease at 4:12 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 4:15 p.m., President Boswell presiding.

UNFINISHED BUSINESS

(Deferred April 6, 1995)

Senate File 467

On motion of Senator Black, Senate File 467, a bill for an act

relating to agriculture and natural resources, by providing for appropriations and revenue, providing related statutory changes, and providing effective dates, was taken up for consideration.

Senator Black offered amendment S—3424 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3424 was adopted by a voice vote.

Senator Black asked and received unanimous consent that House File 553 be substituted for Senate File 467 as amended.

House File 553

On motion of Senator Black, House File 553, a bill for an act relating to agriculture and natural resources, by providing for appropriations and revenue, providing related statutory changes, and providing effective dates, was taken up for consideration.

Senator Black offered amendment S—3436 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Judge offered amendment S—3442 filed by her from the floor to page 1 of amendment S—3436 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3442 to amendment S—3436 be adopted?" (H.F. 553) the vote was:

Ayes, 18:

Boswell	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Halvorson	Hammond	Horn	Judge
Kibbie	Kramer	Neuhauser	Sorensen
Szymoniak	Vilsack		

Nays, 27:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Douglas	Drake
Gettings	Giannetto	Gronstal	Hedge
Husak	Iverson	Lind	Lundby
Maddox	McKean	McLaren	Murphy

Priebe	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Absent or not voting, 5:

Borlaug	Freeman	Hansen	Jensen
Palmer			

Amendment S—3442 lost.

Senator Priebe offered amendment S—3440 filed by him from the floor to pages 9 and 14 of amendment S—3436 and moved its adoption.

Amendment S—3440 was adopted by a voice vote.

Senator Judge offered amendment S—3443 filed by Senators Judge and Neuhauser from the floor to page 14 of amendment S—3436 and moved its adoption.

Amendment S—3443 was adopted by a voice vote.

Senator Murphy offered amendment S—3444 filed by Senators Murphy, et al., from the floor to page 24 of amendment S—3436 and moved its adoption.

Amendment S—3444 was adopted by a voice vote.

Senator Black moved the adoption of amendment S—3436 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 553) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hedge	Horn	Husak
Iverson	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer

Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Borlaug	Freeman	Hansen	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Black asked and received unanimous consent that **Senate File 467** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 15, by committee on Rules and Administration, a resolution deferring action on the confirmation of an appointment submitted by the Governor.

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

Senate Resolution 16, by Banks, a senate resolution to urge and petition the federal government to reexamine the requirements of the conservation reserve program administered by the United States Department of Agriculture in order to ensure that suitable land under the program is eligible for suitable uses relating to the grazing by livestock.

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

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 553** be **immediately messaged** to the House.

COMMITTEE REPORT**RULES AND ADMINISTRATION**

Final Bill Action: SENATE RESOLUTION 15, a resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Horn, Boswell, Bisignano, Gettings and Gronstal. Nays, 4: Rife, Husak, Kramer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 15.

Senate Resolution 15

On motion of Senator Gronstal, Senate Resolution 15, a resolution deferring action on the confirmation of an appointment submitted by the Governor (Ted R. Chapler), was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 15, which motion prevailed by a voice vote.

**MOTION TO RECONSIDER ADOPTED
(Governor's Appointee)**

Senator McKean called up the motion to reconsider the vote by which the Senate refused to confirm the appointment of Esther M. Strother as a member of the Environmental Protection Commission, filed by him on April 13, 1995, found on page 1201 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 1.

The motion prevailed and the confirmation of Esther M. Strother was taken up for reconsideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bartz for the remainder of the day on request of Senator Lind.

Senator Black moved that the appointment of Esther M. Strother be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 27:

Banks	Bennett	Boettger	Douglas
Drake	Flynn	Giannetto	Halvorson
Hedge	Husak	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 16:

Bisignano	Black	Boswell	Cannolly
Dearden	Deluhery	Dvorsky	Fink
Gettings	Gronstal	Hammond	Horn
Palmer	Sorensen	Szymoniak	Vilsack

Absent or not voting, 7:

Bartz	Borlaug	Fraise	Freeman
Hansen	Jensen	Priebe	

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Esther M. Strother.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Horn asked and received unanimous consent that the following bills be referred from the Regular Calendar and placed on the Unfinished Business Calendar:

House Files 29, 94, 103, 126, 139, 203, 217, 247, 252, 258, 288, 340, 393, 428, 437, 461, 476, 486, 492, 494, 507, 519, 520, 528 and House Joint Resolution 13.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 519** be referred from the Unfinished Business Calendar to the committee on **Agriculture**.

The Senate stood at ease at 5:15 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 5:37 p.m., President Boswell presiding.

MOTION TO RECONSIDER ADOPTED (Governor's Appointee)

Senator Tinsman 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 Harold M. Thompson failed to be approved by the Senate on April 13, 1995.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 25:

Bisignano	Black	Boswell	Connolly
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Gronstal	Halvorson
Horn	Kibbie	Kramer	Lundby
Murphy	Neuhauser	Palmer	Priebe
Rittmer	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 20:

Banks	Bennett	Boettger	Dearden
Fraise	Gettings	Giannetto	Hammond
Hedge	Husak	Iverson	Judge
Lind	Maddox	McKean	McLaren
Redfern	Rensink	Rife	Sorensen

Absent or not voting, 5:

Bartz Jensen	Borlaug	Freeman	Hansen
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The motion prevailed and the appointment of Harold M. Thompson as Executive Director of the Iowa Telecommunications and Technology Commission was taken up for reconsideration.

Senator Dvorsky asked and received unanimous consent that action on the confirmation of **Harold M. Thompson** be deferred.

MOTION TO RECONSIDER ADOPTED
(Governor's Appointee)

Senator Murphy filed the following motion to reconsider from the floor and moved its adoption.

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of David J. Fisher failed to be approved by the Senate on April 13, 1995.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 26:

Bennett	Bisignano	Boettger	Boswell
Deluhery	Douglas	Drake	Dvorsky
Fink	Hedge	Horn	Husak
Iverson	Kramer	Lundby	Maddox
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rife	Rittmer	Tinsman
Vilsack	Ziemann		

Nays, 19:

Banks	Black	Connolly	Dearden
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Judge
Kibbie	Lind	McKean	McLaren
Reinsink	Sorensen	Szymoniak	

Absent or not voting, 5:

Bartz	Borlaug	Freeman	Hansen
Jensen			

The motion prevailed and the appointment of David J. Fisher as a member of the State Board of Regents was taken up for reconsideration.

Senator Murphy asked and received unanimous consent that action on the confirmation of **David J. Fisher** be deferred.

The Senate stood at ease at 5:15 p.m. until the fall of the gavel.

The Senate resumed session at 6:37 p.m., President Boswell presiding.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 17, a Senate Resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Horn, Boswell, Rife, Husak, Kramer and Lind. Nays, 2: Gettings and Gronstal. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 18, a Senate Resolution deferring action on the confirmation of an appointment submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Horn, Boswell, Rife, Husak, Kramer and Lind. Nays, 2: Gettings and Gronstal. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 17, by committee on Rules and Administration, a resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and placed on calendar.

Senate Resolution 18, by committee on Rules and Administration, a senate resolution deferring action on the confirmation of an appointment submitted by the Governor.

Read first time and placed on calendar.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for the remainder of the day on request of Senator Sorensen and Senator McKean for the remainder of the day on request of Senator Lind.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 17.

Senate Resolution 17

On motion of Senator Dvorsky, Senate Resolution 17, a resolution deferring action on the confirmation of an appointment submitted by the Governor (Harold M. Thompson), was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Resolution 17.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.R. 17) the vote was:

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

Ayes, 23:

Bisignano	Black	Boswell	Connolly
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Gronstal	Halvorson
Horn	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Rittmer
Szymoniak	Tinsman	Vilsack	

Nays, 19:

Bennett	Boettger	Dearden	Fraise
Gettings	Giannetto	Hammond	Hedge
Husak	Iverson	Kramer	Lind
Maddox	McLaren	Redfern	Rensink
Rife	Sorensen	Zieman	

Voting present, 1:

Banks

Absent or not voting, 7:

Bartz	Borlaug	Freeman	Hansen
Jensen	McKean	Priebe	

The motion lost and resolution was defeated.

BUSINESS PENDING

The Senate resumed consideration of the appointment of David J. Fisher as a member of the State Board of Regents, previously deferred.

Senator Connolly moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 25:

Banks	Bennett	Bisignano	Boettger
Boswell	Connolly	Douglas	Drake
Dvorsky	Hedge	Horn	Husak
Iverson	Kramer	Lind	Lundby
Maddox	McLaren	Palmer	Redfern
Rensink	Rife	Rittmer	Tinsman
Zieman			

Nays, 18:

Black	Dearden	Deluhery	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Judge
Kibbie	Murphy	Neuhauser	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 7:

Bartz
Jensen

Borlaug
McKean

Freeman
Priebe

Hansen

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of David J. Fisher.

APPENDIX

SIMILAR BILL RECEIVED

On April 13, 1995, House File 553 was received and attached to similar Senate File 467 on the Senate Calendar.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Sixth grade students from Carter Lake School, Carter Lake, accompanied by Jen Siglin and Kristi Promnitz. Senator Gronstal.

BILL ASSIGNED TO COMMITTEE

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

H.F. 562 Judiciary

AMENDMENTS FILED

S—3424	S.F.	467	Dennis H. Black
S—3425	S.F.	66	House amendment
S—3426	S.F.	411	Patrick J. Deluhery
S—3427	S.F.	226	House amendment
S—3428	S.F.	189	House amendment
S—3429	H.F.	530	Randal J. Giannetto Tom Flynn
S—3430	S.F.	400	House amendment
S—3431	S.F.	409	House amendment
S—3432	S.F.	439	House amendment
S—3433	S.F.	433	House amendment
S—3434	S.F.	423	House amendment
S—3435	S.F.	437	House amendment
S—3436	H.F.	553	Dennis H. Black
S—3437	S.F.	481	Richard F. Drake Rod Halvorson Don Gettings Stewart E. Iverson, Jr.

S—3438	S.F.	473	Stewart E. Iverson, Jr. William D. Palmer Albert E. Sorensen Derryl McLaren
S—3439	H.F.	303	Jim Lind Tom Flynn Donald B. Redfern Mary A. Lundby
S—3440	H.F.	553	Berl E. Priebe
S—3441	H.F.	258	Tom Vilsack Dick L. Dearden Randal J. Giannetto Derryl McLaren Mary Kramer Jim Lind
S—3442	H.F.	553	Patty Judge
S—3443	H.F.	553	Patty Judge Mary Neuhauser
S—3444	H.F.	553	Larry Murphy Allen Borlaug Dennis H. Black Brad Banks
S—3445	S.F.	481	Rod Halvorson
S—3446	H.F.	103	Tom Vilsack

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 6:47 p.m., until 2:00 p.m., Monday, April 17, 1995.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 17, 1995

The Senate met in regular session at 2:30 p.m., President Boswell presiding.

Prayer was offered by Bishop Christopher Eplins of the Episcopal Diocese of Iowa, Des Moines, Iowa.

The Journal of Thursday, April 13, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman for the day on request of Senator Lundby.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 27, by Black, a concurrent resolution requesting the Legislative Council to establish an interim study committee to review the "one-call" statewide underground facility notification system.

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 2:44 p.m. until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session at 3:37 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 April 17, passed the following bills in which the concurrence of the Senate is asked:

House File 159, a bill for an act relating to the production of ornamental, flowering, or vegetable plants for purposes of the state sales tax.

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

House File 550, a bill for an act relating to the exemption of the statewide notification center and its vendors from sales, services, and use taxes and providing for the Act's effectiveness and retroactive applicability.

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

House File 556, a bill for an act relating to the definition of entities eligible for property tax exemption for construction of speculative shell buildings.

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

INTRODUCTION OF BILL

Senate File 482, by Horn and Rife, a bill for an act establishing economic and other penalties for certain criminal activity.

Read first time and assigned to the committee on **Judiciary**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery until he arrives on request of Senator Horn.

HOUSE AMENDMENT CONSIDERED

Senate File 82

Senator Hammond called up for consideration Senate File 82, a bill for an act relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3389 filed April 11, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hammond moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 82) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Douglas	Drake	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nay's, none.

Absent or not voting, 5:

Bisignano	Deluhery	Dvorsky	Freeman
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 Dvorsky until he arrives on request of Senator Black.

HOUSE AMENDMENTS CONSIDERED

Senate File 436

Senator Vilsack called up for consideration Senate File 436, a bill for an act relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers, for certain publicly operated facilities or programs, and for certain purposes of public employers, amended by the House, and moved that the Senate concur in House amendment S—3414 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Vilsack 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. 436) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Douglas	Drake	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Bisignano	Deluhery	Dvorsky	Freeman
Murphy			

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

Senate File 433

Senator Szymoniak called up for consideration Senate File 433, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions, amended by the House in House amendment S—3433 filed April 13, 1995.

Senator Szymoniak offered amendment S—3449 filed by her from the floor to House amendment S—3433 and moved its adoption.

Amendment S—3449 was adopted by a voice vote.

Senator Szymoniak 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 Szymoniak 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. 433) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Freeman

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

Senate File 66

Senator Fraise called up for consideration Senate File 66, a bill for an act relating to cruelty to police service dogs and providing for enhanced penalties, amended by the House, and moved that the Senate concur in House amendment S—3425 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fraise moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 66) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Freeman

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

Senate File 87

Senator Bartz called up for consideration Senate File 87, a bill for an act relating to nonsubstantive Code corrections, and providing effective and applicability date provisions, amended by the House, and moved that the Senate concur in House amendment S—3419 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bartz 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. 87) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery	Freeman
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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 File 433 be immediately messaged to the House, and to send an immediate message to the House on Senate Files 82, 436, 66 and 87.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senate File 470

On motion of Senator Szymoniak, Senate File 470, a bill for an act relating to the imposition of a local option sales and services tax in certain cities located in two counties and providing an effective date, 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. 470) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery	Freeman
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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 471

On motion of Senator Szymoniak, Senate File 471, a bill for an act relating to the wagering tax on gambling games at pari-mutuel racetrack enclosures, was taken up for consideration.

Senator Halvorson asked and received unanimous consent that action on **Senate File 471** be deferred.

Senate File 18

On motion of Senator Iverson, Senate File 18, a bill for an act exempting from the sales, services, and use tax specific items used by printers and publishers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Iverson offered amendment S—3272 filed by Senators Palmer, et al., on March 29, 1995, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3272 was adopted by a voice vote.

With the adoption of amendment S—3272, the Chair ruled the following amendments out of order:

S—3076 filed by the committee on Ways and Means on February 23, 1995, to page 2 of the bill.

S—3229 filed by Senator Iverson on March 27, 1995, to page 2 of the bill.

Senator Iverson asked and received unanimous consent that **House File 185** be substituted for **Senate File 18** as amended.

House File 185

On motion of Senator Iverson, House File 185, a bill for an act relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions, was taken up for consideration.

Senator Iverson withdrew amendment S—3274 filed by him on March 29, 1995 to page 2 of the bill.

Senator Iverson offered amendment S—3328 filed by him on April 3, 1995, to page 2 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—3328 and **House File 185** be deferred.

Senate File 473

On motion of Senator McLaren, Senate File 473, a bill for an act relating to the refund of property taxes paid erroneously and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Iverson offered amendment S—3438 filed by Senators Iverson, et al., on April 13, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3438 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 473) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Deluhery Freeman

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

Senate File 476

On motion of Senator Connolly, Senate File 476, a bill for an act relating to interest earned on rental deposits, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that action on **Senate File 476** be deferred.

Senate File 478

On motion of Senator Palmer, Senate File 478, a bill for an act relating to the state franchise tax imposed on financial institutions by disallowing the deduction for expenses related to a financial institution's investment in investment subsidiaries and providing effective and applicability dates, was taken up for consideration.

Senator Vilsack offered amendment S—3447 filed by Senators Vilsack, Drake and Douglas from the floor to page 1 and the title page of the bill.

Senator Murphy asked and received unanimous consent that action on amendment S—3447 and **Senate File 478** 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 17, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 431, a bill for an act relating to child support collection, including alternative measures for payment of costs for nonpublic assistance services, the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, payment of a child support obligation under a modified order, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions.

ALSO: That the House has on April 17, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 548, a bill for an act relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions.

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

House File 554, a bill for an act relating to state and local taxes including appeals of department of revenue and finance actions, the prohibition of unconstitutional or illegal tax collections, assessment procedures pertaining to amended returns, corporate income tax rates, sales tax on test laboratory services, collection of sales tax by out-of-state retailers, interest accrual on sales and use tax refunds, sales tax permit denial for delinquent taxes, bonding provisions for sales tax and environmental protection charge contested case decisions, costs associated with contested case hearings, penalty for underpayment of corporation income and franchise taxes, services subject to use tax, penalty for underpayment of use tax, the repeal of obsolete property tax provisions, and imposition of the drug excise tax on unprocessed marijuana plants and providing effective and applicability date provisions.

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

House File 558, a bill for an act relating to the recapture tax on property maintained as a fruit-tree or forest reservation for which a property tax exemption was granted and providing effective and applicability date provisions.

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

UNFINISHED BUSINESS CALENDAR

House File 139

On motion of Senator Hansen, House File 139, a bill for an act relating to the disclosure of the methods used by insurance companies and nonprofit health service corporations to determine the usual and customary fees for dental care benefit coverages, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 139) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Freeman

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

House File 520

On motion of Senator Flynn, House File 520, a bill for an act relating to electronic transfer of funds and establishing certain requirements for full-function point-of-sale terminals and electronic funds transfer facilities maintained or operated by a national card association, establishing a civil penalty, and providing an effective date, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 520) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Freeman

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 470, 473** and **House Files 139** and **520** be immediately messaged to the House.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that the following bills be referred from the Senate Calendar to committee:

S. F.	232	Transportation
S. F.	335	State Government
S. R.	18	Rules
S. F.	408	Judiciary

WITHDRAWN

Senator Hansen asked and received unanimous consent that

Senate File 183 be **withdrawn** from further consideration of 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 17, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 387, a bill for an act relating to the appointment of the student member to the state board of regents, reducing the student member's term, and providing implementation and transition provisions (S—3454 to H—3836).

ALSO: That the House has on April 17, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 549, a bill for an act relating to the collection of taxes and debts owed to or collected by the state, including the renewal of registrations, the publication of information pertaining to certain taxes and debts, providing for an administrative levy to seize certain accounts of a debtor, the denial, revocation, suspension, or renewal of licenses authorized by the state, redistributing collected amounts, creating a driver's license indebtedness clearance pilot project, and other related matters, and providing an effective date.

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

House File 552, a bill for an act relating to changing the point of taxation of motor vehicle fuel by requiring suppliers, restrictive suppliers, importers, exporters, dealers, users, or blenders licenses, changing reporting periods, and adding penalties and providing an effective date.

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

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received and placed on file in the office of the Secretary of the Senate.

DEPARTMENT OF EDUCATION The Annual Condition of Education Report

This document contains data relative to programming in Iowa's elementary and secondary schools as well as community colleges. It consists of five components: pupil achievement, staff, program, finance, and enrollment.

DEPARTMENT OF COMMERCE

A report pursuant to Iowa Code section 272C.4(2), on behalf of the Professional Licensing and Regulation division in the Department of Commerce and the six professions encompassed within the division.

DEPARTMENT OF TRANSPORTATION

As required in Iowa Code section 307.21, a summary of purchasing activity for soy based inks and biodegradable trash bags. The figures are for calendar year 1994.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report to the General Assembly on Value-Added Agricultural Products and Processes Financial Assistance Program as required by H.F. 2337, passed by the 75th General Assembly.

DEPARTMENT OF EDUCATION

The technical report and the executive summary which have been developed by North Central Regional Educational Laboratories in order to assess the economic impact of the proposed rules for special education. The study was mandated by the General Assembly during the last legislative session (Senate File 2330).

IOWA DEPARTMENT OF PUBLIC HEALTH

1994 Annual Report Professional Licensure pursuant to Iowa Code, Ch 272C.4(2)"b".

Report of the Center for Rural Health and Primary Care, submitted in accordance with 1994 Iowa Acts, Chapter 1168 pursuant to HF 2422, 75th G.A.

Certificate of Need (CON) Program annual report July 1, 1993-June 30, 1994, pursuant to Section 135.77, Code of Iowa.

LOTTERY DIVISION
IOWA DEPARTMENT OF REVENUE AND FINANCE

Financial statement and supplemental information through September 30, 1994.

IOWA PRISON INDUSTRIES
Division of The Department of Corrections

The report on the financial conditions of the Iowa Prison Industries farming operations submitted to comply with the requirements of Code of Iowa, chapter 904.706.

IOWA DEPARTMENT OF TRANSPORTATION

A copy of the 1994 annual report of the Iowa Railway Finance Authority, as required by Code Section 3271.8(6).

DEPARTMENT OF PUBLIC HEALTH

Vital Statistics of Iowa. This edition includes reports on a number of health-related data for the 1993 calendar year, such as births, deaths, fetal deaths, diseases, marriages, and dissolution of marriages.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A copy of the FY 94 Annual Report of the Iowa Conservation Corps.

DEPARTMENT OF ELDER AFFAIRS

The annual report of the activities and recommendations of the Long-Term Care Resident's Advocate Program, including the activities of Care Review Committees, as required in Section 231.42 of the Iowa Code.

DEPARTMENT OF INSPECTIONS AND APPEALS

A special audit of the Camp Courageous Farm Raffle as required by Chapter 1097, Laws of the 75th G.A., 1994 Session. These are reviewed records provided by Camp Courageous and performed procedures considered necessary to ascertain compliance with the above-cited Act and Code of Iowa Chapter 99B.

DEPARTMENT OF PUBLIC HEALTH

Health Data Commission 1995 Annual Report, pursuant to Iowa code, Ch. 145.6.

DEPARTMENT OF PUBLIC HEALTH

Pursuant to Iowa Code, Ch. 135.22A(6)"F", the Annual Report and State Plan of Iowa Advisory Council on Head Injury.

IOWA DEPARTMENT OF TRANSPORTATION

Section 307A.2(14) of the Code of Iowa requires the State Transportation Commission of the Iowa Department of Transportation to prepare, adopt, and publish the results of a quadrennial study of the present deficiencies and future 20-year maintenance and construction needs of all roads and streets in the state. The study years are 1994-2013.

IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH (I-CASH)

A copy of the 1994 Annual Report of the Iowa Center for Agricultural Safety and Health. The report was prepared and submitted as mandated by the Code of Iowa, Chapter 262.78(6).

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

The March 1, 1995, report to the Iowa General Assembly regarding SoyDiesel demonstrations in Iowa conducted by the Iowa Department of Transportation and coordinated by the Office of Renewable Fuels and Co-Products, Iowa Department of Agriculture and Land Stewardship.

IOWA DEPARTMENT OF PUBLIC SAFETY

Incident-Based Iowa Uniform Crime Reports. 1993.

DEPARTMENT OF EDUCATION

The 1993-94 Open Enrollment Report as required by Senate File 59.

FRIENDS OF CAPITOL HILL

Annual Report as of January 25, 1995.

CAPITOL PLANNING COMMISSION

Annual Report for 1994.

UNIVERSITY OF IOWA

Re: Executive Summary - Provision of Comprehensive Health Care to rural Iowans in the Twenty-first Century. A report addressing both needs and solutions for rural Iowans in the decade ahead.

LEGISLATIVE SERVICE BUREAU

Final Report-Animal Agriculture Interim Study Committee.

Final Report-Substance Abuse Care and Treatment Program Interim Study Committee.

Final Report-Child Protection Task Force.

Final Report-State and Local Tax Review Study Committee.

Final Report-Regulation of Long-Term Care in Iowa Health Care Facilities Interim Study Committee.

Final Report-Management of Beverage Container Interim Study Committee.

Final Report-School Finance Review Study Committee.

Final Report-Economic Development Service Delivery System Interim Study Committee.

Annual Report-Iowa Advisory Commission on Intergovernmental Relations.

Biennial Report-Judicial Compensation Commission.

Progress Report-Sentencing Interim Study Committee.

IOWA TELECOMMUNICATIONS & TECHNOLOGY COMMISSION

A cost benefit analysis concerning the use of video conferencing by the area education agencies, pursuant to the 1994 Iowa Acts, Chapter 1184, section 25. Attached is the required written report for consideration by the Commission at the next scheduled meeting on March 30, 1995.

IOWA DEPARTMENT OF COMMERCE ALCOHOLIC BEVERAGES DIVISION

An Annual Report of the Alcoholic Beverages Division in accordance with Iowa Code Chapter 123, for the fiscal year ending June 30, 1994.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

An Annual Report for the period ending June 30, 1994, per the requirements of Iowa Code Chapter 411 (411.5[6a]).

DEPARTMENT OF GENERAL SERVICE

The Annual Report for Fiscal Year 1994.

LOTTERY DIVISION IOWA DEPARTMENT OF REVENUE AND FINANCE

Independent auditor's reports, financial statement and supplemental information as of December 31, 1994.

DEPARTMENT OF NATURAL RESOURCES

A report regarding the status of Solid Waste Comprehensive Planning Areas and the State in attaining the July 1, 1994, twenty-five percent waste reduction and recycling goal. The report has been prepared to meet the requirements of Code of Iowa Section 455D.3, Subsection 3, Paragraph "a".

IOWA COMMUNICATIONS NETWORK

Pursuant to the 1994 Iowa Acts, Chapter 1184, section 25, the Iowa Telecommunications and Technology Commission is required to evaluate and

complete a cost benefit analysis concerning the use of video conferencing by the area education agencies.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: April 13, 1995, 1:55 p.m.

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

Members Absent: Kramer.

Committee Business: Excused governor's appointees Stanton Visser and Elmer Vermeer from introduction before the Senate; approved committee resolution deferring confirmation of Allan Thoms as Chairperson of the Utilities Board for one year.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: April 13, 1995, 4:12 p.m.

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

Members Absent: none.

Committee Business: Approved committee resolution to defer confirmation of governor's appointee Ted Chapler for one year.

Adjourned: 4:15 p.m.

RULES AND ADMINISTRATION

Convened: April 13, 1995, 5:45 p.m.

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

Members Absent: Bisignano.

Committee Business: Approved committee resolutions deferring confirmation of appointee Harold Thompson and governor's appointee David Fisher.

Adjourned: 5:47 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 405

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Gronstal, Chair;
Deluhery and Lundby

House File 562

JUDICIARY: Redfern, Chair; Boettger, Fraise, Giannetto and Vilsack

RESOLUTION ASSIGNED TO COMMITTEE

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

S. R. 16 Agriculture

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Max Slobin, Sioux City — For achieving the rank of Eagle Scout. Senator Hansen (5-7-95).

COMPANION AND SIMILAR BILLS

House files were attached to companion or similar Senate files on the Senate calendar as follows:

H.F. 159	similar	S.F. 19	4-17-95
H.F. 548	companion	S.F. 469	4-17-95
H.F. 554	companion	S.F. 474	4-17-96
H.F. 552	similar	S.F. 480	4-17-95
H.F. 556	companion	S.F. 479	4-17-95

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 483 (SSB 362.1), a bill for an act establishing a school improvement and technology program, providing for properly related matters, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, Banks, Bartz, Bisignano, Black, Borlaug, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 3: Lind, Douglas and Iverson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 481, 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 and retroactive applicability date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3455.

Final Vote: Ayes, 25: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 483, by committee on Appropriations, a bill for an act establishing a school improvement and technology program, providing for properly related matters, and making appropriations.

Read first time under Rule 28 and placed on Appropriations Calendar.

AMENDMENTS FILED

S-3447	S.F.	478	Tom Vilsack Richard F. Drake JoAnn Douglas
S-3448	H.F.	247	Brad Banks Berl E. Priebe

S-3449	S.F.	433	Merlin E. Bartz
S-3450	S.F.	481	Elaine Szymoniak
S-3451	S.F.	480	Rod Halvorson
S-3452	H.F.	159	Merlin E. Bartz
S-3453	S.F.	471	Elaine Szymoniak
S-3454	H.F.	387	Rod Halvorson
S-3455	H.F.	481	House amendment
			Appropriations

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:14 p.m., until 9:00 a.m., Tuesday, April 18, 1995.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 18, 1995

The Senate met in regular session at 9:12 a.m., President Boswell presiding.

