

**State of Iowa**

**1981**

# **JOURNAL OF THE SENATE**

**1981**

## **JUNE EXTRAORDINARY SESSION SIXTY-NINTH GENERAL ASSEMBLY**

**Convened June 24, 1981**

**Adjourned June 26, 1981**

**TERRY E. BRANSTAD, President of the Senate  
DELWYN STROMER, Speaker of the House**

**Published by the  
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# JOURNAL OF THE SENATE

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FIRST CALENDAR DAY  
FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, June 24, 1981

Pursuant to the proclamation of the Governor, the Honorable Robert D. Ray, the Sixty-ninth General Assembly of Iowa convened in Extraordinary Session at 10:05 a.m., and the Senate was called to order by Lieutenant Governor Terry E. Branstad.

Prayer was offered by the Reverend Elles Ulland, retired pastor of the Asbury United Methodist Church, Lake Mills, Iowa.

## QUORUM CALL

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

The vote revealed 47 present, 3 absent and a quorum present.

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

June 16, 1981

Ms. Linda Howarth Mackay  
Secretary of the Senate  
State Capitol Building  
LOCAL

Dear Ms. Mackay:

Enclosed is my proclamation issued June 16, 1981, calling into Extraordinary Session the Sixty-ninth General Assembly, to convene at 10:00 a.m. on the 24th day of June, 1981.

Sincerely,  
ROBERT D. RAY  
Governor

STATE OF IOWA  
Executive Department

PROCLAMATION

*Whereas*, pursuant to legislation enacted by the Sixty-eighth General Assembly in 1980, the General Assembly must vote on legislative and congressional redistricting plans drawn by the Legislative Service Bureau; and

*Whereas*, the first plan presented to the General Assembly was rejected on May 14, 1981 with a 21 to 28 vote by the Senate; and

*Whereas*, the Legislative Service Bureau submitted to the General Assembly its second legislative and congressional redistricting plan on June 10, 1981; and

*Whereas*, the bankruptcy of the Rock Island and Milwaukee Road railroads threaten the loss of essential rail service to portions of Iowa; and

*Whereas*, skyrocketing road maintenance and construction costs and reduced road user fee collections impair the State's financial ability to maintain safe and adequate roadways; and

*Whereas*, adequately maintained roads and rail service are essential to the health of Iowa's economy and immediate State action is needed to address the rail service and road financing problems; and

*Whereas*, the First Session of the Sixty-ninth General Assembly completed its regular business without taking final action on the second redistricting plan and the rail service and road financing problems facing the State; and

*Whereas*, the incompleteness of action on redistricting, rail service and road financing problems is ample reason to convene this General Assembly in Special Session in accordance with Article IV, Section XI of the Constitution of the State of Iowa.

*Now, Therefore*, I, Robert D. Ray, Governor of the State of Iowa in accordance with Article IV, Section XI of the Constitution of the State of Iowa, do hereby proclaim that the Sixty-ninth General Assembly shall convene in Extraordinary Session at the State Capitol in the City of Des Moines, Iowa, at 10:00 a.m. on the 24th day of June, 1981, and to that end I do call upon and direct the members of the House of Representatives and of the Senate of the Sixty-ninth General Assembly to convene in their respective chambers in the State Capitol at 10:00 a.m. on June 24, 1981, for the purpose which the Assembly is convened, namely the matters of legislative and congressional redistricting, rail service and road financing, and to take legislative action in keeping therewith.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 16th day of June in the year of our Lord one thousand nine hundred and eighty-one.

ROBERT D. RAY, Governor

Attest:

MARY JANE ODELL  
Secretary of State

**ORGANIZATION OF THE SENATE**

Senator Hultman moved that the selection of seats, determination of mileage of Senators, assignment of press seats, and all other organizational or administrative matters not specifically provided for in Senate Rule 4 and Joint Rule 3 be the same for this Extraordinary Session as for the 1981 Regular Session of the Sixty-ninth General Assembly.

The motion prevailed by a voice vote.

**SECRETARY TO NOTIFY THE  
GOVERNOR AND THE HOUSE**

Senator Hultman moved that the Secretary of the Senate be directed to send a written message to the Governor and the House of Representatives informing them that the Senate was organized and ready to transact business and receive any messages that they may transmit.