Prayer was offered by Candy Boucher, Catholic Campus Minister for Drake University, Des Moines, who sang "Amazing Grace".

The Journal of Monday, April 17, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Halvorson until he 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 April 17, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 373, a bill for an act relating to establishing family health accounts and a state pilot project and providing applicability and effective date provisions.

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

House File 482, a bill for an act relating to the funding for the Iowa communications network and providing an appropriation.

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

House File 559, a bill for an act defining multiple housing cooperatives and certain other property of nonprofit organizations as residential property for purposes of assessing the value of the property for taxation purposes, and providing for the Act's retroactive applicability.

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

House File 560, a bill for an act relating to the definition of "designated person" for purposes of the family farm tax credit and providing effective and applicability dates.

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.

HOUSE AMENDMENTS CONSIDERED

Senate File 226

Senator Fraise called up for consideration Senate File 226, a bill for an act relating to the disposition of valueless mobile homes, modular homes, and manufactured homes, amended by the House, and moved that the Senate concur in House amendment S-3427 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Fraise moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 226) the vote was:

Ayes, 48:

Banks
Boettger

Bartz
Borlaug

Bennett
Boswell

Black
Connolly

Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittner	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bisignano Halvorson

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

Senate File 437

Senator Kibbie called up for consideration Senate File 437, a bill for an act relating to the entitlement to benefits and dividends under the Iowa public employees' retirement system, amended by the House, and moved that the Senate concur in House amendment S—3435 filed April 13, 1995.

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. 437) the vote was:

Ayes, 49

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind

Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Halvorson

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

Senate File 400

Senator Redfern called up for consideration Senate File 400, a bill for an act providing for the reincorporation of nonprofit corporations and providing for retroactive applicability and effective dates, amended by the House, and moved the Senate concur in House amendment S—3430 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Redfern 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. 400) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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

Senate File 439

Senator Boettger called up for consideration Senate File 439, a bill for an act relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date, amended by the House, and moved that the Senate concur in House amendment S—3432 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Boettger 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. 439) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 461

On motion of Senator Hansen, House File 461, a bill for an act relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Hansen asked and received unanimous consent that action on **House File 461** be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 474

On motion of Senator Palmer, Senate File 474, a bill for an act relating to state and local taxes including appeals of department of revenue and finance actions, the prohibition of unconstitutional or illegal tax collections, assessment procedures pertaining to amended returns, corporate income tax rates, sales tax on test laboratory services, collection of sales tax by out-of-state retailers, interest accrual on sales and use tax refunds, sales tax permit denial for delinquent taxes, bonding provisions for sales tax and environmental protection charge contested case decisions, costs associated with contested case hearings, penalty for underpayment of corporation income and franchise taxes, services subject to use tax, penalty for underpayment of use tax, the repeal of obsolete property tax provisions, and imposition of the drug excise tax on unprocessed marijuana plants and providing effective and applicability date provisions, was taken up for consideration.

Senator Palmer asked and received unanimous consent that **House File 554** be substituted for **Senate File 474**.

House File 554

On motion of Senator Palmer, House File 554, a bill for an act relating to state and local taxes including appeals of department of revenue and finance actions, the prohibition of unconstitutional or illegal tax collections, assessment procedures pertaining to amended returns, corporate income tax rates, sales tax on test laboratory services, collection of sales tax by out-of-state retailers, interest accrual on sales and use tax refunds, sales tax permit denial for delinquent taxes, bonding provisions for sales tax and environmental protection charge contested case decisions, costs associated with contested case hearings, penalty for underpayment of corporation income and franchise taxes, services subject to use tax, penalty for underpayment of use tax, the repeal of obsolete property tax provisions, and imposition of the drug excise tax on unprocessed marijuana plants and providing effective and applicability date provisions, was taken up for consideration.

Senator Judge took the chair at 9:51 a.m.

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. 554) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

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 474** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 475

On motion of Senator Murphy, Senate File 475, a bill for an act relating to state financial provisions and providing applicability provisions and effective dates, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 475) the vote was:

Ayes, 43:

Bennett	Bisignano	Black	Boettger
Boswell	Connolly	Dearden	Deluhery
Douglas	Drake	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 7:

Banks	Bartz	Borlaug	Iverson
Lind	McLaren	Rife	

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 93

Senator Bisignano called up for consideration Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—3383 filed April 11, 1995.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

UNFINISHED BUSINESS (Deferred April 11, 1995)

House File 460

The Senate resumed consideration of House File 460, a bill for an act relating to governmental control of property by allowing governmental entities to enter and test property for condemnation of property for highway purposes, providing for the interest rates assessed for condemnation damages, providing for right-of-way notice filings, and concerning advertising control laws on scenic highways, deferred April 11, 1995.

Senator McKean offered amendment S—3423 filed by Senators McKean and Connolly on April 13, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3423 was adopted by a voice vote.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 460) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluherly	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson

Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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.

President Boswell took the chair at 10:35 a.m.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 479

On motion of Senator Connolly, Senate File 479, a bill for an act relating to the definition of entities eligible for property tax exemption for construction of speculative shell buildings, was taken up for consideration.

Senator Connolly asked and received unanimous consent that House File 556 be substituted for Senate File 479.

House File 556

On motion of Senator Connolly, House File 556, a bill for an act relating to the definition of entities eligible for property tax exemption for construction of speculative shell buildings, 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. 556) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn

Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Connolly asked and received unanimous consent that **Senate File 479** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 481

On motion of Senator Halvorson, Senate File 481, a bill for an act relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date, was taken up for consideration.

Senator Halvorson offered amendment S—3418 filed by him on April 13, 1995, to page 6 of the bill and moved its adoption.

Amendment S—3418 was adopted by a voice vote.

Senator Halvorson offered amendment S—3445 filed by him on April 13, 1995, to page 6 of the bill and moved its adoption.

Amendment S—3445 was adopted by a voice vote.

Senator Halvorson offered amendment S—3450 filed by him on April 17, 1995, to pages 7 and 10 of the bill and moved its adoption.

Amendment S—3450 was adopted by a voice vote.

Senator Drake offered amendment S—3437 filed by Senators Drake, et al., on April 13, 1995, to page 13 of the bill.

President pro tempore Bisignano took the chair at 10:52 a.m.

Senator Lind offered amendment S—3463 filed by him from the floor to amendment S—3437, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3463 to amendment S—3437 be adopted?" (S.F. 481) the vote was:

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 27:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Priebe
Sorensen	Szymoniak	Vilsack	

Amendment S—3463 lost.

Senator Drake moved the adoption of amendment S—3437, which motion prevailed by a voice vote.

President Boswell took the chair at 11:12 a.m.

Senator Halvorson offered amendment S—3416 filed by Senators Halvorson and Maddox on April 13, 1995, to page 14 of the bill.

Senator Murphy raised the point of order that amendment S—3416 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3416 out of order.

Senator Halvorson asked and received unanimous consent that action on amendment S—3417 filed by Senators Halvorson and McKean on April 13, 1995, to page 14 and the title page of the bill be deferred.

Senator Fraise offered amendment S—3421 filed by Senators Fraise, et al., on April 13, 1995, to page 14 of the bill.

Senator Murphy raised the point of order that amendment S—3421 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3421 in order.

Senator Fraise moved the adoption of amendment S—3421.

A record roll call was requested.

On the question "Shall amendment S—3421 be adopted?" (S.F. 481) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Bartz	Bennett	Black	Boettger
Borlaug	Boswell	Deluhery	Douglas
Fink	Fraise	Freeman	Gettings
Gronstal	Hedge	Horn	Husak
Judge	Kibbie	McKean	McLaren
Neuhauser	Palmer	Priebe	Sorensen
Vilsack			

Nays, 23:

Banks	Bisignano	Connolly	Dearden
Drake	Dvorsky	Flynn	Giannetto
Halvorson	Hammond	Hansen	Iverson
Jensen	Kramer	Lind	Lundby
Maddox	Murphy	Redfern	Rensink
Rittmer	Tinsman	Zieman	

Absent or not voting, 2:

Rife Szymoniak

Amendment S—3421 was adopted.

Senator Hammond withdrew amendment S—3469 filed by her from the floor to page 4 of the bill.

Senator Lind 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—3445 to Senate File 481 was adopted by the Senate on April 18, 1995.

On the question "Shall the motion to reconsider be adopted?" (S.F. 481) the vote was:

Ayes, 20:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Hedge
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 28:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Judge
Kibbie	McLaren	Murphy	Neuhauser
Palmer	Priebe	Sorensen	Vilsack

Absent or not voting, 2:

McKean Szymoniak

The motion lost.

Amendment S—3473 filed by Senator Lind from the floor to amendment S—3445 was out of order.

Senator Halvorson asked and received unanimous consent to withdraw amendment S—3417 by Senators Halvorson and McKean to page 14 and the title page of the bill, previously deferred.

Senator Halvorson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 481) the vote was:

Ayes, 40:

Bartz	Bennett	Bisignano	Black
Boettger	Boswell	Connolly	Dearden
Deluhery	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Jensen	Judge	Kibbie	Kramer
Maddox	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rittmer	Sorensen	Tinsman	Vilsack

Nays, 8:

Banks	Borlaug	Giannetto	Iverson
Lind	Lundby	Rife	Zieman

Absent or not voting, 2:

McKean	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 554, 460, 556, and Senate Files 481, 475 and 93 be immediately messaged to the House, and to send an immediate message to the House on Senate Files 226, 400, 437 and 439.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 228, a bill for an act relating to the statewide notification center by providing that the center is subject to the open meetings and public records law, requiring certain financial information to be reported, establishing an audit requirement, and providing a penalty.

Senate File 292, a bill for an act relating to the powers and duties of the department of natural resources by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas.

Senate File 347, a bill for an act establishing a study regarding the inclusion of health care coverage costs for preventive care services and mental health and substance abuse treatment services under basic and standard health benefit plans, and providing for conditional effectiveness.

ALSO: That the House has on April 18, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 85, a bill for an act providing for the regulation of farm deer and making penalties applicable (S—3467).

Senate File 432, a bill for an act relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date (S—3468).

ALSO: That the House has on April 18, 1995, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 128, a bill for an act relating to administrative procedures and the joint investment of funds of rural water districts.

House File 289, a bill for an act relating to solid waste tonnage fees.

House File 346, a bill for an act relating to the verification and defendant's signature required for uniform citations and complaints and to providing false information on a uniform citation and complaint and making an existing penalty applicable.

House File 483, a bill for an act relating to activities of the department of human services, including provisions involving the state hospital- schools and other institutions, commitments of persons with mental retardation, and the department's public housing unit.

ALSO: That the House has on April 18, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 41, a bill for an act relating to the establishment of legal settlement for certain blind persons and providing an effective date (S—3466 to H—3863).

ALSO: That the House has on April 18, 1995, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 553, a bill for an act relating to agriculture and natural resources, including for appropriations involving agriculture and natural resources, providing related statutory changes, and providing effective dates.

RECESS

On motion of Senator Horn, the Senate recessed at 12:30 p.m., until 1:45 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 17, 1995, 12:33 p.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Ziemann.

Members Absent: none.

Committee Business: Discussed House File 519; proposed committee amendments 519.229 and 519.729 were adopted; proposed committee amendment 519.519 was not adopted.

Adjourned: 2:07 p.m.

APPROPRIATIONS

Convened: April 17, 1995, 5:25 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: none.

Committee Business: Recommended passage of House File 481 as amended; amended and approved SSB 362.1 as a committee bill.

Adjourned: 5:53 p.m.

PETITIONS

The following petitions favoring reestablishing funding for the Older Iowans' Legislature were presented and placed on file by:

Senator Boettger from 31 residents of Shelby County.
Senator Douglas from 34 residents of Dallas County.
Senator Douglas from 139 residents of Madison County.

The following petitions were presented and placed on file by:

Senator Bartz from 95 residents of northern Iowa opposing legislation removing their parental rights by requiring mandatory helmet usage for bicycles.

Senator Bartz from 114 residents of northern Iowa opposing legislation requiring mandatory helmet usage for motorcycles.

Senator McLaren from 313 residents of Montgomery County favoring issuance of motor vehicle licenses by county treasurers.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-nine fourth and fifth grade students, members of Campfire Girls and Boys from Cedar Rapids, accompanied by Kathy Spalti. Senators Dvorsky, Horn, Lundby and McKean.

Sixteen eighth grade students from Sacred Heart School, Boone, accompanied by Tim McCloud. Senator Sorensen.

Eleven seventh and eighth grade students from Sacred Heart School, Fort Dodge, accompanied by Janet Walkup. Senator Halvorson.

The Chair welcomed the Honorable Jack W. Hester, former member of the House and Senate from Pottawattamie County, Honey Creek, Iowa, who was present in the Senate gallery.

SUBCOMMITTEE ASSIGNMENTS

Senate File 482

JUDICIARY: Giannetto, Chair; Fraise, McKean, Redfern and Vilsack

House Joint Resolution 14

WAYS AND MEANS: Husak, Chair; Bennett, Connolly, Hedge and Palmer

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 117, the following corrections were made:

1. Page 2, line 27, the number "142C.6" was changed to the number "142C.5".
2. Page 2, line 28, the number "142C.6" was changed to the number 142C.5".
3. Page 7, line 32, the number "142C.12" was changed to the number 142C.11".
4. Page 8, line 29, the number "142C.6" was changed to the number "142C.5".

ALSO: That in enrolling Senate File 118, the following correction was made:

1. Page 4, lines 17 and 18, the word "orthopaedic" was changed to the word "orthopedic".

ALSO: That in enrolling Senate File 278, the following correction was made:

1. Page 2, line 33, the words "or ostriches, rheas, or emus were changed to the words "or ostriches, rheas, or emus".

ALSO: That in enrolling Senate File 446, the following corrections were made:

1. Page 9, line 29, the word and numbers "14 and 15" were changed to the word and numbers "15 and 16".
2. Page 9, line 34, the word and number "subsection 9" were changed to the word and number "subsection 10".

JOHN F. DWYER
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of April, 1995:

Senate Files 9, 94, 117, 118, 140, 157, 159, 162, 175, 178, 214, 234, 255, 271, 274, 278, 333, 375 and 446.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—3457	H.F.	303	Jim Lind
S—3458	H.F.	461	Derryl McLaren
S—3459	H.F.	486	Sheldon Rittmer
S—3460	H.F.	486	Sheldon Rittmer
S—3461	S.F.	19	Elaine Szymoniak
S—3462	H.F.	492	Johnie Hammond
S—3463	S.F.	481	Jim Lind
S—3464	S.F.	477	Mary Neuhauser
S—3465	H.F.	494	Richard F. Drake
			Michael E. Gronstal
S—3466	H.F.	41	House amendment
S—3467	S.F.	85	House amendment
S—3468	S.F.	432	House amendment
S—3469	S.F.	481	Johnie Hammond
S—3470	S.F.	480	Mary Neuhauser
S—3471	H.F.	552	Mary Neuhauser
S—3472	H.F.	552	Merlin E. Bartz
S—3473	S.F.	481	Jim Lind
S—3474	S.F.	478	Tony Bisignano
			William D. Palmer
S—3475	H.F.	461	Derryl McLaren
			Donald B. Redfern

AFTERNOON SESSION

The Senate reconvened at 2:07 p.m., Senator Judge 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 18, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 106, a bill for an act to provide disaster leave for certain state employees.

Senate File 142, a bill for an act establishing felonious child endangerment as a nonbailable offense.

Senate File 176, a bill for an act relating to the filing of intergovernmental agreements for the joint exercise of governmental powers in certain counties.

Senate File 197, a bill for an act relating to the confidentiality of financial information provided to the department of agriculture and land stewardship and providing an effective date.

Senate File 225, a bill for an act eliminating requirements for competitive bids regarding the printing of election ballots.

Senate File 311, a bill for an act relating to symbols indicating medical directives on a validation document for license renewal by mail and on a driver's license or nonoperator's identification card.

Senate File 346, a bill for an act relating to the establishment of practitioner review committees for the purposes of evaluating and monitoring practitioners who self-report physical or mental impairments.

Senate File 351, a bill for an act authorizing certain cities to appoint additional members to certain city commissions.

Senate File 371, a bill for an act relating to prohibiting a polygraph examination of a victim of sexual abuse as a precondition to an investigation by a law enforcement agency.

Senate File 406, a bill for an act extending the periods in which a school or school district may apply to the department of education to waive the requirement that the school or school district provide an articulated sequential elementary-secondary guidance program and the requirement that the school or school district provide a media services program.

Senate File 407, a bill for an act relating to alkaline manganese batteries.

ALSO: That the House has on April 18, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 197, a bill for an act relating to the expansion of the volunteer physician program to include other health care providers.

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.

President Boswell took the chair at 2:18 p.m.

HOUSE AMENDMENTS CONSIDERED

Senate File 290

Senator Gettings called up for consideration Senate File 290, a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity base state registration, other technical changes, and providing an effective date, amended by the House in House amendment S-3391 filed April 11, 1995.

Senator Halvorson offered amendment S—3395 filed by him on April 12, 1995, to House amendment S—3391 and moved its adoption.

Amendment S—3395 was adopted by a voice vote.

Senator Gettings 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 Gettings moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 290) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 1:

Zieman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 409

Senator McKean called up for consideration Senate File 409, a bill for an act relating to the activities of clerks of the district court, and providing additional court fees, amended by the House,

and moved that the Senate concur in House amendment S—3431 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator McKean 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. 409) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 (Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate File 483.

Senate File 483

On motion of Senator Dvorsky, Senate File 483, a bill for an act establishing a school improvement and technology program, providing for properly related matters, and making an appropriation, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 483) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack		

Nays, 8:

Douglas	Drake	Hedge	Iverson
Jensen	Lind	Rife	Zieman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 477

On motion of Senator Neuhauser, Senate File 477, a bill for an act establishing an oversight, audit and government reform committee, and providing an effective date, was taken up for consideration.

Senator Neuhauser offered amendment S—3464 filed by her from the floor to pages 1 and 4 of the bill and moved its adoption.

Amendment S—3464 was adopted by a voice vote.

Senator Lundby asked and received unanimous consent that action on Senate File 477 be deferred.

UNFINISHED BUSINESS
(Deferred April 17, 1995)

Senate File 476

The Senate resumed consideration of Senate File 476, a bill for an act relating to interest earned on rental deposits, deferred April 17, 1995.

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. 476) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Hansen called up the motion to reconsider House File 485 filed by him on April 11, 1995, found on page 1127 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 485) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Kibbie

The motion prevailed.

Senator Hansen moved to reconsider the vote by which House File 485 went to its last reading, which motion prevailed by a voice vote.

House File 485

On motion of Senator McKean, House File 485, a bill for an act relating to remedies upon the dishonoring of a financial instrument and providing penalties, was taken up for reconsideration.

Senator Hansen offered amendment S—3393 filed by him on April 12, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3393 was adopted by a voice vote.

Senator McKean moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 485) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Fraise	Freeman

Gettings	Giannetto	Gronstal	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 5:

Bisignano	Dvorsky	Halvorson	Judge
Kibbie			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The motion to reconsider House File 485 filed by Senator Gronstal on April 11, 1995, and found on page 1128 of the Senate Journal, was out of order.

Senator McKean asked and received unanimous consent that Senate File 452 be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 290, 483, 476 and House File 485 be immediately messaged to the House, and to send an immediate message to the House on Senate File 409.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 481.

House File 481

On motion of Senator Neuhauser, House File 481, 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 and retroactive applicability date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Neuhauser offered amendment S—3455 filed by the committee on Appropriations on April 17, 1995, to pages 6 and 18-26 of the bill and moved its adoption.

Amendment S—3455 was adopted by a voice vote.

Senator Neuhauser moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 481) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Dvorsky

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE INSISTS

House File 553

Senator Black called up for consideration House File 553, a

bill for an act relating to agriculture and natural resources, including for appropriations involving agriculture and natural resources, providing related statutory changes, and providing effective dates, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate insisted on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 553** on the part of the Senate: Senators Black, Chair; Husak, Priebe, Banks and McLaren.

BUSINESS PENDING

House File 461

The Senate resumed consideration of House File 461, a bill for an act relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility, previously deferred.

Senator McLaren offered amendment S—3475 filed by Senators McLaren and Redfern from the floor to page 1 of the bill and moved its adoption.

Amendment S—3475 was adopted by a voice vote.

Senator McLaren withdrew amendment S—3458 filed by him from the floor to page 2 of the bill.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 461) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

Deluhery	Kibbie	Priebe
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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 217

On motion of Senator Halvorson, House File 217, a bill for an act relating to education requirements for nurses, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Halvorson moved that the bill be read the last time now and placed upon its passage, 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, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer

Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 428

On motion of Senator Fraise, House File 428, a bill for an act relating to the expenditure of moneys deposited in an E911 service fund, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Banks asked and received unanimous consent that action on **House File 428** be deferred.

House File 492

On motion of Senator Szymoniak, House File 492, a bill for an act relating to landlord remedies for tenant noncompliance with a rental agreement and acts constituting a clear and present danger, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Szymoniak asked and received unanimous consent to withdraw amendment S—3372 filed by the committee on Judiciary on April 6, 1995, to pages 1, 5 and the title page of the bill.

The Chair ruled amendment S—3462 filed by Senator Hammond from the floor to amendment S—3372, out of order.

Senator Szymoniak offered amendment S—3456 filed by her from the floor to pages 1-5 and the title page of the bill.

Senator Hammond called for a division of amendment S—3456:

Division S—3456A: Page 1, lines 3-50; page 2, lines 1-16, 19-24 and 27-50; page 3, lines 1-3.

Division S—3456B: Page 2, lines 17-18 and 25-26.

Senator Szymoniak moved the adoption of division S—3456A, which motion prevailed by a voice vote.

Senator Szymoniak moved the adoption of division S—3456B, which motion prevailed 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. 492) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 10, 1995)

Senate File 180

The Senate resumed consideration of Senate File 180, a bill for an act relating to the determination of the annual salary of a deputy sheriff, deferred April 10, 1995.

Senator Rittmer offered amendment S—3385 filed by him on April 11, 1995, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3385 be adopted?" (S.F. 180) the vote was:

Ayes, 20:

Bartz	Bennett	Black	Boettger
Borlaug	Freeman	Halvorson	Hansen
Hedge	Iverson	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Priebe	Redfern	Rittmer	Tinsman

Nays, 27:

Banks	Bisignano	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Hammond
Horn	Husak	Jensen	Judge
Kibbie	Murphy	Neuhauser	Rensink
Sorensen	Vilsack	Zieman	

Absent or not voting, 3:

Palmer	Rife	Szymoniak
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Amendment S—3385 lost.

Senator Black asked and received unanimous consent that action on Senate File 180 be deferred.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 480

On motion of Senator Neuhauser, Senate File 480, a bill for an act relating to changing the point of taxation of motor vehicle fuel by requiring supplier's, restrictive supplier's, importer's,

exporter's, dealer's, user's, or blender's licenses, changing reporting periods, and adding penalties and providing an effective date, was taken up for consideration.

Senator Neuhauser offered amendment S—3470 filed by her from the floor to page 26 and the title page of the bill and moved its adoption.

Amendment S—3470 was adopted by a voice vote.

Senator Neuhauser asked and received unanimous consent that **House File 552** be substituted for **Senate File 480** as amended.

House File 552

On motion of Senator Neuhauser, House File 552, a bill for an act relating to changing the point of taxation of motor vehicle fuel by requiring supplier's, restrictive supplier's, importer's, exporter's, dealer's, user's, or blender's licenses, changing reporting periods, and adding penalties, was taken up for consideration.

Senator Neuhauser offered amendment S—3471 filed by her from the floor to pages 26, 40 and the title page of the bill and moved its adoption.

Amendment S—3471 was adopted by a voice vote.

Senator Bartz offered amendment S—3472 filed by him from the floor to page 43 of the bill and moved its adoption.

Amendment S—3472 was adopted by a voice vote.

Senator Neuhauser moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 552) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Cconnolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen

Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Neuhauser asked and received unanimous consent that **Senate File 480** be **withdrawn** from further consideration of the Senate.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 428, a bill for an act to provide for the reciprocal rendition of prisoners as witnesses in criminal proceedings and providing an effective date.

Senate File 438, a bill for an act relating to juvenile justice including notice requirements for certain hearings and authorizing associate juvenile judges to perform marriage ceremonies.

ALSO: That the House has on April 18, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 201, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing retroactive applicability and effective dates (S—3478).

Senate File 315, a bill for an act relating to mental health and developmental disabilities assistance by extending a moratorium on the number of intermediate care facility for the mentally retarded beds and requiring certain reporting activities

of the state-county management committee, and providing an effective date (S—3477).

Senate File 398, a bill for an act relating to commutation of sentences of persons who have been sentenced to life imprisonment (S—3479).

Senate File 457, a bill for an act relating to the civil rights commission concerning the enforcement of civil rights laws, and the promotion and transfer of employed disabled persons (S—3480).

ALSO: That the House has on April 18, 1995, 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 462, 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 human services and health care and providing for effective and applicability dates.

INTRODUCTION OF RESOLUTION

Senate Resolution 19, by Vilsack and Tinsman, a senate resolution relating to the well-being of Iowa's children.

Read first time and **passed on file.**

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: HOUSE FILE 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3484.

Final Vote: Ayes, 10: Priebe, Judge, Bartz, Banks, Black, Douglas, Giannetto, Hedge, Sorensen and Ziemann. Nays, 1: Husak. Absent or not voting, 4: Boswell, Fraise, McLaren and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 519** be referred from the Regular Calendar to the committee on **Natural Resources**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 481, 553, 461, 217, 492 and 552** be **immediately messaged** to the House.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 481, the following correction was made:

Page 17, line 27, the word and number "Section 21" were changed to the word and number "Section 23".

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S. C. R.	27	Rules and Administration
H. F.	373	Ways and Means
H. F.	482	Appropriations
H. F.	549	Ways and Means
H. F.	550	Ways and Means
H. F.	558	Ways and Means
H. F.	559	Ways and Means
H. F.	560	Ways and Means

SUBCOMMITTEE ASSIGNMENTS

Senate File 327

NATURAL RESOURCES, ENVIRONMENT AND ENERGY: Judge, Chair; Fink and Lundby

House File 519

AGRICULTURE: Priebe, Chair; Banks, Hedge, Husak, Judge, McLaren and Palmer

SIMILAR BILL RECEIVED

On April 18, 1995, **House File 197** was received and attached to similar **Senate File 323** on the Senate Calendar.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber when the vote was taken on the following bills. Had I been present, I would have voted "aye" on the bills.

Senate Files 82, 436, 433, 66, 87, 470, 473.

PATRICK J. DELUHERY

AMENDMENTS FILED

S-3476	S. F.	478	Randal J. Giannetto
S-3477	S. F.	315	House amendment
S-3478	S. F.	201	House amendment
S-3479	S. F.	398	House amendment
S-3480	S. F.	457	House amendment
S-3481	H. F.	203	Randal J. Giannetto
S-3482	S. F.	478	Randal J. Giannetto Richard F. Drake
S-3483	S. F.	477	Mary Lundby
S-3484	H. F.	519	Agriculture
S-3485	S. F.	477	Wayne Bennett

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:20 p.m., until 9:00 a.m., Wednesday, April 19, 1995.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 19, 1995

The Senate met in regular session at 9:23 a.m., President Boswell presiding.

Prayer was offered by the Reverend David Wagoner, pastor of the Onawa United Methodist Church, Onawa, Iowa.

The Journal of Tuesday, April 18, 1995, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly until he arrives on request of Senator Horn.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the members of the **Conference Committee** appointed April 19, 1995, on **House File 553**, a bill for an act relating to agriculture and natural resources, including for appropriations involving agriculture and natural resources, providing related statutory changes, and providing effective dates, on the part of the House are: The Representative from Muscatine, Mr. Hahn, Chair; the Representative from Jackson, Mr. Cornelius; the Representative from Washington, Ms. Greiner; the Representative from Mitchell, Mr. Koenigs; the Representative from Kossuth, Ms. Mertz.

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.

The Senate stood at ease at 9:50 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 10:35 a.m., President Boswell presiding.

The Senate stood at ease at 10:38 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:23 a.m., President pro tempore Bisignano 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 19, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 202, a bill for an act relating to public health issues, including certain birth certificates and licensing of athletic trainers.

ALSO: That the House has on April 19, 1995, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 113, a bill for an act relating to the definition of resident for the purpose of obtaining licenses to hunt, fish, trap, or take protected species of animals and providing for other properly related matters.

House File 504, a bill for an act relating to a motor vehicle owner's liability for damages caused by the driver.

RECESS

On motion of Senator Horn, the Senate recessed at 11:33 a.m., until 1:45 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate Amendment to House File 461, the following correction was made:

Amendment S—3475:

1. Page 1, line 21, the word “compete” was changed to the word “complete”.

JOHN F. DWYER
Secretary of the Senate

PROOF OF PUBLICATION

Verified proof of publication of Senate File 468 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate on April 19, 1995.

REPORT OF COMMITTEE MEETING

AGRICULTURE

Convened: April 18, 1995, 8:04 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Sorensen and Ziemann.

Members Absent: Palmer (excused).

Committee Business: Discussed House File 519; amendments 519.735, 519.244 division B, 519.322 and 519.736 were adopted; amendments 519.244 divisions A and C and 519.237 were not adopted.

Recessed: 8:53 a.m.

Reconvened: April 18, 1995, 12:31 p.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Sorensen and Ziemann.

Members Absent: Palmer (excused).

Committee Business: Discussed House File 519; motion made that all other amendments that were considered by the committee without objection were adopted; recommended passage of House File 519 as amended.

Adjourned: 12:34 p.m.

REQUEST FOR PUBLICATION

Senator Priebe asked and received unanimous consent that the following be printed in the Senate Journal:

ODE TO DAVID

My name is David —
 But you may call me God
 Hey wait — don't laugh!
 It's the title of my job.
 Being a journalist-slash-political genius isn't easy
 Because sometimes (but not often)
 It's hard to be that sleazy.
 With the power and prestige I get from work
 People get jealous and angry
 And say that I am a jerk.
 Hmm... I wonder why people don't like me
 Guess they don't appreciate my candor
 But really — what can I say?
 It's my job to insult and slander.
 And people just don't get my humor
 They just don't realize that
 It can be really fun to start rumors.
 So watch your mouth and your back
 I'm everywhere — watching and writing the news
 Next it may be your character under attack
 And come Monday's Register you'll
 be paying your dues. . . .

Authored by Senate Page Carrie Schnieders and presented by the Senate Pages during the Page skit at the Senate picnic on April 18, 1995.

COMMITTEE REPORT

JUDICIARY

Final Bill Action: HOUSE FILE 562, a bill for an act to legalize the proceedings taken by the board of supervisors and county auditor of Mahaska county regarding the levy of a local option sales tax to finance the construction and maintenance of a county jail and providing an effective date.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Giannetto, Vilsack, McKean, Bartz, Boettger, Drake, Fraise, Halvorson, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, 2: Bisignano and Hammond.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

Senator Tinsman presented Mrs. Diarra Fatoumata Dembelle, Advisor at the Appeals Court and President of the Malian Women Lawyers' Association, Bamako, Mali, West Africa.

Mrs. Dembelle is a participant in the United States Information Agency's International Visitor Program to increase her understanding of U.S. community actions to educate women about their rights, and to study the American legal system.

SUBCOMMITTEE ASSIGNMENTS

Senate File 430

HUMAN RESOURCES: Szymoniak, Chair; Boettger and Vilsack

House File 373

WAYS AND MEANS: Connolly, Chair; Freeman and Palmer

House File 482

APPROPRIATIONS: Dvorsky, Chair; Flynn and McLaren

House File 549

WAYS AND MEANS: Bennett, Chair; Deluhery and Szymoniak

House File 550

WAYS AND MEANS: Iverson, Chair; Deluhery and Vilsack

House File 519

NATURAL RESOURCES, ENVIRON. & ENERGY: Black, Chair; Fink and Lundby.

House File 558

WAYS AND MEANS: Hedge, Chair; Husak and Priebe

House File 559

WAYS AND MEANS: Vilsack, Chair; McLaren and Neuhauser

House File 560

WAYS AND MEANS: Priebe, Chair; Connolly and McLaren

AMENDMENTS FILED

S-3486	S.F.	459	John W. Jensen
S-3487	H.F.	560	John P. Kibbie

AFTERNOON SESSION

The Senate reconvened at 2:13 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.

Senator Fink took the chair at 2:25 p.m.

President pro tempore Bisignano took the chair at 2:32 p.m.

Senator Judge took the chair at 2:50 p.m.

President Boswell took the chair at 3:03 p.m.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 41

Senator Bartz called up for consideration House File 41, a bill for an act relating to the establishment of legal settlement for certain blind persons and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3466 to Senate amendment H—3863 filed April 18, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Bartz moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 41) the vote was:

Ayes, 48:

Banks

Bartz

Bennett

Bisignano

Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 486

On motion of Senator Hansen, House File 486, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing requirements related to the sale of preneed funeral contracts and the sale of funeral and cemetery merchandise, establishing fees and use of those fees, and providing penalties, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Hansen offered amendment S—3376 filed by the committee on Commerce on April 10, 1995, to pages 65, 69, 71, 74 and 75 of the bill and moved its adoption.

Amendment S—3376 was adopted by a voice vote.

Senator Rittmer offered amendment S—3459 filed by him on April 18, 1995, to pages 3 and 34 of the bill and moved its adoption.

Amendment S—3459 was adopted by a voice vote.

Senator Rittmer offered amendment S—3460 filed by him on April 18, 1995, to pages 5, 31, 35, 38 and 67 of the bill and moved its adoption.

Amendment S—3460 was adopted by a voice vote.

Senator Maddox asked and received unanimous consent that action on **House File 486** be **deferred**.

UNFINISHED BUSINESS (Deferred April 18, 1995)

Senate File 477

The Senate resumed consideration of Senate File 477, a bill for an act establishing an oversight, audit and government reform committee, and providing an effective date, deferred April 18, 1995.

Senator Bennett asked and received unanimous consent that action on **Senate File 477** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 423

Senator Redfern called up for consideration Senate File 423, a bill for an act relating to delayed deposit services businesses and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—3434 filed April 13, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Redfern 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. 423) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Rittmer

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 File 41 be immediately messaged to the House and to send an immediate message to the House on Senate File 315.

MOTION TO RECONSIDER WITHDRAWN

House File 246

Senator Hammond withdrew the motion to reconsider House File 246, a bill for an act relating to civil litigation by inmates and prisoners and deductions from inmate accounts for certain expenses, including costs of litigation by inmates, filed by her on April 11, 1995, and found on page 1147 of the Senate Journal.

UNFINISHED BUSINESS

(Deferred April 17, 1995)

House File 185

The Senate resumed consideration of House File 185, a bill for

an act relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions, and amendment S—3328 by Senator Iverson to page 2 of the bill, deferred April 17, 1995.

Senator Iverson moved the adoption of amendment S—3328, which motion prevailed by a voice vote.

Senator Iverson offered amendment S—3275 filed by him on March 29, 1995, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3275 was adopted by a voice vote.

Senator Palmer asked and received unanimous consent that action on **House File 185** be deferred.

UNFINISHED BUSINESS CALENDAR

Senate File 323

On motion of Senator Kramer, Senate File 323, a bill for an act relating to the expansion of the volunteer physician program to apply to charitable organizations, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Kramer offered amendment S—3494 filed by her from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3494 was adopted by a voice vote.

Senator Kramer asked and received unanimous consent that **House File 197** be substituted for **Senate File 323** as amended.

House File 197

On motion of Senator Fraise, House File 197, a bill for an act relating to the expansion of the volunteer physician program to include other health care providers, was taken up for consideration.

Senator Kramer offered amendment S—3493 filed by her from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3493 was adopted by a 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?" (H.F. 197) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Kramer asked and received unanimous consent that **Senate File 323** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 398

Senator Neuhauser called up for consideration Senate File 398,

a bill for an act relating to commutation of sentences of persons who have been sentenced to life imprisonment, amended by the House in House amendment S—3479 filed April 18, 1995.

Senator Neuhauser offered amendment S—3492 filed by her from the floor to House amendment S—3479 and moved its adoption.

Amendment S—3492 was adopted by a voice vote.

Senator Neuhauser 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 Neuhauser 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. 398) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 185

The Senate resumed consideration of House File 185, a bill for an act relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions, previously deferred.

Senator Palmer 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—3275 to House File 185 passed the Senate on April 19, 1995.

The motion prevailed by a voice vote and amendment S—3275 by Senator Iverson to page 2 and the title page was taken up for reconsideration.

Senator Iverson moved the adoption of amendment S—3275, which motion lost by a voice vote.

Senator Iverson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 185) the vote was:

Ayes, 42:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Dearden
Deluhery	Douglas	Dvorsky	Fink
Flynn	Fraise	Freeman	Gettings
Giannetto	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Szymoniak
Tinsman	Zieman		

Nays, 7:

Banks	Drake	Gronstal	Iverson
Neuhauser	Sorensen	Vilsack	

Absent or not voting, 1:

Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Iverson asked and received unanimous consent that **Senate File 18** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 197** and **Senate File 398** be immediately messaged to the House and to send an immediate message on **Senate File 423** to the House.

BUSINESS PENDING

House File 486

The Senate resumed consideration of **House File 486**, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing requirements related to the sale of preneed funeral contracts and the sale of funeral and cemetery merchandise, establishing fees and use of those fees, and providing penalties, previously deferred.

Senator Maddox 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—3376 to **House File 486** was adopted by the Senate on April 19, 1995.

The motion prevailed by a voice vote and amendment S—3376 by the committee on Commerce was taken up for reconsideration.

Senator Maddox offered amendment S—3498 filed by him from the floor to amendment S—3376 and moved its adoption.

Amendment S—3498 was adopted by a voice vote.

Senator Hanson moved the adoption of amendment S—3376 as amended, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Freeman until she returns on request of Senator Rife.

BUSINESS PENDING

House File 486

Senator Hansen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 486) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Freeman

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)

House Concurrent Resolution 8

On motion of Senator Black, House Concurrent Resolution 8, a concurrent resolution supporting the United Nations' recognition of the Republic of China on Taiwan, with report of committee recommending passage, was taken up for consideration.

Senator Black moved the adoption of House Concurrent Resolution 8, which motion prevailed by a voice vote.

HOUSE AMENDMENTS CONSIDERED

Senate File 85

Senator Priebe called up for consideration Senate File 85, a bill for an act providing for the regulation of farm deer and making penalties applicable, amended by the House, and moved that the Senate concur in House amendment S—3467 filed April 18, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Priebe moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 85) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Gettings
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Murphy	Neuhauser
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Connolly Drake Freeman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 457

Senator Giannetto called up for consideration Senate File 457, a bill for an act relating to the civil rights commission concerning the enforcement of civil rights laws, and the promotion and transfer of employed disabled persons, amended by the House, and moved that the Senate concur in House amendment S-3480 filed April 18, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Giannetto 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. 457) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly Freeman

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 258

On motion of Senator Dearden, House File 258, a bill for an act relating to drug testing of certain employees and applicants for employment, providing for employer defenses, and making penalties applicable, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Dearden offered amendment S—3371 filed by the committee on Business and Labor Relations on April 6, 1995, to strike everything after the enacting clause and to the title page of the bill.

Senator Vilsack offered amendment S—3441 filed by Senators Vilsack, et al., on April 13, 1995, to amendment S—3371 and moved its adoption.

Amendment S—3441 was adopted by a voice vote.

Senator Dearden moved the adoption of amendment S—3371 as amended, which motion prevailed by a voice vote.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 258) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy

Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Connolly	Drake
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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 94

On motion of Senator Hammond, House File 94, a bill for an act to permit certain dissolutions of marriage to take place without a hearing, with report of committee without recommendation, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Hammond moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 94) the vote was:

Ayes, 20:

Bisignano	Black	Dearden	Douglas
Fink	Flynn	Freeman	Gettings
Giannetto	Halvorson	Hammond	Horn
Judge	Kibbie	Kramer	Palmer
Priebe	Szymoniak	Tinsman	Vilsack

Nays, 28:

Banks	Bartz	Bennett	Boettger
Borlaug	Boswell	Deluhery	Dvorsky
Fraise	Gronstal	Hansen	Hedge
Husak	Iverson	Jensen	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Redfern	Rensink
Rife	Rittmer	Sorensen	Zieman

Absent or not voting, 2:

Connolly

Drake

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 432

Senator Hammond called up for consideration Senate File 432, a bill for an act relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date, amended by the House in House amendment S—3468 filed April 18, 1995.

Senator Hammond offered amendment S—3490 filed by her from the floor to House amendment S—3468 and moved its adoption.

Amendment S—3490 was adopted by a voice vote.

Senator Hammond 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 Hammond 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. 432) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind

Lundby
Murphy
Redfern
Sorensen
Zieman

Maddox
Neuhauser
Rensink
Szymoniak

McKean
Palmer
Rife
Tinsman

McLaren
Priebe
Rittmer
Vilsack

Nays, none.

Absent or not voting, 1:

Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 472

On motion of Senator Szymoniak, Senate File 472, a bill for an act relating to the local option sales and services tax by authorizing political subdivisions that will receive revenues from the tax to issue bonds in anticipation of the receipt of the revenues and providing an effective date, was taken up for consideration.

Senator Szymoniak offered amendment S—3496 filed by her from the floor to page 2 of the bill and moved its adoption.

Amendment S—3496 lost by a voice vote.

Senator Hedge offered amendment S—3415 filed by him on April 13, 1995, to page 4 and the title page of the bill and moved its adoption.

Amendment S—3415 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. 472) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Kramer	Lind	Lundby	Maddox
McLaren	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 4:

Fraise	Hammond	McKean	Neuhauser
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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.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 468

On motion of Senator Giannetto, Senate File 468, a bill for an act to legalize the transfer of certain property by the City of Keokuk and providing an effective date, 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. 468) the vote was:

Ayes, 48:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge

Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 1:

Priebe

Absent or not voting, 1:

Connolly

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that House Concurrent Resolution 8, House File 486, and Senate Files 432, 472 and 468 be immediately messaged to the House and to send an immediate message on Senate Files 85 and 457 to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House, on April 19, 1995, insisted on its amendment to Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties, and that the members of the conference committee on part of the House are: the Representative from Warren, Mr. Coon, Chair; the Representative from Guthrie, Mr. Dinkla; the Representative from Johnson, Mrs. Doderer; the Representative from Polk, Mr. Lamberti; and the Representative from Wapello, Mr. Moreland.

ALSO: That the House has on April 19, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 208, a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date (S-3501).

Senate File 358, a bill for an act relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status, and providing for the payment of fees (S—3489).

Senate File 373, a bill for an act to permit the court to find a person in contempt for failure to pay restitution after the period of probation, work release, parole, or the person's sentence has ended (S—3491).

Senate File 422, a bill for an act relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other properly related matters, and providing effective dates (S—3500).

ALSO: That the House has on April 19, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 461, a bill for an act relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility (S—3502 to H—3976).

ALSO: That the House has on April 19, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 205, a bill for an act relating to shared superintendents for purposes of the supplementary weighting plan for public school districts and providing effective and retroactive applicability dates.

ALSO: That the House has on April 19, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 511, a bill for an act relating to open-end credit pursuant to a credit card, including the permissible over-limit or delinquency charges, the offering of credit unemployment insurance, and the time requirements for making certain payments.

This bill was read first time and passed on file.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on Senate File 93 on the part of the Senate: Senators Bisignano, Chair; Giannetto, Vilsack, McKean and Maddox.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 19, 1995, the Governor approved and transmitted to the Secretary of State the following bills

SENATE FILE 9 — Relating to the performance of duties of the office of recorder on abolition of the office and the filing of documents and providing an effective date and for retroactive applicability.

SENATE FILE 94 — Relating to reciprocal license fees for nonresident real estate brokers and salespersons.

SENATE FILE 117 — Adopting a new uniform anatomical gift act and providing a penalty.

SENATE FILE 118 — Relating to the development and implementation of a coordinated statewide trauma care delivery system and providing penalties and immunity from liability.

SENATE FILE 140 — Legalizing the proceedings taken by the administration and board of directors of the Cedar Rapids Community School District concerning the sale of certain school district property and providing an effective date.

SENATE FILE 159 — Relating to the payment of wages to a suspended or terminated employee under the Iowa wage payment collection law.

SENATE FILE 162 — Eliminating the minimum amount which must be borrowed under a home equity line of credit.

SENATE FILE 175 — Relating to the definition of the federal truth in lending act in the Iowa consumer credit code.

SENATE FILE 178 — Relating to emergency medical services.

SENATE FILE 255 — Relating to the administration of the Department of Agriculture and Land Stewardship, providing for moneys previously appropriated to the department, and providing an effective date.

SENATE FILE 271 — Relating to the authorization of a bank office where a state bank may maintain its management and bookkeeping functions.

SENATE FILE 274 — Relating to the delay of the repeal for the exemption of certain multiple employer welfare arrangements from regulation by the insurance division and providing an effective date.

SENATE FILE 278 — Providing that animals classified as ostriches, rheas, and emus are considered livestock.

SENATE FILE 375 — Relating to abandoned property subject to control by the treasurer of state.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 94 failed to pass the Senate on April 19, 1995.

MARY C. NEUHAUSER

MR. PRESIDENT: I move to reconsider the vote by which House File 94 failed to pass the Senate on April 19, 1995.

MERLIN E. BARTZ

MR. PRESIDENT: I move to reconsider the vote by which House File 185 passed the Senate on April 19, 1995.

JIM LIND

MR. PRESIDENT: I move to reconsider the vote by which House File 258 passed the Senate on April 19, 1995.

MICHAEL E. GRONSTAL

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 482, a bill for an act relating to the funding for the Iowa communications network and providing an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none. Absent or not voting, 1: Iverson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 482, a bill for an act establishing economic and other penalties for certain criminal activity.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3488.

Final Vote: Ayes, 15: Giannetto, Vilsack, McKean, Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventeen FFA members from Guttenberg-Garnavillo School, accompanied by Steve Zaruba and Ms. A.J. Walter. Senator Zieman.

AMENDMENTS FILED

S—3488	S.F.	482	Judiciary
S—3489	S.F.	358	House amendment
S—3490	S.F.	432	Johnie Hammond
S—3491	S.F.	373	House amendment
S—3492	S.F.	398	Mary Neuhauser
S—3493	H.F.	197	Mary E. Kramer
S—3494	S.F.	323	Mary E. Kramer
S—3495	H.F.	482	Steven D. Hansen
S—3496	S.F.	472	Elaine Szymoniak
S—3497	S.F.	413	Brad Banks
			Randal J. Giannetto
			Derryl McLaren
			William D. Palmer
			JoAnn Douglas
			Berl E. Priebe
			Sheldon Rittmer
			Tony Bisignano

S—3498	H.F.	486	O. Gene Maddox
S—3499	H.F.	482	Tom Flynn
			Robert Dvorsky
S—3500	S.F.	422	House amendment
S—3501	S.F.	208	House amendment
S—3502	H.F.	461	House amendment
S—3503	H.F.	247	Michael E. Gronstal
S—3504	S.F.	477	Wayne Bennett

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Thursday, April 20, 1995.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 20, 1995

The Senate met in regular session at 9:24 a.m., President Boswell presiding.

Prayer was offered by the Reverend Richard Schaffer, pastor of the Vail Presbyterian Church, Vail, Iowa.

The Journal of Wednesday, April 19, 1995, was approved.

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 April 19, 1995)

Senate File 477

The Senate resumed consideration of Senate File 477, a bill for an act establishing an oversight, audit and government reform committee, and providing an effective date, deferred April 19, 1995.

Senator Bennett withdrew amendment S—3504 filed by him on April 19, 1995, to pages 1-4 of the bill.

The Chair ruled amendment S—3485 filed by Senator Bennett on April 18, 1995, to pages 1-8 of the bill, out of order.

Senator Lundby withdrew amendment S—3483 filed by her on April 18, 1995, to pages 1, 8 and the title page of the bill.

Senator Neuhauser moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 477) the vote was:

Ayes, 44:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Maddox	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 4:

Banks	Lundby	McKean	Rensink
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Absent or not voting, 2:

McLaren	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 422

Senator Sorensen called up for consideration Senate File 422, a bill for an act relating to the duties of the county recorder, by transferring certain duties of the clerk of the district court relating to vital statistics and marriage, by providing for fees, by providing for other properly related matters, and providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—3500 filed April 19, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Sorensen 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. 422) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Jensen	Judge
Kibbie	Kramer	Lind	Maddox
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 4:

Husak	Iverson	McKean	Murphy
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Absent or not voting, 2:

Lundby	McLaren
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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 Husak asked and received unanimous consent that Senate File 477 be immediately messaged to the House and to send an immediate message to the House on Senate File 422.

The Senate stood at ease at 9:52 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:43 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 April 20, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 286, a bill for an act concerning workers' compensation by providing for the computing of gross weekly earnings for volunteer ambulance drivers, emergency medical technician trainees, and seasonal workers, and relating to judicial review of workers' compensation contested cases.

Senate File 293, a bill for an act relating to providing for a five-year minimum prison term for a person who uses a dangerous weapon in the commission of a forcible felony.

ALSO: That the House has on April 20, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 394, a bill for an act relating to instruments filed or recorded with the county recorder (S—3507).

Senate File 427, a bill for an act relating to authorizing the payment of salaries to senior judges, providing for a maximum retirement annuity amount paid to senior judges, affecting senior judge retirement benefits, the appointment of judges to senior judge status, and providing effective and applicability dates (S—3508).

ALSO: That the House has on April 20, 1995, 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 290, a bill for an act relating to motor vehicle and highway regulation by the state department of transportation concerning retention of records and documents, registration plates and stickers, dissolution decree transfers of motor vehicle titles, junking certificates for abandoned vehicles, flashing blue lights, motorcycle license requirements, leased motor vehicles, proof of financial responsibility, charges for handicapped identification devices, single state registration for motor carriers, commodity

base state registration, other technical changes, and providing effective and applicability dates.

ALSO: That the House has on April 20, 1995, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 460, a bill for an act relating to governmental control of property by providing for the interest rates assessed for condemnation damages, providing for right-of-way notice filings, and concerning advertising control laws on scenic highways.

House File 492, a bill for an act relating to the exclusion of certain nonprofit transitional housing from landlord-tenant agreements and remedies, tenant remedies for landlord noncompliance with a rental agreement, landlord remedies for tenant noncompliance with a rental agreement and acts constituting a clear and present danger and providing an effective date.

HOUSE AMENDMENT CONSIDERED

Senate File 459

Senator Fraise called up for consideration Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability, amended by the House in House amendment S—3410 filed April 13, 1995.

Senator Jensen offered amendment S—3486 filed by him on April 19, 1995, to House amendment S—3410 and moved its adoption.

Amendment S—3486 was adopted by a voice vote.

Senator Fraise moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate **refused to concur** in the House amendment as amended.

Senator Horn asked and received unanimous consent that **Senate File 459** be **immediately messaged** to the House.

RECESS

On motion of Senator Horn, the Senate recessed at 11:58 a.m., until 1:30 p.m.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate on April 19, 1995. Had I been present, I would have voted "aye" on the following bills:

Senate Files 85, 315, 398, 423, 432, 457, 468 and 472; and House Files 41, 94, 185, 197, 258 and 486.

MIKE CONNOLLY

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Matt Baker, Jeff Church, Brian Gunst, Matt Hackett and Rick Stone, Sioux City — For receiving an Outstanding Soloist Award at the Iowa High School Jazz Band Competition. Senator Hansen (4-14-95).

Justin Kisor and Arron Sweeney, Sioux City — For receiving 1 of 4 "Outstanding Soloists of the Day" awards at the Iowa High School Jazz Band Competition. Senator Hansen (4-14-95).

North High School Jazz I, Sioux City — Receiving 2nd Place in the 4A Championship at the Iowa High School Jazz Band Competition (Senator Hansen 4-14-95).

Trelley and Helen Crosman, Ogden — For their 75th wedding anniversary (Senator Sorensen 9-7-95).

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: April 19, 1995, 9:50 a.m.

Members Present: Giannetto, Chair; Vilsack, Vice Chair; McKean, Ranking Member; Bartz, Bisignano, Boettger, Drake, Fraise, Halvorson, Hammond, Hansen, Maddox, Neuhauser, Redfern and Szymoniak.

Members Absent: none.

Committee Business: Placed House File 562 on calendar without recommendation and recommended passage of Senate File 482 as amended.

Adjourned: 10:20 a.m.

WAYS AND MEANS

Convened: April 19, 1995, 11:40 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Bennett, Ranking Member; Deluhery, Freeman, Hedge, McLaren, Murphy, Neuhauser, Szymoniak and Vilsack.

Members Absent: Connolly (excused), Drake, Iverson (excused) and Priebe (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:43 a.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 20th day of April, 1995:

Senate Files 440, 458, 174, 233, 247, 298, 141, 88, 116, 147, 149 and 402.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 27

RULES AND ADMINISTRATION: Husak, Chair; Horn and Rife

AMENDMENTS FILED

S—3505	S. F.	482	Randal J. Giannetto Tony Bisignano
S—3506	S. F.	358	Jim Lind Don Gettings Randal J. Giannetto
S—3507	S. F.	394	Mary A. Lundby House amendment

S—3508	S. F.	427	House amendment
S—3509	S. F.	208	Johnie Hammond

AFTERNOON SESSION

The Senate reconvened at 1:33 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.

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 20, 1995, 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 433, a bill for an act relating to the family investment program and related human services programs by requiring the department of human services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions.

ALSO: That the House has on April 20, 1995, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 485, a bill for an act relating to remedies upon the dishonoring of a financial instrument and providing penalties.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 28, by committee on Rules and Administration, a resolution to call a joint session for the purpose of hearing an address by the President of the United States.

Read first time and placed on calendar.

COMMITTEE REPORT

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Final Bill Action: HOUSE FILE 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3512.

Final Vote: Ayes, 15: Fink, Black, Lundby, Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 519** be referred from the Regular Calendar to the committee on **Ways and Means**.

The Senate stood at ease at 1:45 p.m. until the fall of the gavel for the purpose of a committee meeting and a party caucus.

The Senate resumed session at 3:53 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 40 present, 10 absent and a quorum present.

The Senate stood at ease at 3:57 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 5:04 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 April 20, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to Iowa-foaled horses and Iowa-whelped dogs used for breeding and racing.

Senate File 181, a bill for an act providing a sales tax exemption relating to aircraft, limiting the amount of refunds, and providing effective date and retroactive applicability provisions.

ALSO: That the House has on April 20, 1995, insisted on its amendment to **Senate File 459**, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability, and that the members of the **Conference Committee** on the part of the House are: The Representative from Story, Ms. Garman, Chair; the Representative from Jasper, Mr. Bell; the Representative from Lee, Mr. Larkin; the Representative from Linn, Mr. Schulte; the Representative from Jones, Mr. Welter.

ALSO: That the House has on April 20, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 563, a bill for an act relating to the merit system classification of employees of statewide elected officials.

This bill was read first time and **passed on file**.

House File 565, a bill for an act establishing a school-to-work planning and implementation program focusing on career pathways for students.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 20, 1995, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 246, a bill for an act relating to civil litigation by inmates and prisoners and deductions from inmate accounts for certain expenses, including costs of litigation by inmates.

House File 490, a bill for an act relating to limited liability companies.

House File 552, a bill for an act relating to changing the point of taxation of motor vehicle fuel by requiring suppliers, restrictive suppliers, importers, exporters, dealers, users, or blenders licenses, changing reporting periods, and adding penalties and providing an effective date.

ALSO: That the House has on April 20, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bills in which the concurrence of the Senate is asked:

House File 481, 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 and retroactive applicability date (S—3518 to H—3979).

House File 486, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing requirements related to the sale of preneed funeral contracts and the sale of funeral and cemetery merchandise, establishing fees and use of those fees, and providing penalties (S—3521 to H—3989).

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.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on

Senate File 459 on the part of the Senate: Senators Fraise, Chair; Gronstal, Bisignano, Iverson and Redfern.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 28, a resolution to call a joint session for the purpose of hearing an address by the President of the United States.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Horn, Boswell, Rife, Gettings, Gronstal and Husak. Nays, none. Absent or not voting, 3: Bisignano, Kramer and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 28.

Senate Concurrent Resolution 28

On motion of Senator Husak, Senate Concurrent Resolution 28, a resolution to call a joint session for the purpose of hearing an address by the President of the United States, was taken up for consideration.

Senator Husak moved the adoption of Senate Concurrent Resolution 28, which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

Senate File 201

Senator Neuhauser called up for consideration Senate File 201, a bill for an act updating the Iowa Code references to the Internal Revenue Code and providing retroactive applicability and effective dates, amended by the House, and moved that the Senate concur in House amendment S—3478 filed April 18, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Neuhauser 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. 201) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluherly	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Giannetto

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 461

Senator Hansen called up for consideration House File 461, a bill for an act relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility, amended by the Senate, further amended by the House and moved

that the Senate concur in House amendment S—3502 to Senate amendment H—3976 filed April 19, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Hansen moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 461) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 BILL (Ways and Means Calendar)

Senate File 19

On motion of Senator Szymoniak, Senate File 19, a bill for an act relating to the production and processing exemption of flowering, ornamental, or vegetable plants for purposes of the state sales, services, and use taxes, with report of committee recommending passage, was taken up for consideration.

Senator Szymoniak offered amendment S—3461 filed by her on April 18, 1995, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3461 was adopted by a voice vote.

Senator Szymoniak asked and received unanimous consent that **House File 159** be substituted for **Senate File 19** as amended.

House File 159

On motion of Senator Szymoniak, House File 159, a bill for an act relating to the production of ornamental, flowering, or vegetable plants for purposes of the state sales tax, was taken up for consideration.

Senator Szymoniak withdrew amendment S—3452 filed by her on April 17, 1995, to page 1 of the bill.

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. 159) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Szymoniak asked and received unanimous consent that **Senate File 19** be **withdrawn** from further consideration of the Senate.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

UNFINISHED BUSINESS CALENDAR

House File 519

On motion of Senator Priebe, House File 519, a bill for an act providing for the regulation of animal feeding operations, fees, the expenditure of moneys, penalties, and an effective date, with reports of committee on Agriculture dated April 6 and April 12, 1995, without recommendation; placed on the Unfinished Business Calendar on April 13, 1995; referred to the committee on Agriculture on April 13, 1995; with report of committee on Agriculture dated April 17, 1995, recommending amendment and passage; with report of committee on Natural Resources dated April 20, 1995, recommending amendment and passage; and report of committee on Ways and Means dated April 20, 1995, recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—3484 filed by the committee on Agriculture on April 18, 1995, to pages 1-23 and 25 of the bill.

Senator Fink offered amendment S—3512 filed by the committee on Natural Resources from the floor to amendment S—3484 and called for a division: lines 4-22 as division S—3512A and lines 23-25 as division S—3512B.

Senator Fink moved the adoption of division S—3512A to amendment S—3484, which motion prevailed by a voice vote.

Senator Fink asked and received unanimous consent that action on division S—3512B to amendment S—3484, be deferred.

Senator Fink offered amendment S—3516 filed by Senators Fink and Gronstal from the floor to amendment S—3484, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3516 to amendment S—3484 be adopted?" (H.F. 519) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Husak
Iverson	Judge	Kramer	Lundby
Maddox	McKean	Murphy	Neuhauser
Sorensen	Szymoniak	Tinsman	

Nays, 25:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Douglas
Drake	Freeman	Gettings	Hedge
Horn	Jensen	Kibbie	Lind
McLaren	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Vilsack
Zieman			

Absent or not voting, 2:

Bisignano	Fraise
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Amendment S—3516 lost.

Senator Husak offered amendment S—3520 filed by him from the floor to amendment S—3484 and moved its adoption.

Amendment S—3520 was adopted by a voice vote.

Senator Iverson offered amendment S—3515 filed by Senators McLaren and Iverson from the floor to amendment S—3484 and moved its adoption.

Amendment S—3515 was adopted by a voice vote.

Senator Fink offered amendment S—3517 filed by him from the floor to amendment S—3484 and moved its adoption.

Amendment S—3517 was adopted by a voice vote.

Senator Iverson offered amendment S—3519 filed by Senators Iverson and Husak from the floor to amendment S—3484.

Senator Iverson asked and received unanimous consent that action on amendment S—3519 to amendment S—3484 be deferred.

Senator McLaren offered amendment S—3524 filed by Senators McLaren and Banks from the floor to amendment S—3484 and moved its adoption.

Amendment S—3524 was adopted by a voice vote.

Senator Vilsack offered amendment S—3523 filed by Senators Vilsack, Priebe and Palmer from the floor to amendment S—3484 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3523 to amendment S—3484 be adopted?" (H.F. 519) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, 3:

McLaren

Rensink

Rife

Amendment S—3523 was adopted.

With the adoption of amendment S—3523 to amendment S—3484, the Chair ruled amendments S—3525 and S—3530 filed by Senator Hedge from the floor to amendment S—3484, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Maddox until he returns on request of Senator McKean.

BUSINESS PENDING

House File 519

The Senate resumed consideration of House File 519.

Senator Fink offered amendment S—3529 filed by him from the floor to amendment S—3484 and called for a division: Lines 4-23 as division S—3529A and lines 24-29 as division S—3529B.

The Chair ruled division S—3529B to amendment S—3484, out of order.

Senator Fink asked and received unanimous consent that action on division S—3429A to amendment S—3484, be deferred.

Senator Bartz offered amendment S—3527 filed by him from the floor to amendment S—3484 and moved its adoption.

Amendment S—3527 was adopted by a voice vote.

Senator Iverson offered amendment S—3533 filed by Senators Iverson and Husak from the floor to amendment S—3484 and moved its adoption.

Amendment S—3533 was adopted by a voice vote.

Senator Iverson moved the adoption of amendment S—3519 by Senators Iverson and Husak to amendment S—3484, previously deferred.

Amendment S—3519 to amendment S—3484 was adopted.

Senator Priebe asked and received unanimous consent that action on amendment S—3484 as amended, be deferred (division S—3512B and division S—3529A to amendment S—3484 pending).

Senator McKean offered amendment S—3528 filed by Senators McKean, Lundby and Halvorson from the floor to page 13 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3528 be adopted?" (H.F. 519) the vote was:

Ayes, 16:

Connolly	Dearden	Deluhery	Dvorsky
Fink	Flynn	Gronstal	Halvorson
Hammond	Husak	Judge	Lundby
Maddox	McKean	Neuhauser	Palmer

Nays, 33:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Douglas	Drake	Fraise	Freeman
Gettins	Giannetto	Hansen	Hedge
Horn	Iverson	Jensen	Kibbie
Kramer	Lind	McLaren	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Absent or not voting, 1:

Murphy

Amendment S—3528 lost.

Senator McLaren offered amendment S—3531 filed by Senators McLaren and Sorensen from the floor to pages 14, 15 and 17 of the bill and moved its adoption.

Amendment S—3531 was adopted by a voice vote.

Senator Banks offered amendment S—3535 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3535 was adopted by a voice vote.

Senator Fink offered amendment S—3532 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3532 lost by a voice vote.

Senator Hedge withdrew amendment S—3541 filed by him from the floor to page 22 of the bill.

Senator Priebe offered amendment S—3540 filed by Senators Iverson and Priebe from the floor to page 25 of the bill and moved its adoption.

Amendment S—3540 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3484 as amended by the committee on Agriculture, previously deferred.

Senator Fink offered amendment S—3539 filed by him from the floor to amendment S—3484 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3539 to amendment S—3484 be adopted?" (H.F. 519) the vote was:

Ayes, 17:

Black	Connolly	Dearden	Dvorsky
Fink	Flynn	Giannetto	Gronstal
Halvorson	Hammond	Iverson	Lundby
Maddox	McKean	Neuhauser	Sorensen
Szymoniak			

Nays, 33:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Boswell	Deluhery
Douglas	Drake	Fraise	Freeman
Gettings	Hansen	Hedge	Horn
Husak	Jensen	Judge	Kibbie
Kramer	Lind	McLaren	Murphy
Palmer	Priebe	Redfern	Rensink
Rife	Rittmer	Tinsman	Vilsack
Zieman			

Amendment S—3539 lost.

The Chair ruled division S—3529A by Senator Fink and division S—3512B by the committee on Natural Resources, both to amendment S—3484, previously deferred, out of order.

Senator Iverson withdrew amendment S—3536 filed by him from the floor to amendment S—3484.

Senator Priebe moved the adoption of amendment S—3484 as amended, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—3542 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—3542 was adopted by a voice vote.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 519) the vote was:

Ayes, 42:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Flynn	Fraise	Freeman
Gettings	Giannetto	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Maddox	McLaren	Murphy	Neuhauser
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, 8:

Bisignano	Fink	Gronstal	Halvorson
Hammond	Lundby	McKean	Palmer

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 Concurrent Resolution 28 and House Files 461 and 519 be

immediately messaged to the House and to send an immediate message to the House on Senate File 201.

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 20, 1995, amended and adopted the following resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 11, a concurrent resolution declaring support for Amtrak (S—3538).

ALSO: That the House has on April 20, 1995, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information (S—3543).

Senate File 256, a bill for an act providing for notification of the application of pesticides (S—3522).

ALSO: That the House has on April 20, 1995, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 18, a concurrent resolution relating to border city trucking agreements.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 23, a concurrent resolution urging the Congress of the United States to quickly develop and approve the proposed national highway system.

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 20, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 555, a bill for an act relating to the deduction and credit for amounts paid for tuition and textbooks for elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

This bill was 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 20th day of April, 1995:

Senate File 352.

JOHN F. DWYER
Secretary of the Senate

REPORT OF COMMITTEE MEETING

NATURAL RESOURCES, ENVIRONMENT AND ENERGY

Convened: April 19, 1995, 8:05 a.m.

Recessed: 9:30 a.m.

Reconvened: April 20, 1995, 8:30 a.m.

Adjourned: 1:19 p.m.

Members Present: Fink, Chair; Black, Vice Chair; Lundby, Ranking Member; Banks, Borlaug, Dearden, Deluhery, Freeman, Gronstal, Hedge, Judge, Kibbie, Priebe, Rensink and Sorensen.

Members Absent: none.

Committee Business: House File 519 subcommittee report — without recommendation; committee recommended passage of House File 519 as amended; committee was recessed and reconvened numerous times over two days.

STUDY BILL RECEIVED

SSB 365 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, providing an effective date, and providing penalties.

SUBCOMMITTEE ASSIGNMENT

SSB 365

APPROPRIATIONS: Judge, Chair; Bartz and Murphy

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Six students from Pocahontas Catholic School, Pocahontas, accompanied by Beth Hotovec and Larry Bevins. Senator Freeman.

Ten fifth grade students from Rolling Green Elementary School, Urbandale, Iowa accompanied by Ms. Chris Burgman. Senator Maddox.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 20, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 157 — Relating to solid waste by eliminating the polystyrene ban and providing an effective date.

SENATE FILE 214 — To provide greater protection for consumers who purchase or lease motor vehicles and providing effective dates.

SENATE FILE 234 — Relating to the powers and duties of the Department of Natural Resources by amending procedures for issuing and establishing fees for scientific collector's licenses or permits.

SENATE FILE 333 — Relating to notice requirements required for work involving drainage and levee districts and water districts.

SENATE FILE 446 — Relating to the possession or use of alcohol while operating a motor vehicle by requiring the administrative revocation of driving privileges of persons under the age of twenty-one who operate a motor vehicle with an alcohol concentration of .02 or more, denying issuance of temporary restricted licenses during the period of revocation, including the revocation under implied consent provisions, providing for civil penalties, excluding the revocation from application of certain motor vehicle financial responsibility requirements, providing for minimum periods of license revocation, providing a scheduled fine for possession of an open alcohol container while operating a motor vehicle, providing for the

impoundment or immobilization of motor vehicles driven or owned by persons convicted of operating while intoxicated and being a second or subsequent offender, providing criminal penalties, and other related matters.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 159 passed the Senate on April 20, 1995.

JIM LIND

PRESENTATION OF SPECIAL GUEST

Senator McLaren presented K.R. Sinha, Consul General of India. He organized a conference sponsored by the Des Moines Chamber of Commerce on Doing Business in India, where many Iowa businesses were represented.

AMENDMENTS FILED

S—3510	H.F.	94	Mary Neuhauser
S—3511	H.F.	482	Derryl McLaren
S—3512	H.F.	519	Natural Resources, Environ. & Energy
S—3513	S.F.	482	Randal J. Giannetto
S—3514	H.F.	528	Johnie Hammond
S—3515	H.F.	519	Derryl McLaren
S—3516	H.F.	519	Stewart E. Iverson, Jr. Bill Fink Michael E. Gronstal
S—3517	H.F.	519	Bill Fink
S—3518	H.F.	481	House amendment
S—3519	H.F.	519	Stewart E. Iverson, Jr. Emil J. Husak
S—3520	H.F.	519	Emil J. Husak
S—3521	H.F.	486	House amendment
S—3522	S.F.	256	House amendment
S—3523	H.F.	519	Tom Vilsack Berl E. Priebe William D. Palmer
S—3524	H.F.	519	Derryl McLaren

			Brad Banks
S-3525	H.F.	519	H. Kay Hedge
S-3526	H.F.	203	Randal J. Giannetto
			John W. Jensen
			Emil J. Husak
			John P. Kibbie
S-3527	H.F.	519	Merlin E. Bartz
S-3528	H.F.	519	Andy McKean
			Mary Lundby
			Rod Halvorson
S-3529	H.F.	519	Bill Fink
S-3530	H.F.	519	H. Kay Hedge
S-3531	H.F.	519	Derryl McLaren
			Albert E. Sorensen
S-3532	H.F.	519	Bill Fink
S-3533	H.F.	519	Stewart E. Iverson, Jr.
			Emil J. Husak
S-3534	S.F.	208	Elaine Szymoniak
S-3535	H.F.	519	Brad Banks
S-3536	H.F.	519	Stewart E. Iverson, Jr.
S-3537	S.F.	478	Randal J. Giannetto
			Richard F. Drake
S-3538	S.C.R.	11	House amendment
S-3539	H.F.	519	Bill Fink
S-3540	H.F.	519	Stewart E. Iverson, Jr.
			Berl E. Priebe
S-3541	H.F.	519	H. Kay Hedge
S-3542	H.F.	519	Berl E. Priebe
S-3543	S.F.	150	House amendment

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 484 (SSB 365), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, providing an effective date, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Murphy, Boswell, Lind, Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink and Tinsman. Nays, 1: Iverson. Absent or not voting, 2: Bisignano and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 489, a bill for an act authorizing an increase in the amount of taxes dedicated to the reserve account by township trustees for supplies and equipment related to fire protection, emergency warning systems, and ambulance services.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 550, a bill for an act relating to the exemption of the statewide notification center and its vendors from sales, services, and use taxes and providing for the Act's effectiveness and retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 558, a bill for an act relating to the recapture tax on property maintained as a fruit-tree or forest reservation for which a property tax exemption was granted and providing effective and applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 559, a bill for an act defining multiple housing cooperatives and certain other property of nonprofit organizations as residential property for purposes of assessing the value of the property for taxation purposes, and providing for the Act's retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 560, a bill for an act relating to the definition of "designated person" for purposes of the family farm tax credit and providing effective and applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Bennett, Connolly, Deluhery, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

Senate File 484, by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, providing an effective date, and providing penalties.

Read first time under Rule 28 and placed on Appropriations Calendar.

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 9:35 p.m., until 10:00 a.m., Monday, April 24, 1995.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 24, 1995

The Senate met in regular session at 10:18 a.m., President Boswell presiding.

Prayer was offered by the Reverend John Epperson, pastor of the Christian Church, Grinnell, Iowa.

The Journal of Thursday, April 20, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Deluhery and Flynn until they arrive on request of Senator Horn.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S. R.	19	Human Resources
H. C. R.	18	Transportation
H. C. R.	23	Transportation
H. F.	511	Commerce
H. F.	555	Ways and Means
H. F.	563	State Government
H. F.	565	Appropriations

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.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 11

Senator Gettings called up for consideration Senate Concurrent Resolution 11, a concurrent resolution declaring support for Amtrak, amended by the House, and moved that the Senate concur in House amendment S—3538 filed April 20, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gettings moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 469

On motion of Senator Neuhauser, Senate File 469, a bill for an act relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions, was taken up for consideration.

Senator Neuhauser asked and received unanimous consent that House File 548 be substituted for Senate File 469.

House File 548

On motion of Senator Neuhauser, House File 548, a bill for an act relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on House File 548 be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 358

Senator McKean called up for consideration Senate File 358,

a bill for an act relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status, and providing for the payment of fees, amended by the House in House amendment S—3489 filed April 19, 1995.

Senator Lind offered amendment S—3506 filed by Senators Lind, et al., on April 20, 1995, to House amendment S—3489 and moved its adoption.

Amendment S—3506 was adopted by a voice vote.

Senator McKean 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 McKean 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. 358) the vote was:

Ayes, 47:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Flynn	Palmer	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 373

Senator Neuhauser called up for consideration Senate File 373, a bill for an act to permit the court to find a person in contempt for failure to pay restitution after the period of probation, work release, parole, or the person's sentence has ended, amended by the House, and moved that the Senate concur in House amendment S—3491 filed April 19, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Neuhauser 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. 373) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Flynn

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 482

On motion of Senator Giannetto, Senate File 482, a bill for an act establishing economic and other penalties for certain criminal activity, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Giannetto offered amendment S—3488 filed by the committee on Judiciary on April 19, 1995 to pages 54 and 55 of the bill and moved its adoption.

Amendment S—3488 was adopted by a voice vote.

Senator Giannetto offered amendment S—3513 filed by him on April 20, 1995, to page 30 of the bill and moved its adoption.

Amendment S—3513 was adopted by a voice vote.

Senator Giannetto offered amendment S—3505 filed by Senators Giannetto and Bisignano on April 20, 1995, to page 50 of the bill and moved its adoption.

Amendment S—3505 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. 482) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen

Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Flynn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 528

On motion of Senator Hammond, House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Hammond offered amendment S—3514 filed by her on April 20, 1995, to pages 1-11, 19, 22, 23 and the title page of the bill.

Senator Borlaug raised the point of order that amendment S—3514 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3514 in order.

Senator Connolly asked and received unanimous consent that action on amendment S—3514 and **House File 528** be deferred.

The Senate stood at ease at 11:50 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:21 p.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

Senator Fraise took the chair at 2:28 p.m.

President Boswell took the chair at 2:38 p.m.

The vote revealed 45 present, 5 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Maddox until he returns on request of Senator Hedge.

CONSIDERATION OF BILL (Appropriations Calendar)

House File 482

On motion of Senator Dvorsky, House File 482, a bill for an act relating to the funding for the Iowa communications network and providing an appropriation, with report of committee recommending passage, was taken up for consideration.

Senator Flynn offered amendment S—3499 filed by Senators Flynn and Dvorsky on April 19, 1995, to pages 1-5 of the bill.

Senator Flynn asked and received unanimous consent that action on amendment S—3499 be deferred.

Senator McLaren offered amendment S—3511 filed by him on April 20, 1995, to page 4 of the bill and moved its adoption.

Amendment S—3511 was adopted by a voice vote.

Senator Hansen withdrew amendment S—3495 filed by him on April 19, 1995, to page 4 of the bill.

Senator Halvorson offered amendment S—3550 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3550 lost by a voice vote.

The Senate resumed consideration of amendment S—3499 by Senators Flynn and Dvorsky to pages 1-5 of the bill, previously deferred.

Senator Flynn called for a division of amendment S—3499: lines 3 and 4 as division S—3499A and lines 5-23 as division S—3499B.

Senator Flynn asked and received unanimous consent that action on division S—3499A be deferred.

Senator Flynn moved the adoption of division S—3499B, which motion prevailed by a voice vote.

(Action on House File 482 was deferred, division S—3499A pending).

UNFINISHED BUSINESS CALENDAR

House File 203

On motion of Senator Giannetto, House File 203, a bill for an act relating to the location of the office of the commission of veterans affairs, and providing an effective date, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Giannetto offered amendment S—3481 filed by him on April 18, 1995, to page 1 of the bill.

Senator Giannetto offered amendment S—3526 filed by Senators Giannetto, et al., on April 20, 1995, to amendment S—3481 and moved its adoption.

Amendment S—3526 was adopted by a voice vote.

Senator Giannetto moved the adoption of amendment S—3481 as amended, which motion prevailed 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. 203) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 528

The Senate resumed consideration of House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile

court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties, and amendment S—3514 by Senator Hammond to pages 1-11, 19, 22, 23 and the title page of the bill, previously deferred.

Senator Borlaug offered amendment S—3549 filed by him from the floor to amendment S—3514 and moved its adoption.

Amendment S—3549 lost by a voice vote.

Senator Hammond moved the adoption of amendment S—3514 which motion prevailed by a voice vote.

Senator Hammond moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 528) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 486

Senator Hansen called up for consideration House File 486, a bill for an act relating to the regulation of cemetery operators and the regulation of perpetual care cemeteries and nonperpetual care cemeteries, establishing requirements related to the sale of preneed funeral contracts and the sale of funeral and cemetery merchandise, establishing fees and use of those fees, and providing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3521 to Senate amendment H—3989 filed April 20, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Hansen moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 486) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramier
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife

Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Neuhauser called up the motion to reconsider House File 94 filed by her on April 19, 1995, found on page 1318 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 94) the vote was:

Ayes, 30:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kramer	Maddox	Murphy
Neuhauser	Palmer	Rittmer	Szymoniak
Tinsman	Vilsack		

Nays, 20:

Banks	Bennett	Boettger	Borlaug
Fraise	Freeman	Hedge	Iverson
Jensen	Kibbie	Lind	Lundby
McKean	McLaren	Priebe	Redfern
Rensink	Rife	Sorensen	Zieman

The motion prevailed.

Senator Neuhauser moved to reconsider the vote by which House File 94 went to its last reading, which motion prevailed by a voice vote.

House File 94

On motion of Senator Hammond, House File 94, a bill for an act to permit certain dissolutions of marriage to take place without a hearing, was taken up for reconsideration.

Senator Neuhauser offered amendment S—3510 filed by her on April 20, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3510 was adopted by a voice vote.

Senator Hammond moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 94) the vote was:

Ayes, 32:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Kramer	Lundby
Maddox	Murphy	Neuhauser	Palmer
Priebe	Szymoniak	Tinsman	Vilsack

Nays, 18:

Banks	Bennett	Boettger	Borlaug
Fraise	Freeman	Hedge	Iverson
Jensen	Lind	McKean	McLaren
Redfern	Rensink	Rife	Rittmer
Sorensen	Zieman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1995, passed the following bills in which the concurrence of the House was asked:

Senate File 223, a bill for an act providing for notification of certain persons receiving public assistance of tax suspension provisions.

Senate File 403, a bill for an act relating to collection of delinquent restitution payments and providing an effective date.

ALSO: That the House has on April 24, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 566, a bill for an act relating to the taxation of sales of residential service contracts under the state sales, services, and use taxes.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Resolution 20, by committee on Rules and Administration, a senate resolution relating to daily operations of the Senate.

Read first time and **placed on calendar**.

BUSINESS PENDING

House File 482

The Senate resumed consideration of House File 482, a bill for an act relating to the funding for the Iowa communications network and providing an appropriation, and division S—3499A by Senators Flynn and Dvorsky to page 1 of the bill, previously deferred.

Senator Flynn offered amendment S—3554 filed by Senators Flynn, Dvorsky and McLaren from the floor to division S—3499A and moved its adoption.

Amendment S—3554 was adopted by a voice vote.

Senator Flynn moved the adoption of division S—3499A as amended, which motion prevailed by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 482) the vote was:

Ayes, 48:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 2:

Banks McKean

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The motion to reconsider House File 94 filed by Senator Bartz on April 19, 1995, and found on page 1318 of the the Senate Journal was out of order.

BUSINESS PENDING

House File 548

The Senate resumed consideration of House File 548, a bill for an act relating to the definition of business income for purposes of the state corporate income tax and providing effective and applicability date provisions, previously deferred.

Senator Neuhauser moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 548) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Neuhauser asked and received unanimous consent that **Senate File 469** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 387

Senator Connolly called up for consideration House File 387, a bill for an act relating to the appointment of the student member to the state board of regents, reducing the student member's term, and providing implementation and transition provisions, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3454 to Senate amendment H—3836 filed April 17, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Connolly moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 387) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
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.

HOUSE AMENDMENT CONSIDERED

Senate File 150

Senator Dvorsky called up for consideration Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information, amended by the House in House amendment S—3543 filed April 20, 1995.

Senator Bartz offered amendment S—3557 filed by him from the floor to House amendment S—3543 and moved its adoption.

Amendment S—3557 was adopted by a voice vote.

Senator Dvorsky 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 Dvorsky 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. 150) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Flynn	Murphy	Palmer	Priebe
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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 AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 481

Senator Neuhauser called up for consideration House File 481, 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 and retroactive applicability date, amended by the Senate, further amended by the House and moved that the Senate

concur in House amendment S—3518 to Senate amendment H—3979 filed April 20, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Neuhauser moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 481) the vote was:

Ayes, 46:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Neuhauser	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Flynn	Murphy	Palmer	Priebe
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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 AMENDMENT CONSIDERED

Senate File 208

Senator Szymoniak called up for consideration Senate File 208, a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date, amended by the House in House amendment S—3501 filed April 19, 1995.

Senator Hammond withdrew amendment S—3509 filed by her on April 20, 1995, to House amendment S—3501.

Senator Szymoniak offered amendment S—3534 filed by her on April 20, 1995, to House amendment S—3501 and moved its adoption.

Amendment S—3534 was adopted by a voice vote.

Senator Szymoniak offered amendment S—3558 filed by her from the floor to House amendment S—3501.

Senator Lind asked and received unanimous consent that action on amendment S—3558 to House amendment S—3501, House amendment S—3501 and Senate File 208 be deferred.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 20, a senate resolution relating to daily operations of the Senate.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 8: Horn, Boswell, Rife, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none. Absent or not voting, 1: Bisignano.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

President pro tempore Bisignano took the chair at 4:57 p.m.

Senate File 427

Senator Kibbie called up for consideration Senate File 427, a bill for an act relating to authorizing the payment of salaries to senior judges, providing for a maximum retirement annuity amount paid to senior judges, affecting senior judge retirement benefits, the appointment of judges to senior judge status, and providing effective and applicability dates, amended by the House, and moved that the Senate concur in House amendment S—3508 filed April 20, 1995.

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. 427) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Freeman	Gettings	Giannetto	Gronstal
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Neuhauser
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, 1:

Halvorson

Absent or not voting, 4:

Flynn	Murphy	Palmer	Priebe
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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)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 20.

Senate Resolution 20

On motion of Senator Boswell, Senate Resolution 20, a senate resolution relating to daily operations of the Senate, was taken up for consideration.

Senator Boswell moved the adoption of Senate Resolution 20, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 484.

Senate File 484

On motion of Senator Judge, Senate File 484, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, providing an effective date, and providing penalties, was taken up for consideration.

President Boswell took the chair at 5:20 p.m.

Senator Gronstal offered amendment S—3551 filed by Senators Gronstal and Kramer from the floor to pages 3, 4, 30-32 and 45 of the bill.

Senator Gronstal offered amendment S—3559 filed by Senators Gronstal and Kramer from the floor to amendment S—3531 and moved its adoption.

Amendment S—3559 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3551 as amended, which motion prevailed by a voice vote.

Senator Jensen offered amendment S—3556 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—3556 was adopted by a voice vote.

Senator Hammond offered amendment S—3548 filed by her from the floor to page 9 of the bill.

Senator Judge offered amendment S—3560 filed by Senators Judge and Bartz from the floor to amendment S—3548.

Senator Szymoniak asked and received unanimous consent that action on amendment S—3560 to amendment S—3548 and amendment S—3548 be deferred.

Senator Giannetto offered amendment S—3547 filed by him from the floor to page 11 of the bill.

Senator Giannetto asked and received unanimous consent that action on amendment S—3547 be deferred.

Senator Lind asked and received unanimous consent to withdraw amendment S—3562 filed by Senators Lind and Vilsack from the floor to page 28 of the bill.

Senator Gronstal offered amendment S—3552 filed by him from the floor to pages 30 and 45 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3552 be adopted?" (S.F. 484) the vote was:

Ayes, 29:

Banks	Bisignano	Black	Boettger
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Freeman	Gronstal	Halvorson	Hammond
Horn	Kibbie	Kramer	Lundby
Maddox	McKean	Palmer	Priebe
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack			

Nays, 21:

Bartz	Bennett	Borlaug	Boswell
Fraise	Gettings	Giannetto	Hansen
Hedge	Husak	Iverson	Jensen
Judge	Lind	McLaren	Murphy
Neuhauser	Redfern	Rensink	Rife
Zieman			

Amendment S—3552 was adopted.

Senator Dvorsky offered amendment S—3561 filed by Senators Dvorsky, et al., from the floor to page 30 of the bill.

Senator Drake raised the point of order that amendment S—3561 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3561 in order.

Senator Dvorsky moved the adoption of amendment S—3561, which motion prevailed by a voice vote.

Senator Giannetto withdrew amendment S—3547 by him to page 11 of the bill, previously deferred.

Senator Gronstal offered amendment S—3565 filed by Senators Gronstal, et al., from the floor to page 30 of the bill.

Senator Szymoniak raised the point of order that amendment S—3565 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3565 in order.

Senator Gronstal moved the adoption of amendment S—3565.

A record roll call was requested.

On the question “Shall amendment S—3565 be adopted?” (S.F. 484) the vote was:

Ayes, 33:

Banks	Bartz	Bisignano	Black
Borlaug	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Fraise
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kibbie
Lundby	McKean	Murphy	Palmer
Priebe	Redfern	Rensink	Sorensen
Vilsack			

Nays, 17:

Bennett	Boettger	Douglas	Drake
Flynn	Freeman	Gettings	Kramer
Lind	Maddox	McLaren	Neuhauser
Rife	Rittmer	Szymoniak	Tinsman
Zieman			

Amendment S—3565 was adopted.

Senator Jensen offered amendment S—3546 filed by him from the floor to page 44 of the bill.

Senator Judge raised the point of order that amendment S—3546 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3546 out of order.

The Senate resumed consideration of amendment S—3548 by Senator Hammond to page 9 of the bill, previously deferred.

Senator Judge offered amendment S—3567 filed by Senators Judge and Bartz from the floor to amendment S—3548 and moved its adoption.

Amendment S—3567 was adopted by a voice vote.

With the adoption of amendment S—3567, the Chair ruled amendment S—3560 by Senators Judge and Bartz to amendment S—3548, previously deferred, out of order.

Senator Hammond moved the adoption of amendment S—3548 as amended, which motion prevailed by a voice vote.

Senator Szymoniak offered amendment S—3566 filed by Senators Szymoniak and Tinsman from the floor to page 14 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3566 be adopted?" (S.F. 484) the vote was:

Ayes, 21:

Bartz	Boettger	Borlaug	Douglas
Drake	Gettings	Hammond	Iverson
Jensen	Kibbie	Kramer	Lind
Lundby	Maddox	Neuhausser	Palmer
Redfern	Rittmer	Szymoniak	Tinsman
Vilsack			

Nays, 28:

Banks	Bennett	Bisignano	Black
Boswell	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Freeman	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Judge	McKean	McLaren	Murphy
Rensink	Rife	Sorensen	Zieman

Absent or not voting, 1:

Priebe

Amendment S—3566 lost.

Senator Rife 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—3561 to Senate File 484 was adopted by the Senate on April 24, 1995.

A record roll call was requested.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the remainder of the day on request of Senator Black.

BUSINESS PENDING

Senate File 484

On the question "Shall the motion to reconsider be adopted?" (S.F. 484) the vote was:

Ayes, 16:

Bennett	Boettger	Borlaug	Douglas
Drake	Freeman	Gettings	Hedge
Iverson	Kramer	McLaren	Rensink
Rife	Rittmer	Tinsman	Zieman

Nays, 33:

Banks	Bartz	Bisignano	Black
Boswell	Connolly	Dearden	Deluhery
Dvorsky	Fink	Flynn	Fraise
Giannetto	Gronstal	Halvorson	Hammond
Hansen	Horn	Husak	Jensen
Judge	Kibbie	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Redfern	Sorensen	Szymoniak
Vilsack			

Absent or not voting, 1:

Priebe

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 24, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 83, a bill for an act extending for an additional budget year the regular program district cost guarantee for school districts and increasing the amount of that guarantee and providing an effective date.

ALSO: That the House has on April 24, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 390, a bill for an act relating to the Iowa arts and cultural enhancement and endowment program and foundation (S-3555).

ALSO: That the House has on April 24, 1995, concurred in the Senate amendment to the House amendment, and passed the following bills in which the concurrence of the House was asked:

Senate File 398, a bill for an act relating to commutation of sentences of persons who have been sentenced to life imprisonment.

Senate File 432, a bill for an act relating to sexually violent predators, by providing that the place of commitment shall be under the control of the department of corrections, by requiring the state to pay the costs incurred by a county for services in sexually violent offender proceedings, and providing an effective date.

ALSO: That the House has on April 24, 1995, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 197, a bill for an act relating to the expansion of the volunteer physician program to include other health care providers.

ALSO: That the House has on April 24, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 471, a bill for an act relating to prison time served by persons convicted of an aggravated misdemeanor or greater offense, by providing for changes in the mandatory minimum terms of sentences to be served, by permitting the imposition of up to ninety days of the total sentence in a county jail in addition to any terms of probation, and providing for a reduction in the amount of good and honor time that may be earned by forcible felons (S—3568).

ALSO: That the House has on April 24, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 571, a bill for an act relating to the frequency of referendums held on excursion gambling boat proposals or gambling games proposals for licensed pari-mutuel racetracks and the qualifications of a qualifying organization which are necessary to conduct pari-mutuel wagering at racetracks or gambling games on excursion gambling boats and providing effective and applicability dates.

This bill was read first time and **passed on file.**

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Concurrent Resolution 11, Senate Files 358, 482, 484 and House Files 203, 528, 486, 94, 482, 548, 387 and 481 be immediately messaged to the House.

Senator Horn asked and received unanimous consent to send an immediate message on Senate Files 373 and 427 to the House.

BUSINESS PENDING

Senate File 484

The Senate resumed consideration of Senate File 484.

Senator Neuhauser offered amendment S—3569 filed by Senators Neuhauser and Murphy from the floor to page 15 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 22.

Amendment S—3569 was adopted.

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. 484) the vote was:

Ayes, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Judge	Kibbie
Murphy	Neuhauser	Palmer	Sorensen
Szymoniak	Vilsack		

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Absent or not voting, 1:

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 484** be immediately messaged to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 20, 1995. 4:02 p.m.

Members Present: Murphy, Chair; Boswell, Vice Chair; Lind, Ranking Member; Banks, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack.

Members Absent: Bisignano (excused).

Committee Business: Amended and approved SSB 365 as a committee bill.

Adjourned: 4:50 p.m.

RULES AND ADMINISTRATION

Convened: April 20, 1995, 11:59 a.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal and Husak.

Members Absent: Bisignano, Kramer and Lind.

Committee Business: Approved committee resolution regarding President Clinton's visit on April 29, 1995.

Adjourned: 12:02 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Giannetto from 1,014 residents of Iowa favoring the creation of and funding for a state veterans advocacy division to help protect and preserve the rights of our past, present and future veterans.

Senator Zieman from 32 residents of Amnesty International opposing reinstatement of the death penalty in Iowa.

Senator Borlaug from 134 residents of Floyd County favoring legislation eliminating taxation of retirees pensions.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty fifth grade students from BCLUW Middle School, Union, accompanied by Mary Pieper and John Ehn. Senators Iverson, Jensen and Giannetto.

Eight eighth grade students from Pine Grove Mennonite, Chester, accompanied by Mary Ann Nightengale. Senator Borlaug.

Senator Szymoniak introduced several participants visiting the United States under the Freedom Support Grant Program for Russia to study the roles of committees in the legislative process.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 82, the following correction was made:

1. Page 4, line 16, the word and number "Section 5" were changed to the word and number "Section 8".

ALSO: That in enrolling Senate File 462, the following corrections were made:

1. Page 1, line 35, the letter "a" was changed to the number "5".

2. Page 2, line 7, the letter "b" was changed to the letter "a".

3. Page 2, line 14, the letter "c" was changed to the letter "b".

4. Page 2, line 24, the letter "d" was changed to the letter "c".

5. Page 2, line 32, the letter "e" was changed to the letter "d".

6. Page 51, line 13, the words "amended to reads as follows:" were changed to the words "amended to read as follows:"

7. Page 52, line 22, the word and number "subsection 200" were changed to the word and number "subsection 14".

8. Page 51, line 25, the words and numbers "sections 27 through 32" were changed to the words and numbers "Sections 28 through 33;".

JOHN F. DWYER
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of April, 1995:

Senate Files 207, 155, 385, 341, 377, 272, 215, 132, 152, 164, 206, 229, 386, 443, 66, 82, 87, 431, 311, 346, 347, 371 and 462.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

House File 555

WAYS AND MEANS: Murphy, Chair; Iverson and Vilsack

House File 565

APPROPRIATIONS: Vilsack, Chair; Kibbie and Kramer

House Concurrent Resolution 18

TRANSPORTATION: Drake, Chair; Fraise and Gettings

House Concurrent Resolution 23

TRANSPORTATION: Gettings, Chair; Drake and Fraise

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 150 passed the Senate on April 24, 1995.

ELAINE SZYMONIAK

BILLS SIGNED BY THE GOVERNOR

Communication was received announcing that on April 24, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 88 — 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.

SENATE FILE 116 — Authorizing certain persons to access dependent adult abuse information.

SENATE FILE 141 — Relating to notice for vacating and closing roads.

SENATE FILE 147 — Providing for the issuance of single general permits by the Department of Natural Resources and providing an effective date.

SENATE FILE 149 — Relating to child support recovery.

SENATE FILE 174 — Relating to health facilities under the purview of the Department of Inspections and Appeals.

SENATE FILE 233 — Relating to the suspension and revocation of driver's licenses and providing penalties for violations of out-of-service orders.

SENATE FILE 247 — Relating to plastic garbage can liners with recycled content.

SENATE FILE 298 — Relating to implements of husbandry, concerning the definition of implements of husbandry and weight restrictions for certain implements of husbandry.

SENATE FILE 352 — Relating to the family investment program and related human services programs by requiring the Department of Human Services to apply for certain federal waivers and providing applicability provisions.

SENATE FILE 402 — Relating to brands registered by the Department of Agriculture and Land Stewardship and providing for penalties.

SENATE FILE 440 — Relating to probate including the lien period for estates which have not been administered, the amount which may be passed to a minor without appointing a conservator, the distribution of an intestate estate to the parents, and special use trusts.

SENATE FILE 458 — Relating to the duties of the county treasurer and providing effective and applicability dates.

AMENDMENTS FILED

S—3544	H.F.	505	Elaine Szymoniak
S—3545	H.F.	560	Merlin E. Bartz
S—3546	S.F.	484	John W. Jensen
S—3547	S.F.	484	Randal J. Giannetto
S—3548	S.F.	484	Johnie Hammond
S—3549	H.F.	528	Allen Borlaug
S—3550	H.F.	482	Rod Halvorson
S—3551	S.F.	484	Michael E. Gronstal
			Mary Kramer
S—3552	S.F.	484	Michael E. Gronstal
S—3553	S.F.	478	Michael E. Gronstal
S—3554	H.F.	482	Tom Flynn
			Robert Dvorsky
			Derryl McLaren
S—3555	S.F.	390	House amendment
S—3556	S.F.	484	John W. Jensen
S—3557	S.F.	150	Merlin E. Bartz
S—3558	S.F.	208	Elaine Szymoniak
S—3559	S.F.	484	Michael E. Gronstal
			Mary E. Kramer
S—3560	S.F.	484	Patty Judge
			Merlin E. Bartz
S—3561	S.F.	484	Robert E. Dvorsky
			Emil J. Husak
			Mary A. Lundby
			Jim Lind
S—3562	S.F.	484	Jim Lind
			Tom Vilsack
S—3563	S.F.	208	Elaine Szymoniak
S—3564	H.F.	437	Merlin E. Bartz
S—3565	S.F.	484	Michael E. Gronstal
			Eugene S. Fraise
			Emil J. Husak
			John Jensen
			Brad Banks
			Mary Lundby
S—3566	S.F.	484	Elaine Szymoniak
			Maggie Tinsman

S-3567	S.F.	484	Patty Judge Merlin E. Bartz
S-3568	H.F.	471	House amendment
S-3569	S.F.	484	Mary Neuhauser Larry Murphy

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 8:05 p.m., until 9:00 a.m., Tuesday, April 25, 1995.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 25, 1995

The Senate met in regular session at 9:13 a.m., President Boswell presiding.

Prayer was offered by the Reverend Dan Herndon, pastor of the Trinity United Methodist Church, Waverly, Iowa.

The Journal of Monday, April 24, 1995, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Priebe and Bartz until they arrive on request of Senator Sorensen.

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.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 10

On motion of Senator Drake, Senate Concurrent Resolution 10, a concurrent resolution relating to border city trucking agreements, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of Senate Concurrent Resolution 10, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

House File 489

On motion of Senator Sorensen, House File 489, a bill for an act authorizing an increase in the amount of taxes dedicated to the reserve account by township trustees for supplies and equipment related to fire protection, emergency warning systems, and ambulance services, with report of committee on Local Government recommending passage on April 6, 1995, and report of committee on Ways and Means recommending passage on April 20, 1995, 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?" (H.F. 489) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Priebe	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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Szymoniak until she arrives on request of Senator Horn.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

House File 559

On motion of Senator Vilsack, House File 559, a bill for an act defining multiple housing cooperatives and certain other property of nonprofit organizations as residential property for purposes of assessing the value of the property for taxation purposes, and providing for the Act's retroactive applicability, 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?" (H.F. 559) the vote was:

Ayes, 41:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hansen	Hedge	Horn	Husak
Iverson	Jensen	Judge	Kramer
Lind	Lundby	Maddox	McKean
Murphy	Neuhauser	Redfern	Rensink
Rittmer	Sorensen	Tinsman	Vilsack
Zieman			

Nays, 4:

Fraise	Hammond	Kibbie	Palmer
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Absent or not voting, 5:

Bartz	McLaren	Priebe	Rife
Szymoniak			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 550

On motion of Senator Iverson, House File 550, a bill for an act relating to the exemption of the statewide notification center and its vendors from sales, services, and use taxes and providing for the Act's effectiveness and retroactive applicability, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 550) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	McLaren	Priebe	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

House File 507

On motion of Senator Gronstal, House File 507, a bill for an act relating to state government personnel systems, including affirmative action reports, disability programs, deferred compensation, experimental research projects, the state training system, and health insurance contracts for public employees, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Gronstal offered amendment S—3398 filed by him on April 12, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3398 was adopted by a voice vote.

Senator Gronstal offered amendment S—3397 filed by him on April 12, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3397 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. 507) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	McLaren	Priebe	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 393

On motion of Senator Gettings, House File 393, a bill for an act relating to certain exemptions from federal motor carrier safety regulations, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Gettings offered amendment S—3369 filed by the committee on Transportation on April 6, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3369 was adopted by a voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 393) the vote was:

Ayes, 45:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Redfern	Rensink	Rife
Rittmer	Sorensen	Tinsman	Vilsack
Zieman			

Nays, 1:

Giannetto

Absent or not voting, 4:

Bartz	McLaren	Priebe	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 340

On motion of Senator Black, House File 340, a bill for an act providing for the operation of snowmobiles and all-terrain vehicles by defining public land, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Gettings withdrew amendment S—3387 filed by him on April 11, 1995, to page 1 and the title page of the bill.

Senator Lind asked and received unanimous consent that action on **House File 340** be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 394

Senator Sorensen called up for consideration Senate File 394, a bill for an act relating to instruments filed or recorded with the county recorder, amended by the House, and moved that the Senate concur in House amendment S—3507 filed April 20, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Sorensen 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. 394) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz

McLaren

Priebe

Szymoniak

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McLaren until he returns on request of Senator Borlaug.

HOUSE AMENDMENT CONSIDERED

Senate File 256

Senator Judge called up for consideration Senate File 256, a bill for an act providing for notification of the application of pesticides, amended by the House, and moved that the Senate concur in House amendment S—3522 filed April 20, 1995.

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. 256) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen

Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	McLaren	Priebe	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BILLS ASSIGNED TO COMMITTEE

President Boswell announced that **House Files 566 and 571** were assigned to the committee on **Ways and Means**.

UNFINISHED BUSINESS CALENDAR

House File 252

On motion of Senator Halvorson, House File 252, a bill for an act relating to the regulation of real estate brokers and salespersons, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Halvorson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 252) the vote was:

Ayes, 46:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen

Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Tinsman
Vilsack	Zieman		

Nays, none.

Absent or not voting, 4:

Bartz	McLaren	Priebe	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 489, 559, 550, 507, 393, 252 and Senate Concurrent Resolution 10 be immediately messaged to the House.

Senator Horn asked and received unanimous consent to send an immediate message to the House on Senate Files 256 and 394.

HOUSE AMENDMENT CONSIDERED

Senate File 390

Senator Hammond called up for consideration Senate File 390, a bill for an act relating to the Iowa arts and cultural enhancement and endowment program and foundation, amended by the House, and moved that the Senate concur in House amendment S—3555 filed April 24, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hammond 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. 390) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Douglas	Drake	Dvorsky
Fink	Flynn	Fraise	Freeman
Gettings	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	McLaren	Murphy
Neuhauser	Palmer	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Vilsack	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz	Deluhery	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

The Senate stood at ease at 10:32 a.m. until the fall of the gavel.

The Senate resumed session at 11:20 a.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.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 459)

A conference committee report signed by the following Senate and House members was filed April 25, 1995, on Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender,

Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability:

On the Part of the Senate:

EUGENE FRAISE, Chair
TONY BISIGNANO
MICHAEL E. GRONSTAL
STEWART E. IVERSON, JR.
DONALD B. REDFERN

On the Part of the House:

TERESA GARMAN, Chair
PAUL BELL
RICK LARKIN
LYNN SCHULTE
JERRY WELTER

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 459

Senator Fraise called up the conference committee report on Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability, filed on April 25, 1995, 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 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. 459) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bartz Priebe

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 150 filed by her on April 24, 1995, found on page 1384 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 150) the vote was:

Ayes, 47:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Zieman	

Nays, none.

Absent or not voting, 3:

Bartz

Priebe

Vilsack

The motion prevailed.

Senator Szymoniak moved to reconsider the vote by which Senate File 150 went to its last reading, which motion prevailed by a voice vote.

Senate File 150

On motion of Senator Dvorsky, Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information, was taken up for reconsideration.

Senator Szymoniak filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3543 as amended to Senate File 150 on April 24, 1995.

The motion prevailed by a voice vote and House amendment S—3543 as amended was taken up for reconsideration.

Senator Dvorsky offered amendment S—3571 filed by him from the floor to House amendment S—3543 and moved its adoption.

Amendment S—3571 was adopted by a voice vote.

Senator Dvorsky 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 Dvorsky 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. 150) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bartz Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 93)

A conference committee report signed by the following Senate and House members was filed April 25, 1995, on Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties:

On the Part of the Senate:

TONY BISIGNANO, Chair
RANDAL J. GIANNETTO
O. GENE MADDOX
ANDY McKEAN
TOM VILSACK

On the Part of the House:

BRIAN COON, Chair
DWIGHT DINKLA
MINNETTE DODERER
JEFFREY LAMBERTI
MICHAEL MORELAND

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 93

Senator Bisignano called up the conference committee report on Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties, filed on April 25, 1995, 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 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. 93) the vote was:

Ayes, 48:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Bartz Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate

Files 150, 459 and 93 be immediately messaged to the House and to send an immediate message to the House on Senate File 390.

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 25, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 475, a bill for an act relating to state financial provisions and providing applicability provisions and effective dates (S—3572).

The Senate stood at ease at 12:10 p.m. until the fall of the gavel.

The Senate resumed session at 2:05 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 House has on April 25, 1995, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 28, a concurrent resolution to call a joint session for the purpose of hearing an address by the President of the United States.

APPENDIX

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: April 24, 1995, 2:30 p.m.

Members Present: Horn, Chair; Boswell, Vice Chair; Rife, Ranking Member; Gettings, Gronstal, Husak, Kramer and Lind.

Members Absent: Bisignano.

Committee Business: Approved proposed Senate budget resolution.

Adjourned: 2:36 p.m.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 437, the following correction was made:

1. Page 4, line 15, the words "section 97B.51, subsection " were changed to the words "section 97B.51, subsection".

ALSO: That in engrossing Senate File 482, the following correction was made:

1. Page 52, line 17, the word and number "subsection 6" were changed to the word and number "subsection 7".

ALSO: That in engrossing Senate File 484, the following corrections were made:

1. Page 47, lines 3 and 4, the words and numbers "sections 43, 44, 45, 46, 47, 48, and 49" were changed to the words and numbers "sections 44, 45, 46, 47, 48, 49, and 50".

2. Page 47, lines 5 and 6, the words and numbers "Sections 26, 27, and 28" were changed to the words and numbers "Sections 27, 28, and 29".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Students from Waukee Community School, accompanied by Paul Bullock. Senator Douglas.

Seventy-five fifth grade students from Colfax-Mingo Elementary School, Colfax, accompanied by Mr. Ed Johnson. Senator Black.

Thirty-five twelfth grade students from Gladbrook-Reinbeck High School, Reinbeck, accompanied by Marvin Cook. Senators Jensen and Husak.

Fifty fourth grade students from Northeast Elementary School, Ankeny, accompanied by Leana Benjamin. Senator Palmer.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of April, 1995:

Senate Files 436, 142, 176, 197, 225, 228, 292, 351, 406, 407, 428, 438, 226, 409, 437, 439, 202, 205 and 433.

JOHN F. DWYER
Secretary of the Senate

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber when the final votes were taken on the following bills. Had I been present, I would have voted "aye" on each bill:

Senate Files 427, 150, 482, 373, 358 and House File 481.

TOM FLYNN

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Cameron Schmitt, West Central High School — For winning 1st Place in the 1995 Hawkeye State Science Fair, Biological Division. Senator Douglas (4-19-95).

AMENDMENTS FILED

S—3570	S.F.	413	Michael E. Gronstal
S—3571	S.F.	150	Robert Dvorsky
S—3572	S.F.	475	House amendment
S—3573	H.F.	247	Stewart Iverson, Jr.

RECESS

On motion of Senator Horn, the Senate recessed at 2:08 p.m., until 7:00 p.m., Tuesday, April 25, 1995.

JOINT SESSION

Senate Chamber

Tuesday, April 25, 1995, 7:30 p.m.

Address by the President of the United States

In accordance with Senate Concurrent Resolution 28, duly adopted, the joint session was convened, President Boswell presiding.

The following guests were escorted into the House Chamber:

State Treasurer Michael Fitzgerald and his wife Janet.

Auditor of State, Richard Johnson and his wife Marj.

Secretary of State Paul Pate.

Chief Justice Arthur A. McGiverin and the Justices of the Supreme Court, and Judges of the Court of Appeals.

The Honorable Neal Smith and his wife Bea.

Secretary of Agriculture and Land Stewardship Dale Cochran and his wife Jeanine.

Attorney General Tom Miller and his son Matt.

President of the Senate Leonard E. Boswell and House Speaker Ron Corbett.

Governor Terry E. Branstad.

Senator Horn moved that the roll call be dispensed with and that the President of the joint session be authorized to declare a quorum present.

The motion prevailed by a voice vote.

President Boswell announced a quorum present and the joint session duly organized.

Senator Horn moved that a committee of six, three members from the Senate and three members from the House be appointed to notify the President of the United States that the joint session is ready to receive him.

The motion prevailed by a voice vote and the President appointed as such committee Senators Horn, Bisignano and Rife, on the part of the Senate, and Representatives Siegrist, Van Maanen and Schrader, on the part of the House.

The joint session stood at ease until the fall of the gavel.

The joint session resumed session, President Boswell presiding.

The Sergeant-at-arms announced that the President of the United States was present in the Senate chamber.

The President of the United States was escorted to the President's station by the committee previously appointed.

President Boswell presented the President of the United States, Bill Clinton, who delivered the following remarks:

Thank you very much, Mr. President, Mr. Speaker, Governor Branstad, Mr. Chief Justice, and members of the Supreme Court, distinguished Iowa state officials. And former Congressman Neil Smith, my good friend, and Mrs. Smith thank you for being here. To all of you who are members of the Iowa legislature, House and Senate, Republican and Democrat, it is a great honor for me to be here today.

I feel that I'm back home again. When I met the legislative leadership on the way in and we shared a few words and then they left to come in here, and I was standing around with my crowd, I said, you know, I really miss state government. I'll say more about why in a moment.

I'd like to, if I might, recognize one of your members to thank him for agreeing to join my team -- Representative Running will now be the Secretary of Labor's representative. Would you stand up, please. Thank you.

Representative Running is going to be the representative of the Secretary of Labor for region 7 -- Iowa, Nebraska, Missouri and Kansas. And if you will finish your business here pretty soon, he can actually go to Kansas City and get to work --which I would appreciate.

I'm delighted to be back in Iowa. I had a wonderful day here, and it was good to be here when it was dry -- although a little rain doesn't do any harm.

We had a wonderful meeting today at Iowa State University with which I'm sure all of you are familiar, this National Rural Conference we had, designed to lay the groundwork for a strategy for rural America to include not only the farm bill, but also a rural development strategy and a strategy generally to deal with the problems of rural America -- with the income disparities with the rest of America, the age disparities with the rest of America, and the problems of getting services and maintaining the quality of life in rural America.

I want to thank Governor Branstad for his outstanding presentation and the information he gave us about the efforts being made in Iowa in developing your fiber optic network and developing the health care reform initiatives for rural Iowans and many other areas. I want to thank Senator Harkin for his presentation particularly involving the development of alternative agricultural products as a way to boost income in rural America. And I want to say a special word of thanks to the people at Iowa State. They did a magnificent job there, and I know you are all very proud of that institution, and you would have been very, very proud of them today, the way they performed.

I'm also just glad to be back here in the setting of state government. You know, Governor Branstad and I were once the youngest governors in America, but time took care of it. And now that he's been reelected, he will actually serve more years than I did. I ran for a fifth term as governor. We used to have two-year terms, and then we switched to four-year terms. And only one person in the history of our state had ever served more than eight years, and only one person had ever served more than -- two people had served more than two terms, but those were two-year terms -- in the whole history of the state. So I was -- I had served 10 years. I'd served three two-year terms and one four-year term, and I was the attempting to be reelected. And I had a high job approval rating, but people were reluctant to vote for me, because in my state people are very suspicious of too much political power, you know. And I thought I was still pretty young and healthy, but half of them wanted to give me a gold watch, you know, and send me home.

And I never will forget one day when I was running for my fifth term, I was out at the State Fair doing governor's day at the State Fair, which I always did, and I would just sit there and anybody that wanted to talk to me could up and say whatever was on their mind, which was, for me, a hazardous undertaking from to time -- since they invariably would do exactly that. And I stayed there all day long, and I talked about everything under the moon and sun with the people who came up and, long about the end of the day, this elderly fellow in overalls came up to me and he said, Bill, you going to run for governor, again? And I hadn't announced yet. I said, I don't know. If I do, will you vote for me? He said, yes, I always have. I guess I will again. And I said, well, aren't you sick of me after all these years? He said, no, but everybody else I know is.

He said, yes, I always have. I guess I will again. And I said, well, aren't you sick of me after all these years? He said, no, but everybody else I know is.

But he went on to say -- and that's the point I want to make about state government -- he said, people get tired of it because all you do is nag us. You nag us to modernize the economy, you nag us to improve the schools, you just nag, nag, nag. But he said, I think it's beginning to work. And what I have seen in state after state after state over the last 15 years as we have gone through these wrenching economic and social changes in America and as we face challenge after challenge after challenge, is people able consistently to come together to overcome their differences, to focus on what it will take to build a state and to move forward. And we need more of that in America.

In Iowa, you do embody our best values. People are independent, but committed to one another. They work hard and play by the rules, but they work together. Those of us who come from small towns understand that everybody counts. We don't have a person to waste. And the fact that Iowa has done such a good job in developing all of your people is one of the reasons that you are so strong in every single national indicator of success that I know of. And you should be very, very proud of what, together, you have done.

I saw some of that American spirit in a very painful way in Oklahoma City this week, and all of you saw it as well. I know you share the grief of the people there. But you must also share the pride of all Americans in seeing the enormity of the effort which is being exerted there, by firemen and police officers, and nurses, by rescue workers, by people who have come from all over America and given up their lives to try to help Oklahoma City and the people there who have suffered so much loss rebuild.

I want to say again what I have tried to say for the last three days to the American people. On this National Day of Service, there is a service we can do to ensure that we build on, and learn from, this experience.

We must always fight for the freedom of speech. The First Amendment, with its freedom of speech, freedom of assembly and freedom of worship, is the essence of what it means to be an American. And I dare say every elected official in this room would give his or her life to preserve that right for our children and our grandchildren down to the end of time.

But we have to remember that that freedom has endured in our nation for over 200 years because we practiced it with such responsibility; because we had discipline; because we understood from the Founding Fathers forward that you could not have very, very wide latitude in personal freedom until you also had, or unless you also had, great discipline in the exercise of that freedom.

So while I would defend to the death anyone's right to the broadest freedom of speech, I think we should all remember that words have consequences. And freedom should be exercised with responsibility. And when we think that others are exercising their freedom in an irresponsible way, it is our job to stand up and say that is wrong. We disagree. This is not a matter of partisan politics.

It is not a matter of political philosophy. If we see the freedom of expression and speech abused in this country, whether it comes from the right or the left, from the media or from people just speaking on their own, we should stand up and say no, we don't believe in preaching violence; we don't believe in preaching hatred; we don't believe in preaching discord. Words have consequences.

If words did not have consequences, we wouldn't be here today. We're here today because Patrick Henry's words had consequences, because Thomas Jefferson's words had consequences, because Abraham Lincoln's words had consequences. And these words we hear today have consequences -- the good ones and the bad ones, the ones that bring us together, and the ones that drive a wedge through our heart.

We never know in this society today who is out there dealing with all kind of inner turmoil, vulnerable to being pushed over the edge if all they hear is a relentless clamor of hatred and division. So let us preserve free speech, but let those of us who want to fight to preserve free speech forever in America say, we must be responsible and we will be.

My fellow Americans, I come here tonight, as I went recently to the state legislature in Florida, to discuss the condition of our country, where we're going in the future, and your role in that. We know we are in a new and different world -- the end of the Cold War, a new and less organized world we're living in, but one still not free of threats. We know we have come to the end of an industrial age and we're in an information age, which is less bureaucratic, more open, more dependent on technology, more full of opportunity but still full of its own problems, than the age that most of us were raised in.

We know that we no longer need the same sort of bureaucratic, top-down, service-delivering, rule-making, centralized government in Washington that served us so well during the industrial age, because times have changed. We know that with all the problems we have and all the opportunities we have, we have to think anew about what the responsibilities of our government in Washington should be, what your responsibility should be here at the state level, and through you to the local level, and what should be done more by private citizens on their own with no involvement from the government.

We know now what the central challenge of this time is, and you can see it in Iowa. You could see it today with the testimony we heard at the Rural Conference. We are at a 25-year low in the combined rates of unemployment and inflation. Our economy has produced over 6 million new jobs. But paradoxically, even in Iowa where the unemployment rate has dropped under 3.5 percent, most Americans are working harder today for the same or lower incomes that they were making 10 years ago. And many Americans feel less job security even as the recovery continues.

That is largely a function of the global economic competition, the fact that technology raises productivity at an almost unbelievable rate so fewer and fewer people can do more and more work, and that depresses wages. The fact that unless

we raise it in Washington next year, the minimum wage will reach a 40-year low.

There are a lot of these things that are related one to the other. But it is perfectly clear that the economics are changing the face of American society. You can see it in the difference in income in rural America and urban America. You can see it in the difference -- the aging process in rural America as compared with urban America. And if we want to preserve the American Dream, we have got to find a way to solve this riddle.

I was born in the year after World War II at the dawn of the greatest explosion of opportunity in American history and in world history. For 30 years after that, the American people, without regard to their income or region, grew and grew together. That is, each income group over the next 30 years roughly doubled their income, except the poorest 20 percent of us that had an almost 2.5 times increase in their income. So we were growing and growing together.

For about the last 15 or 20 years, half of us have been stuck so that our country is growing, but we are growing apart even within the middle class. When you put that beside the fact that we have more and more poor people who are not elderly -- which was the case when I was little, but now are largely young women and their little children, often where there was either no marriage or the marriage is broken up so there is not a stable home and there is not an adequate level of education to ensure an income -- you have increasing poverty and increasing splits within the middle class. That is the fundamental cause, I believe, of a lot of the problems that we face in America and a lot of the anxiety and frustration we see in this country.

Every rich country faces this problem. But in the United States, it is a particular problem -- both because the inequality is greater and because it violates the American Dream. I mean, this is a country where if you work hard and you play by the rules, you obey the law, you raise your children, you do your best to do everything you're supposed to do, you ought to have an opportunity for the free enterprise system to work for you.

And so we face this challenge. I have to tell you that I believe two things: One, the future is far more hopeful than worrisome. If you look at the resources of this country, the assets of this country, and you compare them with any other country in the world, and you image what the world will be like 20 or 30 from now, you'd have to be strongly bullish on America. You have to believe in our promise.

Secondly, I am convinced we cannot get there unless we develop a new way of talking about these issues, a new political discourse. Unless we move beyond the labeling that so often characterizes, and in fact mischaracterizes, the debate in Washington, D.C.

Now we are having this debate in ways that affect you, so you have to be a part of it, because one of the biggest parts of the debate is, how are we going to keep the American Dream alive? How are we going to keep America, the world's

strongest force for freedom and democracy, into the next century, and change the way the government works?

There is broad consensus that the government in Washington should be less bureaucratic, less oriented toward rule-making, smaller, more flexible, that more decisions should be devolved to the state and local government level, and where possible, more decisions should be given to private citizens themselves. There is a broad agreement on that.

The question is, what are the details? What does that mean? What should we do? What should you do? That's what I want to talk to you about. There are clearly some national responsibilities, clearly some that would be better served here at your level.

The main reason I ran for President is, it seemed to me that we were seeing a national government in bipartisan gridlock, where we'd had 12 years in which we exploded the deficit, reduced our investment in people, and undermined our ability to compete and win in the world. And I wanted very badly to end the kind of gridlock we'd had and to see some real concrete action taken to go forward, because of my experience doing what you're doing now.

My basic belief is that the government ought to do more to help people help themselves, to reward responsibility with more opportunity, and not to give anybody opportunity without demanding responsibility. That's basically what I think our job is.

I think we can be less bureaucratic. We have to enhance security at home and abroad. But the most important thing we have to do is to empower people to make the most of their own lives.

Now, we have made a good beginning at that. As I said, we've been able to get the deficit down. You know here in Iowa, because you're a farming state, that we've had the biggest expansion of trade in the last two years we've seen in a generation. We now have a \$20 billion surplus in agricultural products for the first time ever -- this means more to me than you -- but we're selling rice to the Japanese, something that my farmers never thought that we'd ever do. We're selling apples in Asia. We are doing our best in Washington -- some of us are -- to get the ethanol program up and going. This administration is for it, and I hope you will help us with that.

And we're making modest efforts which ought to be increased to work with the private sector to develop alternative agricultural products. Today I saw corn-based windshield wiper fluid, and something that I think is important, biodegradable, agriculturally-rooted golf tees. And a lot of other things that I think will be the hallmark of our future. We have only scratched the surface of what we can do to produce products from the land, from our food and fiber, and we must do more.

In education we are beginning to see the outlines of what I hope will be a genuine bipartisan national partnership in education. In the last two years we increased Head Start, we reduced the rules and regulations the federal government imposes on local school systems, but gave them more funds and flexibility to meet national standards of education. We helped states all over the country to develop comprehensive systems of apprenticeships for young people who get out of high school and don't want to go to college, but don't want to be in dead-end jobs.

We are doing more to try to make our job training programs relevant. And we have made literally millions of Americans eligible for lower cost, better repayment college loans under our direct loan program, including over 350,000 students and former students in Iowa -- including all those who are at Iowa State University. Now, if you borrow money under that program, you get it quicker with less paperwork at lower cost, and you can pay it back in one of four different ways based on the income you're going to earn when you get out of college. Believe it or not, it lowers costs to the taxpayers.

And we have demanded responsibility. We've taken the loan default costs to the taxpayers from \$2.8 billion a year down to \$1 billion a year. That is the direction we ought to be going in.

We've worked hard to increase our security at home and abroad. The crime bill, which was passed last year by the Congress after six years of endless debate, provides for 100,000 more police officers on our street. We have already -- over the next five years -- we've already awarded over 17,000 police officers to over half the police departments in America, including 158 communities here in Iowa. It strengthens punishment under federal law.

The three strikes and you're out law in the crime bill is now the law of the land. The first person to be prosecuted under this law was a convicted murderer accused of an armed robbery in Waterloo last November. If he's convicted, he will go to jail for the rest of his life.

The capital punishment provisions of the crime bill will cover the incident in Oklahoma City -- something that is terribly important, in my view, not only to bring justice in this case, but to send a clear signal that the United States does not intend to be dominated and paralyzed by terrorists from at home or abroad -- not now, not ever. We cannot ever tolerate that.

We are also more secure from beyond our borders. For the first time since the dawn of the nuclear age, there are no Russian missiles pointed at America's children. And those nuclear weapons are being destroyed every day.

We have reduced the size of the federal government by more than 100,000. We are taking it down by more than a quarter of a million. We have eliminated or reduced 300 programs. And I have asked Congress to eliminate or consolidate 400 more. We have tried to give more flexibility to states -- several states have gotten broad freedom from federal rules to implement health care reform. And we have now 27 states from cumbersome federal rules to try to help them end welfare as we know it.

In the almost two years since Iowa received only the second welfare waiver our administration issued, the number of welfare recipients in Iowa who hold jobs is almost doubled from 18 to 33 percent. You are doing it without punishing children for the mistakes of their parents -- and I want to say more on that later -- but you are doing it. And that is clear evidence that we should give the states the right to pursue welfare reform. They know how to get the job done better than the federal government has done in the past. We should give you all more responsibility for moving people from welfare to work.

Now, here's where you come in, because I want to talk in very short order, one right after the other, about the decisions we still have to make in Washington. Do we still have to cut the federal deficit more? Yes, we do. We've taken it down by \$600 billion. The budget, in fact, would be balanced today if it weren't for the interest we have to pay on the debt run up between 1981 and 1992.

But it's still a problem and you need to understand why it's a problem. It's a problem because a lot of people who used to give us money to finance our government deficit and our trade deficit, need their money at home now. That's really what's happening in Japan. They need their money at home now.

We must continue -- we must say to the world, to the financial markets -- we not cut taxes except in the context of reducing the deficit. America is committed. Both parties are committed. Americans are committed to getting rid of this terrible burden on our future. We must continue to do it.

Now, the question is, how are we going to do that? Should we cut unnecessary spending? Of course, we should. How do you define it? Should there be more power to state and local governments and to the private sector? You bet. But what are the details?

In other words, what we've got to do in Washington now is what you do all the time. We've got to move beyond our rhetoric to reality. And I think it would be helpful for you because we need your voice to be heard. And at least my experience in the Governors Association was, or working in my own legislature was, that on these issues we could get Republicans and Democrats together. So let me go through what we've done, and what's still to be done.

First of all, I agree with this new Congress on three issues that were in the Republican Contract -- and two of them are already law. Number one, Congress should apply to itself all the laws it puts on the private sector. We should know when we make laws in Washington what we're doing to other people by experiencing it ourself. That was a good thing.

Number two, I signed the unfunded mandates legislation to make it harder, but not impossible when it important, but much harder, for Congress to put on you and your taxpayers unfunded mandates from the federal government where we make you pay for something that we in Washington want to do. I strongly support that, and I think all of you do, as well.

The third thing we are doing that we have not finished yet, although both Houses have approved a version of it, is the line-item veto. Almost every governor has it. I don't want to embarrass anybody here, but I don't know how many times I had a legislature say, now, Governor, I'm going to slip this in this bill because I've got to do it, and then you can scratch it out for me. And it was fine. We did it. Now if they slip it in a bill, I have to decide what to do or not. I have to decide.

When the farmers in Iowa desperately needed the restoration of the tax deduction for health insurance, the 25 percent tax deduction that self-employed farmers and others get for health insurance, there was a provision of that bill I didn't like very much. I had to decide, am I going to give this back to 3.3 million employed Americans and their families, to lower the cost of health care by tax day, or not? But when we have the line-item veto, it won't be that way. And we need it.

Here are the hard ones. Number one, the farm bill. Should we reduce farm supports? Yes, we should, as required by GATT. I worked hard to get the Europeans to the table in agriculture in this trade agreement. A lot of you understand that. The deal was, they would reduce their subsidies more than we would reduce ours, so we would at least move toward some parity, so that our farmers would get a fair break for a change. Now some say, let's just get rid of all these farm support programs.

Well, if we do it now, we give our competitors the advantage we worked for eight years to take away. We put family farms more at risk. Now if anybody's got better ideas about what should be in the Farm Bill, that's fine. If anybody's got a better idea about how to save the family farmers, let's do it. If anybody has new ideas about what should be put in for rural development, fine. But let us do no harm. Let us not labor under the illusion that having fought so hard to have a competitive agricultural playing field throughout the world, having achieved a \$20 billion surplus in agriculture, we can turn and walk away from the farmers of the country in the name of cutting spending. That is not the way to cut the federal deficit.

I'll give you another example. Some believe that we should flat fund the school lunch program. And then there's a big argument in Washington, is it a cut or not. Let me tell you something, all these block grants are designed not only to give you more flexibility, but to save the federal government money. Now it may be a good deal, or it may not. You have to decide. But when we wanted to cut the Agriculture Department budget -- we're closing nearly 1,200 offices, we're reducing employment by 13,000, we eliminated 14 divisions in the Department of Agriculture -- my own view is, that is better than putting an arbitrary cap on the school lunch program, which will be terribly unfair to the number -- to the numerous school districts in this country that have increasing burdens from low income children. There are a lot of kids in this country -- a lot of kids -- the only decent meal they get every day is the meal they get at school. This program works. If it's not broke, we shouldn't fix it. So I don't agree with that. But you have to decide.

Welfare reform. I've already said, we have now given more welfare reform waivers to states to get out from under the federal government than were given in the last 12 years put together. In two years, we've given more than 12 years. I am for you figuring out how you want to run your welfare system and move people from welfare to work. I am for that.

But here are the questions. Number one, should we have cumbersome federal rules that say you have to penalize teenage girls who give birth to children and cut them off? I don't think so. We should never punish children for the mistakes of their parents. And these children who become parents prematurely, we should say, you made a mistake, you shouldn't do that -- no child should do that. But what we're going to do is to impose responsibilities on you for the future, to make you a responsible parent, a responsible impose responsible student, a responsible worker. That's what your program does. Why should the federal government tell you that you have to punish children, when what you really want to do is move people from welfare to work so that more people are good parents and good workers. You should decide that. We do not need to be giving you lectures about how you have to punish the kids of this country. We need a welfare bill that is tough on work and compassionate toward children -- not a welfare bill that is weak on work and tough on children. I feel that that should be a bipartisan principle that all of us should be able to embrace.

Now, the second issue in welfare reform is whether we should give you a block grant. Instead of having the welfare being an individual entitlement to every poor person on welfare, should we just give you whatever money we gave you last year or over the last three years and let you spend it however you want? There are two issues here that I ask you to think about, not only from your perspective, but from the perspective of every other state.

In Florida, the Republicans in legislature I spoke with were not for this. And here's why. The whole purpose of the block grant is twofold. One is, we give you more flexibility. The second is, we say in return for more flexibility, you ought to be able to do the job for less money, so we won't increase the money you're getting over the next five years, which means we'll get to save money and lower the deficit. If it works for everybody concerned it's a good deal.

But what are the states -- there are two problems with a block grant in this area, and I want you to help me work through it, because I am for more flexible for the states. I would give every state every waiver that I have given to any state. I want you to decide what to do with this. I want you to be out there creating innovative ways to break the cycle of welfare dependency.

But there are two problems with this. Number one, if you have a state with a very large number of children eligible for public assistance and they're growing rapidly, it's very hard to devise any formula that keeps you from getting hurt in the block grants over a five-year period. And some states have rapidly growing populations -- Florida, Texas, probably California.

Number two, a total block grant relieves the state of any responsibility to put up the match that is now required for you to participate in the program. Now you may say, well, we would do that anyway. We have a tradition in Iowa of taking care of our own. But what if you lived in a state with a booming population growth, with wildly competing demands for dollars? And what about when the next recession comes? Keep in mind, we're making all these decisions today in the second year in which every state economy is growing. That has not happened in a very long time.

Will that really be fair? How do you know that there won't be insurmountable pressure in some states just to say, well, we can't take care of these children anymore; we've got to give the money to our school teachers; we've got to give the money to our road program; we've got to give the money to economic development; we've got environmental problems. So I ask you to think about those things. We can find a way to let you control the welfare system and move people from welfare to work, but there are two substantive problems with the block grant program that I want to see overcome before I sign off on it, because there is a national responsibility to care for the children of the country, to make sure a minimal standard of care is given. Thank you.

In the crime bill, there is a proposal to take what we did last time, which was to divide the money between police, prisons and prevention, and basically give you a block grant in prevention, and instead create two separate block grants, one for prisons and one for police and prevention, in which you would reduce the amount of money for police and prevention and increase the amount of money for prisons, but you could only get it if you decided -- a mandate, but a funded one -- if you decided to make all people who committed serious crimes serve 85 percent of their sentences.

So Washington is telling you how you have to sentence people but offering you money to build prisons. The practical impact means that a lot of that money won't be taken care of, and we will reduce the amount of money we're spending for police and for prevention programs. I think that's a mistake.

I'm more than happy for you to have block grants for prevention programs. You know more about what keeps kids out of jail and off the streets and from committing crime in Des Moines or Cedar Rapids or Ames or anyplace else than I would ever know. But we do know that the violent crime rate has tripled in the last 30 years, and the number of police on our street has only gone up by 10 percent. And we know there is city, after city, after city in America where the crime rate has gone down a lot, a lot when police have been put on the street in community policing roles.

So I say, let's keep the 100,000 police program. It is totally nonbureaucratic. Small towns in Iowa can get it by filling out a one-page, eight-question form. There is no hassle. And we should do this because we know it works. There is a national interest in safer streets, and it's all paid for by reducing the federal bureaucracy. So my view is, keep the 100,000 police, the states flexibility on prevention. And I hope that you will agree with that. That, at any rate, is my strong feeling.

Lastly, let me say on education, I simply don't believe that we should be cutting education to reduce the deficit or pay for tax cuts. I don't believe that. I just don't believe that.

So my view -- my view on this is that the way to save money is to give every university in the country and every college in the country the right to do what Iowa State has done -- go to the direct loan program, cut out the middle man, lower the cost of loans, save the taxpayer money.

I am strongly opposed to charging the students interest on their student loans while they're in college. That will add 18 to 20 percent to the cost of education for a lot of our young people. We'll have fewer people going to school. We want more people going to school. I think that is a mistake.

I believe if we're going to have a tax cut, it should be targeted to middle class people and to educational needs. I believe strongly we should do two things more than anything else. Number one, give more people the advantage of an IRA, which they can put money into and save and then withdraw to pay for education or health care costs, purchase of a first-time home, or care of an elderly parent tax-free. Number two, allow the deduction of the cost of education after high school to all American middle-class families. Now, that, I think, will make a difference.

This is very important for you because, remember, we have a smaller total tax cut, if we target it to the middle class, we can have deficit reduction without cutting education. We can have deficit reduction without having severe cuts in Medicare. Governor Branstad said today, one of our biggest problems is the unfairness of the distribution of Medicare funds. You are right. It's not fair to rural America. But there's a lot more coming, and more than you need to have if we have an excessive tax cut that is not targeted to education and to the middle class.

So that, in brief, is the laundry list of the new federalism -- the things you need to decide on. I do not believe these issues I have spoken with you about have a partisan tinge in Des Moines. They need not have one in Washington.

But I invite you, go back home -- this is being televised tonight -- go back home and talk to the people you represent, and ask them what they want you to say to your members of Congress about what we do in Washington; what you do in Des Moines; what we do in our private lives; what should be spent to reduce the deficit; what should be spent on a tax cut; what should be in a block grant; and where should we stand up and say we've got to protect the children of the country. These are great and exciting issues.

Believe me, if we make the right decisions -- if we make the right decisions, the 21st century will still be the American century.

Thank you all, and God bless you.

Senator Horn presented President Clinton with a gift of the Iowa Capitol etched in crystal in a walnut stand on behalf of the Iowa General Assembly.

On motion of Senator Husak, the joint session was adjourned at 8:20 p.m., and the Senate adjourned until 9:00 a.m., Wednesday, April 26, 1995.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 26, 1995

The Senate met in regular session at 9:02 a. m., President Boswell presiding.

A moment of silent prayer was held for the victims and families of the Oklahoma City bombing.

Prayer was offered by Father John Walsh, pastor of the St. Thomas Aquinas, Webster City, Iowa.

The Journal of Tuesday, April 25, 1995, 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 25, 1995, adopted the conference committee report and passed Senate File 93, a bill for an act related to criminal offenses against minors and sexually violent offenses and offenders committing those offenses, by requiring registration by offenders, providing for the establishment of a sex offender registry, and providing penalties.

ALSO: That the House has, on April 25, 1995, adopted the conference committee report and passed Senate File 459, a bill for an act relating to and making appropriations to the department of justice, office of consumer advocate, board of parole, department of corrections, judicial district departments of correctional services, judicial department, state public defender, Iowa law enforcement academy, department of public defense, and for the department of public safety's administration, division of criminal investigation and bureau of identification, division of narcotics enforcement, undercover purchases, and the state fire marshal's office, for the fiscal year beginning July 1, 1995, and providing effective dates and retroactive applicability.

ALSO: That the House has on April 25, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 530, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the commission of veterans affairs, and the governor's alliance on substance abuse (S—3574 to H—3944).

SPECIAL PRESENTATIONS

The following officers of the Senate were invited to the well of the Senate and each presented a certificate of recognition for leadership and effort for a successful visit by the President of the United States to the Iowa Senate on April 25, 1995:

Lori Bristol, John Cacciatore, Bill Krieg, Stephanie Laudner, Greg Nichols, and Mary Ann Peer.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 49 present, 1 absent and a quorum present.

CONSIDERATION OF BILLS (Ways and Means Calendar)

House File 558

On motion of Senator Hedge, House File 558, a bill for an act relating to the recapture tax on property maintained as a fruit-tree or forest reservation for which a property tax exemption was granted and providing effective and applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hedge moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 558) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife
Rittmer	Sorensen	Szymoniak	Tinsman
Vilsack	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 560

On motion of Senator Priebe, House File 560, a bill for an act relating to the definition of "designated person" for purposes of the family farm tax credit and providing effective and applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Bartz offered amendment S—3545 filed by him on April 24, 1995, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3545 be adopted?" (H.F. 560) the vote was:

Ayes, 23:

Banks	Boettger	Borlaug	Douglas
Drake	Flynn	Freeman	Hedge
Husak	Iverson	Jensen	Judge
Kramer	Lind	Lundby	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 26:

Bartz	Bisignano	Black	Boswell
Connolly	Dearden	Deluhery	Dvorsky
Fink	Fraise	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Horn	Kibbie	Maddox	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Voting present, 1:

Bennett

Amendment S—3545 lost.

Senator Kibbie offered amendment S—3487 filed by him on April 19, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3487 was adopted by a voice vote.

Senator Bartz filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3545 to House File 560 failed to be adopted by the Senate on April 26, 1995.

Senator Bartz asked and received unanimous consent that action on the motion to reconsider amendment S—3545 and **House File 560 be deferred.**

UNFINISHED BUSINESS CALENDAR

House File 126

On motion of Senator Deluhery, House File 126, a bill for an act relating to certain franchise agreements by amending provisions relating to transfer, termination, and nonrenewal of franchise agreements, and to a civil cause of action for appropriate relief, and repealing certain franchise provision, with report of committee recommending passage and the bill without recommendation, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Deluhery offered amendment S—3575 filed by Senators Deluhery, et al., from the floor to strike everything after the enacting clause of the bill.

Senator Halvorson asked and received unanimous consent that action on amendment S—3575 and **House File 126 be deferred.**

HOUSE AMENDMENT CONSIDERED
(Deferred April 24, 1995)

Senate File 208

The Senate resumed consideration of Senate File 208, a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date, House amendment S—3501 and amendment S—3558 by Senator Szymoniak to House amendment S—3501, deferred on April 24, 1995.

Senator Szymoniak withdrew amendment S—3558 to House amendment S—3501.

Senator Szymoniak offered amendment S—3563 filed by her on April 24, 1995, to House amendment S—3501 and moved its adoption.

Amendment S—3563 was adopted by a voice vote.

Senator Szymoniak 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 Szymoniak 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. 208) the vote was:

President pro tempore Bisignano took the chair at 10:54 a.m.

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer

Lind	Lundby	Maddox	McKean
McLaren	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none:

Absent or not voting, 1:

Neuhauser

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 25, 1995)

House File 340

The Senate resumed consideration of House File 340, a bill for an act providing for the operation of snowmobiles and all-terrain vehicles by defining public land, deferred April 25, 1995.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 340) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
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.

UNFINISHED BUSINESS CALENDAR

House File 247

On motion of Senator Gronstal, House File 247, a bill for an act relating to the regulation of insurance, including the authority of the insurance division to regulate certain policies and contracts and parties to such policies and contracts, establishing fees, and providing civil penalties, with reports of committees on Commerce and Ways and Means recommending amendment and passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Gronstal offered amendment S—3366 filed by the committee on Commerce on April 6, 1995, to pages 5, 25, 27 and the title page of the bill and moved its adoption.

Amendment S—3366 was adopted by a voice vote.

Senator Gronstal offered amendment S—3405 filed by the committee on Ways and Means on April 12, 1995, to pages 16, 24, 25 and the title page of the bill and moved its adoption.

Amendment S—3405 was adopted by a voice vote.

Senator Gronstal offered amendment S—3413 filed by him on April 13, 1995, to pages 1 and 8 of the bill.

Senator Iverson offered amendment S—3573 filed by him on April 25, 1995, to amendment S—3413 and moved its adoption.

Amendment S—3573 was adopted by a voice vote.

Senator Gronstal moved the adoption of amendment S—3413 as amended.

A non record roll call was requested.

The ayes were 32, nays 12.

Amendment S—3413 as amended was adopted.

Senator Banks offered amendment S—3448 filed by Senators Banks, Priebe and Bartz on April 17, 1995, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 14.

Amendment S—3448 was adopted.

Senator Gronstal offered amendment S—3503 filed by him on April 19, 1995, to page 2 of the bill and moved its adoption.

Amendment S—3503 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. 247) the vote was:

Ayes, 45:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Iverson	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McKean	Murphy	Neuhauser
Palmer	Priebe	Rensink	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 5:

Husak	Jensen	McLaren	Redfern
Rife			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 558** and **Senate File 208** 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 26, 1995, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 94, a bill for an act to permit certain dissolutions of marriage to take place without a hearing.

House File 203, a bill for an act relating to the location of the office of the commission of veterans affairs, and providing an effective date.

House File 393, a bill for an act relating to certain exemptions from federal motor carrier safety regulations.

House File 507, a bill for an act relating to state government personnel systems, including affirmative action reports, disability programs, deferred compensation, experimental research projects, the state training system, and health insurance contracts for public employees.

INTRODUCTION OF RESOLUTION

Senate Resolution 21, by committee on Agriculture, a resolution posthumously honoring Mr. Robert Pim, and recognizing his many contributions to agriculture.

Read first time and placed on calendar.

RECESS

On motion of Senator Horn, the Senate recessed at 12:25 p.m., until 1:45 p.m.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 25, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 82 — Relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance and providing an effective date.

SENATE FILE 87 — Relating to nonsubstantive code corrections, and providing effective and applicability date provisions.

SENATE FILE 164 — Relating to the meetings of the Commission on the Status of African-Americans.

SENATE FILE 206 — Striking Code language that conflicts with federal work-study program requirements and language relating to unfunded programs administered by the college student aid commission, and repealing from the Code certain unfunded programs administered by the college student aid commission.

SENATE FILE 229 — Eliminating certain requirements regarding the purchase of coal by public agencies.

SENATE FILE 346 — Relating to the establishment of practitioner review committees for the purposes of evaluating and monitoring practitioners who self-report physical or mental impairments.

SENATE FILE 347 — Establishing a study regarding the inclusion of health care coverage costs for preventive care services and mental health and substance abuse treatment services under basic and standard health benefit plans, and providing for conditional effectiveness.

SENATE FILE 385 — Authorizing the appointment of a city board of review by certain cities.

SENATE FILE 386 — Relating to restitution in certain traffic offenses which are simple misdemeanors.

CERTIFICATES OF RECOGNITION

The secretary of the senate issued the following certificates of recognition:

Lori Bristol, John Cacciatore, Bill Krieg, Stephanie Laudner, Greg Nichols and Mary Ann Peer — For your leadership and effort for a successful visit by the President of the United States to the Iowa Senate on April 25, 1995. Senators Boswell, Horn and Rife (4-26-95).

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 340 passed the Senate on April 26, 1995.

PATRICK J. DELUHERY

SPECIAL GUESTS

Senator Black presented the following visitors from Zheleznovodsk in the Stavropol Krai of Russia who were in Iowa studying the school system: Ludmilla Skorokhod, Superintendent of Schools; Irina Vasilyeva, Vice Superintendent of Schools, Valentina Burlutzkaya, Principal of Middle School and Zinaida Nastyukova, Teacher.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five twelfth grade students from Dunkerton High School, Dunkerton, accompanied by George Pickup. Senator Murphy.

Forty fifth, sixth and seventh grade students from Lutheran Interparish School, Williamsburg, accompanied by Andy Armbrecht and Marna Durr. Senator Husak.

Thirty-two eighth grade students from St. Edwards School, Waterloo, accompanied by Don Sullivan. Senators Lind and Redfern.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE RESOLUTION 21 (SSB 366), a resolution posthumously honoring Mr. Robert Pim, and recognizing his many contributions to agriculture.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Priebe, Judge, Bartz, Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Zieman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3574	H.F.	530	House amendment
S—3575	H.F.	126	Patrick J. Deluhery Tony Bisignano Michael E. Gronstal John W. Jensen Donald B. Redfern
S—3576	H.F.	288	Mike Connolly
S—3577	H.F.	505	Berl E. Priebe John P. Kibbie H. Kay Hedge Sheldon Rittmer William D. Palmer Allen Borlaug

AFTERNOON SESSION

The Senate reconvened at 2:25 p.m., President pro tempore Bisignano presiding.

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.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 247** be **immediately messaged** to the House.

The Senate stood at ease at 2:31 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 3:17 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 April 26, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 366, a bill for an act relating to the exhibition of humans.

ALSO: That the House has on April 26, 1995, 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 358, a bill for an act relating to habitual offenders of the motor vehicle laws, by providing for an administrative adjudication of the habitual offender status, and providing for the payment of fees.

ALSO: That the House has on April 26, 1995, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information.

ALSO: That the House has on April 26, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 215, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor (S—3581 to H—3428).

ALSO: That the House has on April 26, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 570, a bill for an act relating to funding for and the name of the national center for talented and gifted education and making an appropriation.

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 37 present, 13 absent and a quorum present.

UNFINISHED BUSINESS CALENDAR

House Joint Resolution 13

On motion of Senator Gronstal, House Joint Resolution 13, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Gronstal moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

House Joint Resolution 13, a Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to the equality of rights of men and women under the law.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed.

Section 1 of Article I of the Constitution of the State of Iowa, is amended to read as follows:

RIGHTS OF PERSONS. Section 1. All men and women are, by nature, free and equal, and have certain inalienable rights -- among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

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 be adopted?" (H.J.R. 13) the vote was:

Yeas, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Redfern	Rensink	Rife	Rittmer

Sorensen
Zieman

Szymoniak

Tinsman

Vilsack

Nays, none.

Absent or not voting, 1:

Priebe

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 530

Senator Flynn called up for consideration House File 530, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the commission of veterans affairs, and the governor's alliance on substance abuse, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3574 to Senate amendment H—3944 filed April 26, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Flynn moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 530) the vote was:

Ayes, 48:

Bartz	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge

Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, none.

Absent or not voting, 2:

Banks Priebe

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 530** and **House Joint Resolution 13** be immediately messaged to the House.

The Senate stood at ease at 3:40 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:25 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 26, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 179, a bill for an act relating to the maximum property tax levy for certain county hospitals (S—3585).

ALSO: That the House has on April 26, 1995, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 482, a bill for an act relating to the funding for the Iowa communications network and providing an appropriation.

ALSO: That the House has on April 26, 1995, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties (S—3586 to H—4057).

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 Dvorsky for the remainder of the day on request of Senator Black.

ADOPTION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 21.

Senate Resolution 21

On motion of Senator Priebe, Senate Resolution 21, a resolution posthumously honoring Mr. Robert Pim, and recognizing his many contributions to agriculture, was taken up for consideration.

Senator Priebe moved the adoption of Senate Resolution 21, which motion prevailed by a voice vote.

UNFINISHED BUSINESS CALENDAR

Senate File 273

On motion of Senator Deluhery, Senate File 273, a bill for an act relating to the administration of trusts and estates by corporate fiduciaries, placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that **House File 257 be substituted for Senate File 273.**

House File 257

On motion of Senator Deluhery, House File 257, a bill for an act relating to the administration of trusts and estates by corporate fiduciaries, 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. 257) the vote was:

Ayes, 49:

Banks	Bart	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer

Sorensen
Zieman

Szymoniak

Tinsman

Vilsack

Nays, none.

Absent or not voting, 1:

Dvorsky

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 273** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 471

Senator Giannetto called up for consideration House File 471, a bill for an act relating to prison time served by persons convicted of an aggravated misdemeanor or greater offense, by providing for changes in the mandatory minimum terms of sentences to be served, by permitting the imposition of up to ninety days of the total sentence in a county jail in addition to any terms of probation, and providing for a reduction in the amount of good and honor time that may be earned by forcible felons, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3568 to Senate amendment H—3928 filed April 24, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Giannetto moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 471) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Dvorsky

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

Senate File 413

On motion of Senator Gronstal, Senate File 413, a bill for an act relating to underground storage tanks by increasing the environmental protection charge, providing for the use of risk-based corrective action standards, expanding property transfer insurance and loan guarantees, extending the compliance date for upgrade requirements, creating marketability and innocent landowner funds and providing benefits, requiring certification of groundwater professionals and creating a penalty, requiring a study, and providing for repeals, and implementation, effective date, and retroactive applicability provisions, with report of committee on Ways and Means recommending passage, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Gronstal offered amendment S—3579 filed by him from the floor to pages 1, 2, 4, 13 and 14-16 of the bill and moved its adoption.

Amendment S—3579 was adopted by a voice vote.

Senator Gronstal withdrew amendment S—3570 filed by him on April 25, 1995, to pages 6, 11 and the title page of the bill.

Senator Gronstal offered amendment S—3578 filed by him from the floor to pages 6, 7 and 13 of the bill and moved its adoption.

Amendment S—3578 was adopted by a voice vote.

Senator Banks offered amendment S—3497 filed by Senators Banks, et al., on April 19, 1995, to pages 11, 16 and the title page of the bill.

Senator Giannetto offered amendment S—3584 filed by him from the floor to amendment S—3497 and moved its adoption.

Amendment S—3584 was adopted by a voice vote.

Senator Gronstal offered amendment S—3589 filed by him from the floor to amendment S—3497 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3589 to amendment S—3497 be adopted?" (S.F. 413) the vote was:

Ayes, 23:

Black	Boswell	Connolly	Dearden
Deluhery	Drake	Fink	Gettings
Gronstal	Halvorson	Hammond	Hansen
Horn	Husak	Iverson	Judge
Kibbie	Maddox	McKean	Neuhauser
Sorensen	Szymoniak	Vilsack	

Nays, 26:

Banks	Bartz	Bennett	Bisignano
Boettger	Borlaug	Douglas	Flynn
Fraise	Freeman	Giannetto	Hedge
Jensen	Kramer	Lind	Lundby
McLaren	Murphy	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Tinsman	Zieman		

Absent or not voting, 1:

Dvorsky

Amendment S—3589 lost.

Senator Husak asked and received unanimous consent that action on amendment S—3497 as amended and Senate File 413 be deferred.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 215

Senator Bisignano called up for consideration House File 215, a bill for an act to require that all inmates of the institutions under the control of the department of corrections perform hard labor, and providing transition provisions, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3581 to Senate amendment H—3428 filed April 26, 1995.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Bisignano moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 215) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe

Redfern
Sorensen
Zieman

Rensink
Szymoniak

Rife
Tinsman

Rittmer
Vilsack

Nays, none.

Absent or not voting, 1:

Dvorsky

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 257, 471 and 215** be **immediately messaged** to the House.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 565, a bill for an act establishing a school-to-work planning and implementation program focusing on career pathways for students.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3588.

Final Vote: Ayes, 21: Murphy, Boswell, Lind, Bartz, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, Neuhauser, Rensink and Tinsman. Nays, none. Absent or not voting, 4: Banks, Bisignano, McLaren and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up for consideration House File 565.

House File 565

On motion of Senator Kibbie, House File 565, a bill for an act establishing a school-to-work planning and implementation

program focusing on career pathways for students, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kibbie offered amendment S—3588 filed by the committee on Appropriations from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3588 was adopted by a voice vote.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 565) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Dvorsky

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 288

On motion of Senator Connolly, House File 288, a bill for an act relating to juvenile justice by providing for notification of school officials of alcoholic beverage violations, authorizing school districts to adopt a dress code policy, the expulsion of a student for bringing a weapon to school, an exemption in the definition of assault, eliminating the twenty-four hour notice to students of a periodic inspection of students' lockers, giving access to certain juvenile court records to a designated school representative, and providing an effective date, with report of committee recommending amendment and passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Connolly offered amendment S—3359 filed by the committee on Education on April 5, 1995, to pages 1-5 and the title page of the bill.

Senator Connolly offered amendment S—3576 filed by him from the floor to amendment S—3359 and moved its adoption.

Amendment S—3576 was adopted by a voice vote.

Senator Connolly moved the adoption of amendment S—3359 as amended, which motion prevailed by a voice vote.

Senator Connolly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 288) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
Zieman			

Nays, none.

Absent or not voting, 1:

Dvorsky

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

Senate File 441

On motion of Senator Szymoniak, Senate File 441, a bill for an act relating to payment of expenses for persons with mental retardation, and placed on the Unfinished Business Calendar on April 6, 1995, was taken up for consideration.

Senator Connolly took the chair at 7:15 p.m.

Senator Szymoniak withdrew amendment S—3249 filed by her on March 27, 1995, to page 1 of the bill.

Senator Szymoniak asked and received unanimous consent that **House File 505** be substituted for **Senate File 441**.

House File 505

On motion of Senator Szymoniak, House File 505, a bill for an act relating to payment of expenses for persons with mental retardation, was taken up for consideration.

Senator Priebe offered amendment S—3577 filed by Senators Priebe, et al., from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

President Boswell took the chair at 7:43 p.m.

On the question "Shall amendment S—3577 be adopted?" (H.F. 505) the vote was:

Ayes, 30:

Banks
Borlaug
Fraise

Bartz
Boswell
Freeman

Bennett
Douglas
Gettings

Black
Drake
Giannetto

Gronstal	Halvorson	Hedge	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Lind	McLaren	Murphy
Palmer	Priebe	Rensink	Rife
Rittmer	Vilsack		

Nays, 19:

Bisignano	Boettger	Connolly	Dearden
Deluhery	Fink	Flynn	Hammond
Hansen	Kramer	Lundby	Maddox
McKean	Neuhauser	Redfern	Sorensen
Szymoniak	Tinsman	Zieman	

Absent or not voting, 1:

Dvorsky

Amendment S—3577 was adopted.

Senator Connolly asked and received unanimous consent that action on **House File 505** be **deferred**.

BUSINESS PENDING

House File 126

The Senate resumed consideration of House File 126, a bill for an act relating to certain franchise agreements by amending provisions relating to transfer, termination, and nonrenewal of franchise agreements, and to a civil cause of action for appropriate relief, and repealing certain franchise provisions, and amendment S—3575 by Senators Deluhery, et al., to strike everything after the enacting clause of the bill, previously deferred.

Senator Halvorson offered amendment S—3582 filed by Senators Halvorson and Fraise from the floor to amendment S—3575, moved its adoption and requested a non record roll call.

The ayes were 8, nays 31.

Amendment S—3582 lost.

Senator Halvorson offered amendment S—3580 filed by Senators Halvorson, Fraise and McKean from the floor to amendment S—3575, moved its adoption and requested a non record roll call.

The ayes were 9, nays 31.

Amendment S—3580 lost.

Senator Deluhery moved the adoption of amendment S—3575, which motion prevailed by a voice vote.

With the adoption of amendment S—3575, the Chair ruled amendment S—3373 filed by the committee on Commerce on April 6, 1995, to pages 1 and 2 of the bill, out of order.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 126) the vote was:

Ayes, 44:

Banks	Bennett	Bisignano	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Fink	Flynn	Freeman	Gettings
Giannetto	Gronstal	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McLaren	Murphy
Neuhauser	Palmer	Priebe	Redfern
Rensink	Rife	Rittmer	Sorensen
Szymoniak	Tinsman	Vilsack	Zieman

Nays, 5:

Bartz	Fraise	Halvorson	Hammond
McKean			

Absent or not voting, 1:

Dvorsky

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 565** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 3

Senator Gronstal called up for consideration Senate Concurrent Resolution 3, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-sixth general assembly, amended by the House in House amendment S—3022 filed January 31, 1995.

Senator Gronstal offered amendment S—3587 filed by him from the floor to House amendment S—3022 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3587 to House amendment S—3022 be adopted?" (S.C.R. 3) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bisignano	Black	Boswell	Dearden
Fink	Flynn	Gettings	Giannetto
Hansen	Husak	Jensen	Judge
Kibbie	Lundby	Maddox	Murphy
Neuhauser	Palmer	Redfern	Rittmer
Sorensen	Szymoniak	Vilsack	

Nays, 26:

Banks	Bartz	Bennett	Boettger
Borlaug	Connolly	Deluhery	Douglas
Drake	Fraise	Freeman	Gronstal
Halvorson	Hammond	Hedge	Horn
Iverson	Kramer	Lind	McKean
McLaren	Priebe	Rensink	Rife
Tinsman	Zieman		

Absent or not voting, 1:

Dvorsky

Amendment S—3587 lost.

Senator Bisignano withdrew amendment S—3025 filed by him on February 1, 1995, to House amendment S—3022.

Senator Gronstal asked and received unanimous consent that action House amendment S—3022 and **Senate Concurrent Resolution 3** be deferred.

HOUSE AMENDMENT CONSIDERED

Senate File 69

Senator Vilsack called up for consideration Senate File 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date, amended by the House in House amendment S—3082 filed March 1, 1995.

Senator Vilsack offered amendment S—3591 filed by Senators Vilsack, et al., from the floor to House amendment S—3082.

Senator Lind called for a division of House amendment S—3082.

The Chair ruled that the House amendment was not divisible.

Senator Lundby offered amendment S—3593 filed by Senators Lundby, et al., from the floor to amendment S—3591 to House amendment S—3082.

Senator Vilsack asked and received unanimous consent that action on amendment S—3593 to amendment S—3591 to House amendment S—3082, and amendment S—3591 to House amendment S—3082 be deferred.

Senator Bennett offered amendment S—3361 filed by him on April 5, 1995, to House amendment S—3082.

Senator Bennett asked and received unanimous consent that action on amendment S—3361 to House amendment S—3082 be deferred.

Senator Lind offered amendment S—3172 filed by him on March 22, 1995, to House amendment S—3082.

Senator Lind asked and received unanimous consent that action on amendment S—3172 to House amendment S—3082 be deferred.

The Senate stood at ease at 10:20 p.m. until the fall of the gavel.

The Senate resumed session at 10:45 p.m., President Boswell presiding.

Senator Horn asked and received unanimous consent that action on House amendment S—3082 and **Senate File 69** be deferred.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 481, a bill for an act relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date (S—3597).

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 26, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 132 — Relating to compensation for victims of crimes, by providing for compensation to secondary victims of crimes and increasing the maximum amount that may be recovered for loss of work income due to injuries received by victims.

SENATE FILE 142 — Establishing felonious child endangerment as a nonbailable offense.

SENATE FILE 197 — Relating to the confidentiality of financial information provided to the Department of Agriculture and Land Stewardship and providing an effective date.

SENATE FILE 202 — Relating to public health issues, including certain birth certificates and licensing of athletic trainers.

SENATE FILE 207 — Relating to the distribution and sale of beer, providing for the regulation of brewer and wholesaler agreements, prohibiting certain conduct, providing for the transfer of business assets, providing judicial remedies, specifying applicability, and providing for other properly related matters.

SENATE FILE 215 — Relating to agricultural management account moneys and county grants for private rural water well, testing, sealing, and closure.

SENATE FILE 225 — Eliminating requirements for competitive bids regarding the printing of election ballots.

SENATE FILE 226 — Relating to the disposition of valueless mobile homes, modular homes, and manufactured homes.

SENATE FILE 272 — Relating to the validity of a notarial act by an officer, director, or shareholder of a corporation and providing for retroactive application.

SENATE FILE 292 — Relating to the powers and duties of the Department of Natural Resources by authorizing the use of certain revenue to repay loans related to sewage collection and treatment plants in state parks and recreation areas.

SENATE FILE 311 — Relating to symbols indicating medical directives on a validation document for licenses renewal by mail and on a driver's license or nonoperator's identification card.

SENATE FILE 371 — Relating to prohibiting a polygraph examination of a victim of sexual abuse as a precondition to an investigation by a law enforcement agency.

SENATE FILE 377 — Relating to the payment of patronage dividends by cooperative associations which are public utilities.

SENATE FILE 406 — Extending the periods in which an accredited nonpublic school may apply to the department of education to waive the requirement that the school provide an articulated sequential elementary-secondary guidance program and the requirement that the school provide a media services program.

SENATE FILE 407 — Relating to alkaline manganese batteries.

SENATE FILE 409 — Relating to the activities of clerks of the district court, and providing additional court fees.

SENATE FILE 428 — Providing for the reciprocal rendition of prisoners as witnesses in criminal proceedings and providing an effective date.

SENATE FILE 436 — Relating to the child abuse registry by providing access for purposes of certifying sex offender treatment providers, for certain publicly operated facilities or programs, and for certain purposes of public employers.

SENATE FILE 437 — Relating to the entitlement to benefits and dividends under the Iowa Public Employees' Retirement System, and providing effective and retroactive applicability date provisions.

SENATE FILE 438 — Relating to juvenile justice including notice requirements for certain hearings and authorizing associate juvenile judges to perform marriage ceremonies.

SENATE FILE 439 — Relating to making false reports to law enforcement agencies, making spurious calls to emergency 911 communications centers, or providing false information on citations and establishing penalties and providing a conditional effective date.

SENATE FILE 443 — Prohibiting assaults upon peace officers and fire fighters by providing penalties and enhancing penalties for resisting or obstructing peace officers and fire fighters who are performing their duties.

STUDY BILL RECEIVED

SSB 366 Agriculture

A resolution posthumously honoring Mr. Robert Pim, and recognizing his many contributions to agriculture.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 19

HUMAN RESOURCES: Vilsack, Chair; Dvorsky and Tinsman

House File 334

APPROPRIATIONS: Flynn, Chair; Iverson and Murphy

House File 563

STATE GOVERNMENT: Gronstal, Chair; Drake and Sorensen

House File 571

WAYS AND MEANS: Connolly, Chair; Drake and Palmer

BILL ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bill to committee:

H.F. 570 Appropriations

CERTIFICATE OF RECOGNITION

The secretary of the senate issued the following certificate of recognition:

Betty Soener — For leadership and effort for a successful visit by the President of the United States to the Iowa Legislature on April 25, 1995. Senators Boswell, Horn and Rife (4-26-95).

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 13, 1995, because of a religious commitment. Had I been present, I would have voted "aye" as follows:

The appointment of Esther M. Strother, the motion to reconsider and the appointment of David J. Fisher.

I would have voted "nay" on the motion to reconsider Harold M. Thompson and Senate Resolution 17.

I was also necessarily absent from the Senate chamber on April 25, 1995, attending the National Rural Conference in Ames.

Had I been present, I would have voted "aye" on House Files 489, 559, 550, 507, 393, 252; Senate Files 394, 256, 390, 459, 150, 93; and the motion to reconsider on Senate File 150.

MERLIN E. BARTZ

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3587 to House amendment S—3022 to Senate Concurrent Resolution 3 failed to be adopted by the Senate on April 26, 1995.

STEWART IVERSON, JR.

MR. PRESIDENT: I move to reconsider the vote by which House File 126 passed the Senate on April 26, 1995.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

S—3578	S.F.	413	Michael E. Gronstal
S—3579	S.F.	413	Michael E. Gronstal
S—3580	H.F.	126	Rod Halvorson Eugene S. Fraise Andy McKean
S—3581	H.F.	215	House amendment
S—3582	H.F.	126	Rod Halvorson Eugene Fraise
S—3583	H.F.	518	Steven D. Hansen Brad Banks Emil J. Husak Derryl McLaren Eugene S. Fraise Jim Lind John W. Jensen
S—3584	S.F.	413	Berl E. Priebe Randal J. Giannetto

S—3585	S.F.	179	House amendment
S—3586	H.F.	528	House amendment
S—3587	S. C. R.	3	Michael E. Gronstal
S—3588	H.F.	565	Appropriations
S—3589	S.F.	413	Michael E. Gronstal
S—3590	H.F.	518	Michael E. Gronstal
S—3591	S.F.	69	Tom Vilsack
			William D. Palmer
			Berl E. Priebe
			Tony Bisignano
			Dennis H. Black
			Leonard L. Boswell
			Mike Connolly
			Dick L. Dearden
			Patrick J. Deluhery
			Bill Fink
			Tom Flynn
			Eugene Fraise
			Don E. Gettings
			Randal J. Giannetto
			Michael E. Gronstal
			Rod Halvorson
			Johnie Hammond
			Steven D. Hansen
			Wally E. Horn
			Emil J. Husak
			Patty Judge
			John P. Kibbie
			Larry Murphy
			Mary Neuhauser
			Albert Sorensen
			Elaine Szymoniak
S—3592	S.F.	69	Wayne Bennett
			Mary A. Lundby
			Andy McKean
			O. Gene Maddox
			Lyle E. Zieman
			JoAnn Douglas
			Nancy Boettger
			H. Kay Hedge
			Donald B. Redfern
			Wilmer Rensink

			Jim Lind
			Mary Kramer
			Maggie Tinsman
			Merlin E. Bartz
			Sheldon Rittmer
			Jack Rife
			Stewart E. Iverson, Jr.
			Richard F. Drake
			Mary Lou Freeman
			Brad Banks
			Derryl McLaren
			John W. Jensen
			Allen Borlaug
S—3593	S.F.	69	Mary A. Lundby
			Mary Lou Freeman
			Andy McKean
			O. Gene Maddox
			Lyle E. Zieman
			Nancy Boettger
			Maggie Tinsman
			H. Kay Hedge
			Donald B. Redfern
			Jack Rife
			Wayne Bennett
			Wilmer Rensink
			John W. Jensen
			Mary E. Kramer
			Allen Borlaug
			Sheldon Rittmer
			Jim Lind
			Merlin E. Bartz
			Richard F. Drake
S—3594	S.F.	69	Tom Vilsack
			William D. Palmer
			Berl E. Priebe
			Tony Bisignano
			Dennis H. Black
			Leonard L. Boswell
			Mike Connolly
			Dick L. Dearden
			Patrick J. Deluhery
			Tom Flynn

Eugene Fraise
 Don E. Gettings
 Randal J. Giannetto
 Michael E. Gronstal
 Rod Halvorson
 Johnie Hammond
 Steven D. Hansen
 Wally E. Horn
 Emil J. Husak
 Patty Judge
 John P. Kibbie
 Mary Neuhauser
 Albert Sorensen
 Elaine Szymoniak
 Tom Vilsack
 Tom Vilsack
 House amendment
 Sheldon Rittmer
 Richard F. Drake
 Tom Vilsack

S-3595	S.F.	69
S-3596	S.F.	69
S-3597	S.F.	481
S-3598	S.F.	69
S-3599	S.F.	69

ADJOURNMENT

On motion of Senator Horn, the Senate adjourned at 10:43 p.m., until 9:00 a.m., Thursday, April 27, 1995.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 27, 1995

The Senate met in regular session at 9:18 a.m., Senator Sorensen presiding.

Prayer was offered by Monsignor Leonard M. Ziegmann, pastor of the St. Francis of Assisi Catholic Church, Rockwell City, Iowa.

The Journal of Wednesday, April 26, 1995, 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 26, 1995, 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 208, a bill for an act relating to child abuse and termination of parental rights provisions, and providing an effective date.

ALSO: That the House has on April 26, 1995, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 247, a bill for an act relating to the regulation of insurance, including the authority of the insurance division to regulate certain policies and contracts and parties to such policies and contracts, establishing fees, and providing civil penalties.

ALSO: That the House has on April 26, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 574, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for other properly related matters, and providing an effective date.

This bill was read first time and passed on file.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

President Boswell took the chair at 9:35 a.m.

The vote revealed 50 present, none absent and a quorum present.

INTRODUCTION OF RESOLUTION

Senate Resolution 22, by Palmer and Bisignano, a resolution honoring the pages of the Senate and providing for the awarding of additional compensation as a bonus for extraordinary service.

Read first time and assigned to the committee on **Rules and Administration**.

The Senate stood at ease at 10:20 a.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 11:11 a.m., President Boswell presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

SENATE INSISTS

Senate File 150

Senator Dvorsky called up for consideration Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information, amended by the House, further amended by the Senate and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate insisted on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on Senate File 150 on the part of the Senate: Senators Dvorsky, Chair; Hammond, Szymoniak, Boettger and Kramer.

UNFINISHED BUSINESS

(Deferred April 26, 1995)

Senate File 69

The Senate resumed consideration of Senate File 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date, House amendment S—3082, and amendment S—3591 by Senators Vilsack, et al., to House amendment S—3082, deferred April 26, 1995.

Senator Vilsack withdrew amendment S—3599 filed by him on April 26, 1995, to amendment S—3591 to House amendment S—3082.

Senator Vilsack offered amendment S—3600 filed by him from the floor to amendment S—3591 to House amendment S—3082 and moved its adoption.

Amendment S—3600 was adopted by a voice vote.

Senator Vilsack moved the adoption of amendment S—3591 as amended to House amendment S—3082, which motion prevailed by a voice vote.

With the adoption of amendment S—3591 as amended to House amendment S—3082, the Chair ruled the following amendments out of order:

S—3172 by Senator Lind to House amendment S—3082, deferred on April 26, 1995.

S—3361 by Senator Bennett to House amendment S—3082, deferred on April 26, 1995.

S—3592 filed by Senators Bennett, et al., on April 26, 1995, to amendment S—3591 to House amendment S—3082.

S—3593 by Senators Lundby, et al., to amendment S—3591 to House amendment S—3082, deferred on April 26, 1995.

S—3594 filed by Senators Vilsack, et al., on April 26, 1995, to amendment S—3361 to House amendment S—3082.

S—3595 filed by Senator Vilsack on April 26, 1995, to House amendment S—3082.

S—3596 filed by Senator Vilsack on April 26, 1995, to amendment S—3595 to House amendment S—3082.

S—3598 filed by Senators Rittmer and Drake on April 26, 1995, to amendment S—3591 to House amendment S—3082.

Senator Vilsack 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 Vilsack 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. 69) the vote was:

Ayes, 50:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Giannetto
Gronstal	Halvorson	Hammond	Hansen
Hedge	Horn	Husak	Iverson
Jensen	Judge	Kibbie	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Murphy	Neuhauser	Palmer
Priebe	Redfern	Rensink	Rife

Rittmer
Vilsack

Sorensen
Zieman

Szymoniak

Tinsman

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN

House File 159

Senator Lind withdrew the motion to reconsider House File 159, a bill for an act relating to the production of ornamental, flowering, or vegetable plants for purposes of the state sales tax, filed by him on April 20, 1995, and found on page 1348 of the Senate Journal.

House File 185

Senator Lind withdrew the motion to reconsider House File 185, a bill for an act relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions, filed by him on April 19, 1995, and found on page 1318 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 185, 159 and Senate File 69** 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 27, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 239, a bill for an act relating to the provision of mediation in dissolution of marriage proceedings (S—3601).

ALSO: That the House has on April 27, 1995, passed the following bill in which the concurrence of the House was asked:

Senate File 473, a bill for an act relating to the refund of property taxes paid erroneously and providing effective and retroactive applicability dates.

ALSO: That the House has on April 27, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 575, a bill for an act establishing the Iowa hope loan program, creating an Iowa hope loan fund, and providing for other properly related matters.

This bill was read first time and passed on file.

ALSO: That the House has on April 26, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 572, a bill for an act relating to imposing a prison and jail surcharge on scheduled fines and forfeitures and providing for the appropriation and disposition of the proceeds from the surcharge for prisons and jails.

This bill was read first time and assigned to committee on **Appropriations**.

RECESS

On motion of Senator Horn, the Senate recessed at 12:57 p.m., until 2:30 p.m.

APPENDIX**REPORT OF COMMITTEE MEETING****AGRICULTURE**

Convened: April 26, 1995, 8:59 a.m.

Members Present: Priebe, Chair; Judge, Vice Chair; Bartz, Ranking Member; Banks, Black, Boswell, Douglas, Fraise, Giannetto, Hedge, Husak, McLaren, Palmer, Sorensen and Zieman.

Members Absent: none.

Committee Business: Approved SSB 366 as a committee bill.

Adjourned: 9:01 a.m.

MOTIONS TO RECONSIDER

(Filed April 26, 1995)

MR. PRESIDENT: I move to reconsider the vote by which House File 288 passed the Senate on April 26, 1995.

LARRY MURPHY

MR. PRESIDENT: I move to reconsider the vote by which House File 126 passed the Senate on April 26, 1995.

PATRICK J. DELUHERY

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 290, the following corrections were made:

1. Page 21, lines 20 and 21, the words and numbers "Sections 20 and 33" were changed to the words and numbers "Sections 22 and 37".

2. Page 21, line 25, the words and numbers "Sections 7, 16, and 18" were changed to the words and numbers "Sections 7, 19, and 20".

ALSO: That in enrolling Senate File 398, the following correction was made:

1. Page 1, line 4, the number and word "902.2. COMMUTATION" were changed to the number and word "902.2 COMMUTATION".

JOHN F. DWYER
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of April, 1995:

Senate Files 280, 79, 106, 85, 315, 422, 423, 457, 146, 181, 286, 293, 83, 290, 373 and 398.

JOHN F. DWYER
Secretary of the Senate

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: HOUSE FILE 555, a bill for an act relating to the deduction and credit for amounts paid for tuition and textbooks for elementary and secondary schools under the state individual income tax and providing effective and applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Husak, Bennett, Drake, Freeman, Hedge, Iverson, McLaren, Murphy and Priebe. Nays, none. Absent or not voting, 5: Connolly, Deluhery, Neuhauser, Szymoniak and Vilsack.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 571, a bill for an act relating to the frequency of referendums held on excursion gambling boat proposals or gambling games proposals for licensed pari-mutuel racetracks and the qualifications of a qualifying organization which are necessary to conduct pari-mutuel wagering at racetracks or gambling games on excursion gambling boats and providing effective and applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Husak, Bennett, Connolly, Drake, Freeman, Hedge, Iverson, McLaren, Murphy, Neuhauser, Priebe, and Vilsack. Nays, none. Absent or not voting, 2: Deluhery and Szymoniak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty fifth grade students from Whittier Elementary School, Oskaloosa, accompanied by Donna De Groot. Senator Hedge.

AMENDMENTS FILED

S-3600	S.F.	69	Tom Vilsack
S-3601	S.F.	239	House amendment
S-3602	S.F.	481	Don E. Gettings
S-3603	S.F.	481	Dick L. Dearden

AFTERNOON SESSION

The Senate reconvened at 4:07 p.m., President Boswell presiding.

QUORUM CALL

Senator Judge requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that members of the Conference Committee appointed April 27, 1995, on Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information on the part of the House are: The Representative from Palo Alto, Mr. Salton, Chair; the Representative from Cedar, Mr. Boddicker; the Representative from Story, Ms. Burnett; the Representative from Dubuque, Ms. Jochum; the Representative from Sioux, Mr. Veenstra.

ALSO: That the House has on April 27, 1995, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 472, a bill for an act relating to the local option sales and services tax by authorizing political subdivisions that will receive revenues from the tax to issue bonds in anticipation of the receipt of the revenues and providing an effective date and a retroactive applicability date (S—3604).

ALSO: That the House has on April 27, 1995, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 40, a concurrent resolution designating June 17, 1995, as the day to celebrate the ending of slavery and to recognize the worth and value of all people.

This resolution was read first time and passed on file.

ALSO: That the House has on April 27, 1995, passed the following bills in which the concurrence of the Senate is asked:

House File 569, a bill for an act relating to the motor vehicle leasing tax and providing an applicability provision.

This bill was read first time and **passed on file**.

House File 573, a bill for an act relating to economic development by establishing a workforce development fund, providing for the transfer of certain employer withholding amounts to the workforce development fund, and establishing a loan loss reserve program.

This bill was read first time and assigned to committee on **Ways and Means**.

UNFINISHED BUSINESS

(Deferred April 17, 1995)

Senate File 471

The Senate resumed consideration of Senate File 471, a bill for an act relating to the wagering tax on gambling games at pari-mutuel racetrack enclosures, deferred April 17, 1995.

Senator Halvorson offered amendment S—3453 filed by him on April 17, 1995, to page 1 of the bill and moved its adoption.

Amendment S—3453 lost 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. 471) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Bisignano	Black	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Dvorsky	Fink	Fraise
Gronstal	Hansen	Husak	Iverson
Judge	Kibbie	Kramer	Lind
Maddox	Palmer	Priebe	Rife
Rittmer	Szymoniak	Tinsman	Vilsack

Nays, 19:

Banks	Bartz	Bennett	Boettger
Flynn	Freeman	Gettings	Giannetto
Halvorson	Hammond	Hedge	Jensen
McKean	McLaren	Neuhauser	Redfern
Rensink	Sorensen	Zieman	

Absent or not voting, 3:

Horn	Lundby	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Husak called up the motion to reconsider House File 117 filed by him on April 11, 1995, found on page 1147 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 117) the vote was:

Ayes, 31:

Bisignano	Black	Boswell	Dearden
Deluhery	Drake	Dvorsky	Fink
Fraise	Freeman	Gronstal	Hansen
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McLaren	Neuhauser
Palmer	Priebe	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	

Nays, 18:

Banks	Bartz	Bennett	Boettger
Borlaug	Connolly	Douglas	Flynn
Gettings	Giannetto	Halvorson	Hammond
Hedge	McKean	Redfern	Rensink
Sorensen	Zieman		

Absent or not voting, 1:

Murphy

The motion prevailed.

Senator Husak moved to reconsider the vote by which House File 117 went to its last reading, which motion prevailed by a voice vote.

House File 117

On motion of Senator Bisignano, House File 117, a bill for an act relating to cost of play and value of prizes of games of skill and games of chance conducted at amusement concessions, was taken up for reconsideration.

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. 117) the vote was:

Ayes, 31:

Bisignano	Black	Boswell	Dearden
Deluhery	Drake	Fink	Fraise
Freeman	Gronstal	Hansen	Horn
Husak	Iverson	Jensen	Judge
Kibbie	Kramer	Lind	Lundby
Maddox	McLaren	Murphy	Neuhauser
Palmer	Priebe	Rife	Rittmer
Szymoniak	Tinsman	Vilsack	

Nays, 19:

Banks	Bartz	Bennett	Boettger
Borlaug	Connolly	Douglas	Dvorsky
Flynn	Gettings	Giannetto	Halvorson
Hammond	Hedge	McKean	Redfern
Rensink	Sorensen	Zieman	

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 27, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 577, a bill for an act relating to the creation of real estate improvement districts, authorizing the issuance of general obligation bonds and revenue bonds, the imposition of ad valorem property taxes, special assessments and fees, and other related matters.

This bill was read first time and assigned to committee on **Ways and Means**.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 117** and **Senate File 471** be immediately messaged to the House.

UNFINISHED BUSINESS CALENDAR

House File 494

On motion of Senator Gronstal, **House File 494**, a bill for an act relating to the office of secretary of state, the conduct of elections, and the registration of voters in the state and relating to corrective and technical changes to Iowa's election laws, with report of committee recommending passage, and placed on the Unfinished Business Calendar on April 13, 1995, was taken up for consideration.

Senator Drake offered amendment S—3465 filed by Senators Drake and Gronstal on April 18, 1995, to page 3 of the bill and moved its adoption.

Amendment S—3465 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **House File 494** be deferred.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 528

Senator Hammond called up for consideration House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3586 to Senate amendment H—4057 filed April 26, 1995.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 528) the vote was:

Ayes, 28:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Sorensen	Tinsman	Zieman

Nays, 22:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink

Giannetto	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Lundby
Murphy	Neuhauser	Palmer	Priebe
Szymoniak	Vilsack		

The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Hammond moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 528) the vote was:

Ayes, 44:

Banks	Bartz	Bennett	Bisignano
Black	Boettger	Borlaug	Boswell
Connolly	Dearden	Deluhery	Douglas
Drake	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hedge	Horn
Husak	Iverson	Judge	Judge
Kibbie	Kramer	Lind	Maddox
McKean	McLaren	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Tinsman	Vilsack	Zieman

Nays, 4:

Dvorsky	Hansen	Lundby	Neuhauser
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Absent or not voting, 2:

Murphy	Szymoniak
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 179

Senator Judge called up for consideration Senate File 179, a

bill for an act relating to the maximum property tax levy for certain county hospitals, amended by the House, and moved that the Senate concur in House amendment S—3585 filed April 26, 1995.

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. 179) the vote was:

Ayes, 38:

Bartz	Bennett	Boettger	Borlaug
Boswell	Connolly	Deluhery	Douglas
Drake	Dvorsky	Fink	Flynn
Fraise	Freeman	Gettings	Gronstal
Halvorson	Hammond	Hedge	Horn
Husak	Jensen	Judge	Kramer
Lind	Lundby	Maddox	McKean
Murphy	Neuhauser	Redfern	Rensink
Rife	Rittmer	Sorensen	Szymoniak
Tinsman	Zieman		

Nays, 11:

Banks	Bisignano	Black	Dearden
Giannetto	Hansen	Iverson	Kibbie
McLaren	Palmer	Priebe	

Absent or not voting, 1:

Vilsack

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 5:20 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 5:23 p.m., President Boswell presiding.

BUSINESS PENDING

House File 494

The Senate resumed consideration of House File 494, a bill for an act relating to the office of secretary of state, the conduct of elections, and the registration of voters in the state and relating to corrective and technical changes to Iowa's election laws, previously deferred.

Senator Halvorson offered amendment S—3608 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3608 was adopted by a voice vote.

Senator Gronstal offered amendment S—3606 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—3606 was adopted by a voice vote.

Senator Gronstal offered amendment S—3607 filed by him from the floor to page 11 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3607 and **House File 494** be deferred.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1995, 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 69, a bill for an act relating to county expenditures of property taxes for mental health and developmental disabilities costs by providing for reduction of property taxes, making appropriations, and providing an effective date.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 528 passed the Senate on April 27, 1995.

MICHAEL E. GRONSTAL

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in the House amendment to the Senate amendment to House File 528 on April 27, 1995.

MICHAEL E. GRONSTAL

MOTION TO RECONSIDER ADOPTED

Senator Gronstal called up the motion to reconsider House File 528 filed by him on April 27, 1995, found on page 1478 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 528) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Bisignano	Black	Boswell	Connolly
Dearden	Deluhery	Dvorsky	Fink
Flynn	Fraise	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Nays, 24:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Gettings	Hedge	Iverson	Jensen
Kramer	Lind	Lundby	Maddox
McKean	McLaren	Redfern	Rensink
Rife	Rittmer	Tinsman	Zieman

The motion prevailed.

Senator Gronstal moved to reconsider the vote by which House File 528 went to its last reading, which motion prevailed by a voice vote.

House File 528

On motion of Senator Hammond, House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties, was taken up for reconsideration.

Senator Lind asked unanimous consent that action on House File 528 be deferred.

Senator Gronstal raised the point of order that the request to defer was not in order until the vote on the motion to reconsider the House amendment had been completed.

The Chair ruled the point not well taken and action on House File 528 was deferred.

The Senate stood at ease at 5:55 p.m. until the fall of the gavel for the purpose of a committee meeting.

The Senate resumed session at 8:48 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.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 29, by Palmer and Vilsack, a concurrent resolution requesting the legislative council to establish an interim committee to study state taxes.

Read first time and **passed on file.**

Senate Concurrent Resolution 30, by Connolly and Kramer, a concurrent resolution relating to an interim study on the effects of conditions of poverty on the education of the children of Iowa.

Read first time and **passed on file.**

BILLS ASSIGNED TO COMMITTEE

President Boswell announced the assignment of the following bills to committee:

S. C. R.	30	Rules and Administration
H. C. R.	40	Human Resources
H. F.	569	Ways and Means
H. F.	575	Ways and Means

MOTIONS TO RECONSIDER WITHDRAWN

House File 126

Senator Gronstal withdrew the motion to reconsider House File 126, a bill for an act relating to certain franchise agreements by amending provisions relating to transfer, termination, and nonrenewal of franchise agreements, and to a civil cause of action for appropriate relief, and repealing certain franchise provisions, filed by him on April 26, 1995, and found on page 1456 of the Senate Journal.

Senator Deluhery withdrew the motion to reconsider House File 126 filed by him on April 26, 1995, and found on page 1466 of the Senate Journal.

Senator Horn asked and received unanimous consent that House File 126 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 481

Senator Halvorson called up for consideration Senate File 481, a bill for an act relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date, amended by the House in House amendment S—3597 filed April 26, 1995.

Senator Murphy offered amendment S—3610 filed by Senators Murphy and Lind from the floor to House amendment S—3597 and moved its adoption.

Amendment S—3610 was adopted by a voice vote.

Senator Dearden offered amendment S—3603 filed by him from the floor to House amendment S—3597 and moved its adoption.

Amendment S—3603 was adopted by a voice vote.

Senator Gettings offered amendment S—3602 filed by him from the floor to House amendment S—3597 and moved its adoption.

Amendment S—3602 was adopted by a voice vote.

Senator Halvorson 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 Halvorson 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. 481) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Rensink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
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 as amended was agreed to.

HOUSE MESSAGE 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 27, 1995, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 185, a bill for an act relating to the sales, services, and use tax exemption for items used by printers and publishers, limiting the amount of refunds, and providing retroactive and applicability date provisions.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 31, by committee on Appropriations, a concurrent resolution requesting that Congress introduce legislation providing for state sovereignty through the low-cost financing of debt and needed capital projects by state and local governments.

Read first time and placed on Appropriations Calendar.

BUSINESS PENDING

House File 528

The Senate resumed consideration of House File 528, a bill for an act relating to criminal and juvenile justice, including authorizing the suspension of the juvenile's motor vehicle license, authorizing a criminal justice agency to retain a copy of a juvenile's fingerprint card, providing that certain identifying information regarding juveniles involved in delinquent acts is a public record, exempting certain offenses from the jurisdiction of the juvenile court, placing a juvenile in detention as a dispositional alternative, waiving a juvenile to adult court, the release or detention of certain criminal defendants pending sentencing or appeal following conviction, limiting the circumstances under which a juvenile may consume alcoholic beverages, providing for notice to parents when a juvenile is taken into custody for alcohol offenses, adding custody and adjudication information regarding juveniles to state criminal history files, establishing a juvenile justice task force, authorizing the transmission of communicable disease information by radio in certain circumstances, and enhancing or establishing penalties, previously deferred.

Senator Gronstal called up the motion to reconsider the vote by which the Senate concurred in House amendment S—3586 to Senate amendment H—4057 to Senate File 258 on April 27, 1995, filed by him on April 27, 1995, found on page 1478 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 528) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Horn
Husak	Judge	Kibbie	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Nays, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Hedge	Iverson	Jensen	Kramer
Lind	Lundby	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Absent or not voting, 1:

Bisignano

The motion prevailed by a voice vote and House amendment S-3586 to Senate amendment H-4057, was taken up for reconsideration.

Senator Hammond moved that the Senate concur in the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 528) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Banks	Bartz	Bennett	Boettger
Borlaug	Douglas	Drake	Freeman
Gettings	Hedge	Iverson	Jensen
Kramer	Lind	Maddox	McKean
McLaren	Redfern	Rensink	Rife
Rittmer	Tinsman	Zieman	

Nays, 26:

Black	Boswell	Connolly	Dearden
Deluhery	Dvorsky	Fink	Flynn
Fraise	Giannetto	Gronstal	Halvorson
Hammond	Hansen	Horn	Husak
Judge	Kibbie	Lundby	Murphy
Neuhauser	Palmer	Priebe	Sorensen
Szymoniak	Vilsack		

Absent or not voting, 1:

Bisignano

The motion lost and the Senate **refused to concur** in the House amendment to the Senate amendment.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate File 481 and House File 528 be immediately messaged to the House and to send an immediate message to the House on Senate File 179.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 150)

A conference committee report signed by the following Senate and House members was filed April 27, 1995, on Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information:

On the Part of the Senate:

ROBERT DVORSKY, Chair

On the Part of the House:

BILL SALTON, Chair

NANCY BOETTGER
 JOHNNIE HAMMOND
 MARY E. KRAMER
 ELAINE SZYMONIAK

DAN BODDICKER
 CECELIA BURNETT
 PAM JOCHUM
 KEN VEENSTRA

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 150

Senator Dvorsky called up the conference committee report on Senate File 150, a bill for an act relating to child abuse involving termination of parental rights in certain abuse or neglect cases and access by other states to child abuse information, filed on April 27, 1995, 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 Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 150) the vote was:

Ayes, 49:

Banks	Bartz	Bennett	Black
Boettger	Borlaug	Boswell	Connolly
Dearden	Deluhery	Douglas	Drake
Dvorsky	Fink	Flynn	Fraise
Freeman	Gettings	Giannetto	Gronstal
Halvorson	Hammond	Hansen	Hedge
Horn	Husak	Iverson	Jensen
Judge	Kibbie	Kramer	Lind
Lundby	Maddox	McKean	McLaren
Murphy	Neuhauser	Palmer	Priebe
Redfern	Reusink	Rife	Rittmer
Sorensen	Szymoniak	Tinsman	Vilsack
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 150** be **immediately messaged** to the House.

The Senate stood at ease at 9:38 p.m. until the fall of the gavel.

The Senate resumed session at 10:11 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 27, 1995, passed the following bill in which the concurrence of the Senate is asked:

House File 578, a bill for an act relating to the Iowa communications network by providing for the connection and support of certain Part III users, directing the commission to develop a request for proposals for additional connections, making appropriations, and making related statutory changes.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 485, by committee on Ways and Means, a bill for an act authorizing certain counties, cities, or school districts to create a joint authority to issue bonds to build and own buildings and authorizing a tax levy by school districts to lease buildings.

Read first time and **placed on Ways and Means Calendar**.

APPENDIX**STUDY BILLS RECEIVED****SSB 367 Appropriations**

Relating to imposing a civil penalty for certain motor vehicle license revocations, imposing a surcharge on scheduled fines and forfeitures, and providing for the appropriation and disposition of the proceeds from the civil penalty and from the surcharge for prisons and jails.

SSB 368 Appropriations

A Concurrent Resolution requesting that Congress introduce legislation providing for state sovereignty through the low-cost financing of debt and needed capital projects by state and local governments.

SUBCOMMITTEE ASSIGNMENTS**SSB 367**

APPROPRIATIONS: Vilsack, Chair; Gronstal and Iverson

SSB 368

APPROPRIATIONS: Kibbie, Chair; Lind and Murphy

House File 572

APPROPRIATIONS: Vilsack, Chair; Gronstal and Iverson

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 27, 1995, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 66 — Relating to cruelty to police service dogs and providing for enhance penalties.

SENATE FILE 152 — Relating to the name of those persons who engage in the practice of podiatry.

SENATE FILE 155 — Relating to employment services by eliminating wage credit liability transfers and allowing all employers relief from charges when an unemployment compensation overpayment is made and providing an applicability date.

SENATE FILE 176 — Relating to the filing of intergovernmental agreements for the joint exercise of governmental powers in certain counties.

SENATE FILE 205 — Relating to shared superintendents for purposes of the supplementary weighting plan for public school districts and providing effective and retroactive applicability dates

SENATE FILE 228 — Relating to the statewide notification center by providing that the center is subject to the open meetings and public records law, requiring certain financial information to be reported, establishing an audit requirement, and providing a penalty.

SENATE FILE 341 — Relating to delinquency charges on credit cards used to purchase or lease goods or services from less than one hundred persons not related to the card issuer.

SENATE FILE 351 — Authorizing certain cities to appoint additional members to certain city commissions.

SENATE FILE 431 — Relating to child support collection, including the establishment of the amount of child support required by certain parents who are nineteen years of age or younger, provisions relating to the suspension, revocation, nonissuance, and nonrenewal of certain licenses for failure to pay support, and implementation provisions.

SENATE FILE 433 — Relating to the family investment program and related human services programs by requiring the Department of Human Services to apply for a federal waiver regarding limited benefit plans and providing applicability provisions.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Ninety-four eleventh and twelfth grade students from North High School, Sioux City, accompanied by Larry Twait. Senator Hansen.

Fifteen eighth grade students from St. Patricks School, Sheldon, accompanied by Pam Wehmeyer. Senator Rensink.

GOVERNOR'S ITEM VETO MESSAGE

April 27, 1995

The Honorable Leonard Boswell
President of the Senate
State Capitol Building
L O C A L

Dear Mr. President:

I hereby transmit Senate File 462, 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 human services and health care and providing for effective and applicability dates.

Senate File 462 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portions of Section 3, subsection 10, paragraph e. These items would require the Department of Human Services to implement a plan to pursue reimbursement for pharmacy services from third-party payors by May 1, 1996, and to include the administrative costs of adopting this new policy in the department's proposed FY 1997 budget. While I support asking the department to explore the feasibility of a "pay and chase" policy to recover the costs of pharmacy services, it would be premature to direct the department to implement the policy before a plan is even developed. Further, implementation of such a policy will result in costs to the Medicaid program which have not been included in the funds appropriated to the department for FY 1996. Also, the requirement that the director include the costs of implementing the policy in the department's FY 1997 budget requests goes beyond the authority the legislature has in the budgeting process, and for that reason cannot be approved.

I am unable to approve the item designated as Section 3, subsection 14, in its entirety. This item would require the Department of Human Services to seek federal approval to develop a new program to pay persons, including relatives, to provide care in their homes for elderly individuals who are currently residing in nursing homes. In recent years, several very good programs have been established to provide alternatives to nursing home care for Iowa's elderly. As a result, the elderly who are entering nursing homes are doing so only after they have become so frail or infirm that alternative services are no longer appropriate. I am concerned that because this proposal targets the elderly who have already been placed in nursing homes, it has the potential of encouraging abuses of the Medicaid program and perhaps even of elderly Iowans who are best cared for in the nursing home setting. I urge the Department of Elder Affairs to develop alternative services that are cost effective and that address the needs of Iowa's elderly citizens.

I am unable to approve the item designed as Section 10, subsection 11, in its entirety. This item utilizes a budgeting gimmick to shift funds from one area of the Department of Human Services's budget to another, the result of which

reduces the department's flexibility to design delinquency and child welfare services and creates built-in increases in future years. Again this is an example of the bad budgeting practices of the past which can no longer be tolerated.

I am unable to approve the item designated as Section 10, subsection 19, in its entirety. This item provides an exception to the Department of Human Services' policies relating to foster care support obligations. The cases that would be impacted cannot be easily identified and for that reason the exception as written would be difficult, if not impossible, to administer. The department has existing procedures that allow persons to request an exception to policy in appropriate cases which is already available as a remedy.

I am unable to approve the item designated as Section 11, subsection 4, in its entirety. This item would provide an additional \$100,000 for family planning services over and above the \$739,000 otherwise provided in the bill. This level of funding goes beyond the amount requested by the department and recommended by me for the program.

I am unable to approve the item designated as Section 26, subsection 1, in its entirety. This item directs the Department of Human Services to develop a plan for meeting national standards for social worker caseloads. Social worker duties vary from state to state and the differences are often related to the technology available to workers in performing their tasks. New technologies are being implemented to make it possible for our workers to perform more efficiently and effectively. Also services that may be included as part of a social worker's duties in other states are contracted out in Iowa. Given these variances, national standards cannot be directly applied to Iowa's experience.

I am unable to approve the item designated as Section 37, in its entirety. This proposed statutory change fails to address the relationships of the local categorization accounts and the current funding mechanisms for the mental health institutes and state hospital-schools. Traditionally child welfare funds have not been used for mental health institutes or hospital-school costs. Counties that decategorize child welfare funding will be able to continue to carry out their plans.

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 462 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3577 to House File 505 was adopted by the Senate on April 26, 1995.

MERLIN E. BARTZ

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 31 (SSB 368), a resolution requesting that Congress introduce legislation providing for state sovereignty through the low-cost financing of debt and needed capital projects by state and local government.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 25: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Halvorson, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 572, a bill for an act relating to imposing a prison and jail surcharge on scheduled fines and forfeitures and providing for the appropriation and disposition of the proceeds from the surcharge for prisons and jails.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3611.

Final Vote: Ayes, 24: Murphy, Boswell, Lind, Banks, Bartz, Bisignano, Black, Borlaug, Douglas, Dvorsky, Flynn, Fraise, Gronstal, Hammond, Husak, Iverson, Judge, Kibbie, Kramer, McLaren, Neuhauser, Rensink, Tinsman and Vilsack. Nays, 1: Halvorson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE RESOLUTION 19, a senate resolution relating to the well-being of Iowa's children.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Szymoniak, Hammond, Boettger, Bartz, Dvorsky, Hansen, Kramer, Neuhauser, Tinsman and Vilsack. Nays, none..

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 22, a senate resolution honoring the pages of the senate and providing for the awarding of additional compensation as a bonus for extraordinary service.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 9: Horn, Boswell, Rife, Bisignano, Gettings, Gronstal, Husak, Kramer and Lind. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 485 (SSB 351), a bill for an act authorizing certain counties, cities, or school districts to create a joint authority to issue bonds to build and own buildings and authorizing a tax levy by school district to lease buildings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Husak, Connolly, Deluhery, Murphy, Neuhauser, Priebe, Szymoniak and Vilsack. Nays, 6: Bennett, Drake, Freeman, Hedge, Iverson and McLaren.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3604	S.F.	472	House amendment
S-3605	S.F.	478	Wayne Bennett
S-3606	H.F.	494	Michael E. Gronstal
S-3607	H.F.	494	Michael E. Gronstal
S-3608	H.F.	494	Rod Halvorson
S-3609	S.F.	413	Mary Lundby
S-3610	S.F.	481	Larry Murphy Jim Lind
S-3611	H.F.	572	Appropriations

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:12 p.m., until 9:00 a.m., Friday, April 28, 1995.