The motion prevailed by a voice vote.

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

The Senate resumed session, President Branstad presiding.

**HOUSE MESSAGES RECEIVED AND CONSIDERED**

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

June 24, 1981

The Honorable Terry E. Branstad  
Lieutenant Governor  
State of Iowa  
State Capitol  
LOCAL

MR. PRESIDENT:

I am directed to inform your honorable body that pursuant to the proclamation of the Governor, the Honorable Robert D. Ray, calling for this 1981 Extraordinary Session of the Sixty-ninth General Assembly, the House of Representatives is organized and ready to conduct business and receive any messages that may be transmitted.

ALSO: That the House has on March 11, 1981, passed the following bill in which the concurrence of the Senate is asked:

**House File 121**, a bill for an act revising the time allowed the governor to rescind an administrative rule.

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

ALSO: That the House has on April 9, 1981, passed the following bills in which the concurrence of the Senate is asked:

**House File 753**, a bill for an act relating to the submission of bond issues previously defeated by the electorate.

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

**House File 796**, a bill for an act providing for the issuance of a restricted license for certain persons between the ages of sixteen and eighteen.

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

ALSO: That the House has on April 15, 1981, passed the following bill in which the concurrence of the Senate is asked:

**House File 800**, a bill for an act relating to city housing codes under section 364.17 by making it optional to include a program of regular rental inspections as part of the city enforcement procedures.

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

ALSO: That the House has on May 19, 1981, passed the following bill in which the concurrence of the Senate is asked:

**House File 808**, a bill for an act relating to the registration of and licensing for the operation of motor vehicles, with a December 1, 1983 effective date.

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

ALSO: That the House has on March 26, 1981, adopted the following resolution in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION 15

By: Johnson of Linn, Tyrrell, Trucano,  
Mann, Clements, Smalley and Branstad

1     *Whereas*, the state board of regents is charged  
2     with the responsibility to account for more than  
3     \$258,000,000 in state appropriations; and  
4     *Whereas*, it is imperative for the General Assembly  
5     to account to the citizens of Iowa how said  
6     appropriations are utilized; *Now Therefore*,  
7     *Be It Resolved by the House of Representatives*,  
8     *the Senate Concurring*, That the legislative fiscal  
9     bureau be directed to recommend to the General Assembly  
10    the most practical and cost effective way to conduct  
11    a complete audit and review of the state board of  
12    regents; and  
13    *Be It Further Resolved*, That the audit and review  
14    of the state board of regents and the institutions  
15    under its jurisdiction shall not duplicate the  
16    preliminary audit required by section 11.2 of the  
17    Code which is made at least quarterly, and which is  
18    presently conducted by five full-time auditors from  
19    the auditor of state's office in order to meet the  
20    standards required by subsection 7 of section 8.6  
21    of the Code, nor shall the audit duplicate the annual  
22    audit of the board of regents and institutions under  
23    its control required by sections 11.2, 11.4, and 11.5  
24    of the Code which audits are required to embrace the  
25    standards specified by those sections; and  
26    *Be It Further Resolved*, That the General Assembly  
27    may act to implement the legislative fiscal bureau  
28    recommendation.

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

## COMMUNICATION

TO: Secretary of the Iowa Senate, Chief Clerk of the (Iowa) House of Representatives, and members of the Iowa General Assembly

FROM: Serge H. Garrison, Director and Gary L. Kaufman, Legal Counsel, Iowa Legislative Service Bureau

DATE: June 10, 1981

As required by House File 707, approved May, 1980, by the Sixty-eighth General Assembly and codified as Chapter 42 of the 1981 Code, the accompanying bill embodying a (second) plan of legislative and congressional districting is delivered.

## COMMUNICATION

On June 17, 1981, Serge Garrison, Director, Legislative Service Bureau, delivered to the office of the Secretary of the Senate another version of the second plan embodying legislative and congressional districts for consideration by the Iowa General Assembly.

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

The Senate resumed session, Senator Carney presiding.

## RECESS

On motion of Senator Hultman, the Senate recessed at 11:45 a.m., until 1:30 p.m.

## AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Carney presiding.

## QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

### QUORUM CALL

Senator Hultman 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 until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

### QUORUM CALL

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

The vote revealed 49 present, 1 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

### REPORT OF COMMITTEE MEETING

#### STATE GOVERNMENT

**Convened:** June 24, 1981, 3:00 p.m.

**Members Present:** Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

**Members Absent:** none.

**Final Bill Action:** Senate File 580, a bill for an act providing for congressional and legislative redistricting effective for the 1982 general election.

**Recommendation:** ADOPT AMENDMENTS S—3905 AND S—3906 AND THE BILL WITHOUT RECOMMENDATION.

**Final Vote:** Ayes, 11: Nystrom, Lura, Slater, Briles, Carr, Drake, Gallagher, Gentleman, Hutchins, C. Miller and Palmer. Nays, 3: Craft, Schwengels and Tieden.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 16.

**Adjourned:** 3:15 p.m.

## INTRODUCTION OF BILL

**Senate File 580**, by Committee on State Government, a bill for an act providing for congressional and legislative redistricting effective for the 1982 general election.

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

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

The Senate resumed session, President Branstad presiding.

## APPENDIX

### STUDY BILLS RECEIVED

S.S.B. 426 State Government

Providing for congressional and legislative redistricting effective for the 1982 general election.

S.S.B. 427 Ways and Means

Relating to railroad bonding.

### COMMUNICATIONS

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

#### IOWA DEPARTMENT OF ENVIRONMENTAL QUALITY

A copy of the annual report for the Iowa Department of Environmental Quality (received June 5, 1981) for the fiscal year July 1, 1979 to June 30, 1980.

Copies are available to members of the Senate upon request.

#### IOWA DEPARTMENT OF JOB SERVICE

A copy of the status report for the Iowa Job Insurance System of the Iowa Department of Job Service (received June 11, 1981) pursuant to Section 96.35, Code 1981.

Copies are available to members of the Senate upon request.

**BILLS ASSIGNED TO COMMITTEE**

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

H.F.	399	Agriculture
H.F.	858	Ways and Means

**AMENDMENTS FILED**

S—3905	S. F.	580	State Government Committee
S—3906	S. F.	580	State Government Committee

**ADJOURNMENT**

On motion of Senator Hultman, the Senate adjourned at 4:05 p.m., until 9:00 a.m., Thursday, June 25, 1981.

# JOURNAL OF THE SENATE

SECOND CALENDAR DAY  
SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, June 25, 1981

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

Prayer was offered by the Honorable Alvin V. Miller, member of the Senate from Cerro Gordo County, Ventura, Iowa.

The Journal of Wednesday, June 24, 1981, was approved.

## QUORUM CALL

Senator Hultman 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 until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

## QUORUM CALL

Senator Hultman 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 until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

## RECESS

On motion of Senator Hultman, the Senate recessed at 11:40 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The Senate reconvened at 1:03 p.m., President Branstad presiding.

**QUORUM CALL**

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

The vote revealed 47 present, 3 absent and a quorum present.

**CONSIDERATION OF BILL**

**Senate File 580**

On motion of Senator Lura, Senate File 580, a bill for an act providing for congressional and legislative redistricting effective for the 1982 general election, with report of committee recommending amendments and the bill without recommendation, was taken up for consideration.

Senator Lura offered amendment S—3905 filed by the committee on State Government on June 24, 1981, to pages 9, 10, 11, 30, 42, 49, 51 and 57 of the bill and moved its adoption.

Amendment S—3905 was adopted by a voice vote.

Senator Lura offered amendment S—3906 filed by the committee on State Government on June 24, 1981, to page 57 of the bill and moved its adoption.

Amendment S—3906 was adopted by a voice vote.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 580) the vote was:

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

Ayes, 24:

- |              |              |           |           |
|--------------|--------------|-----------|-----------|
| Anderson     | Brown        | Carr      | Coleman   |
| Deluhery     | Doyle        | Gallagher | Gentleman |
| Husak        | Hutchins     | Junkins   | Kinley    |
| Miller, A.V. | Miller, C.P. | Palmer    | Priebe    |
| Readinger    | Rodgers      | Rush      | Slater    |
| Small        | Van Gilst    | Wells     | Yenger    |

Nays, 26:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Nystrom
Ramsey	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

The bill not having received a constitutional majority was declared to have failed to pass the Senate.

#### MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 580 failed to pass the Senate on June 25, 1981.

RICHARD F. DRAKE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 580 failed to pass the Senate on June 25, 1981.

RICHARD COMITO

MR. PRESIDENT: I move to reconsider the vote by which Senate File 580 failed to pass the Senate on June 25, 1981.

MICK LURA

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

The Senate resumed session, President Branstad presiding.

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

The Senate resumed session, Senator Carney presiding.

#### QUORUM CALL

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

The vote revealed 49 present, 1 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

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

The Senate resumed session, President Branstad presiding.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: June 25, 1981, 4:15 p.m.

Members Present: Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Ramsey, Holden and Junkins.

Members Absent: none.

Final Bill Action: Senate Concurrent Resolution 42, a resolution regarding legislative redistricting Plan III.

Recommendation: APPROVED COMMITTEE RESOLUTION

Final Vote: Ayes, 4: Hultman, Hulse, Holden and Ramsey. Nays, 2: Junkins and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 16.

Adjourned: 4:30 p.m.

INTRODUCTION OF RESOLUTION

SENATE CONCURRENT RESOLUTION 42

By: Committee on Rules and Administration

- 1 *Whereas*, if plan II is rejected by either house
- 2 of the general assembly, chapter 42 requires submission
- 3 of a third plan which is subject to amendment by
- 4 either house; and
- 5 *Whereas*, the Constitution of Iowa requires that the
- 6 general assembly must approve a redistricting plan
- 7 prior to September 1, 1981 and if it does not the burden
- 8 of preparing a plan will vest in the supreme court; and
- 9 *Whereas*, the filing of complex substantive individual
- 10 amendments or amendments which would rewrite existing
- 11 legislative redistricting plans could be extremely time
- 12 consuming due to the deliberations that would be required
- 13 to agree on the amendments that would be adopted and
- 14 the lengthy mechanical procedures that are required to
- 15 rewrite a legislative redistricting plan and determine
- 16 if it meets the population requirements of chapter 42;
- 17 and
- 18 *Whereas*, if the general assembly would not timely approve
- 19 a third plan before September 1, 1981 in order that the

20 bill could be properly enrolled and signed and forwarded  
 21 to the governor for the governor's action, the result  
 22 could be that the general assembly would fail to meet its  
 23 constitutional deadline; *Now Therefore,*  
 24 *Be It Resolved by the Senate, the House Concurring,*  
 25 That if plan II is rejected by either the Senate or the  
 26 House of Representatives the Legislative Service Bureau  
 27 shall proceed to draft a third plan as provided by law;  
 28 and  
 29 *Be It Further Resolved,* That the Senate and House when  
 30 considering a bill embodying plan III and filing amendments

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1 as allowed by law be limited to filing the total  
 2 text of a congressional plan, a legislative redistricting  
 3 plan, or a combination of any congressional and legislative  
 4 redistricting plan, and nonsubstantive corrections to the  
 5 text of any such bills or amendments.

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

**QUORUM CALL**

Senator Hultman 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 until the fall of the gavel.

The Senate resumed session, President Branstad presiding.

**QUORUM CALL**

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

The vote revealed 47 present, 3 absent and a quorum present.

**CONSIDERATION OF RESOLUTION**

Senator Hultman asked and received unanimous consent to take up for immediate consideration, Senate Concurrent Resolution 42.

### Senate Concurrent Resolution 42

On motion of Senator Hultman, Senate Concurrent Resolution 42, a resolution relating to legislative redistricting Plan III, filed on June 25, 1981, and found on pages 13 and 14 of the Senate Journal, was taken up for consideration.

Senator Junkins offered amendment S—3907 filed by Senators Junkins and Kinley from the floor to page 2 of the resolution and moved its adoption.

On the question “Shall amendment S—3907 be adopted?” (S.C.R. 42) the vote was:

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3907 lost.

President pro tempore Ramsey took the chair at 5:35 p.m.

Senator Hultman moved the adoption of Senate Concurrent Resolution 42 and requested a record roll call.

On the question “Shall the resolution be adopted?” (S.C.R. 42) the vote was:

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

## Ayes, 29:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

## Nays, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

The motion prevailed and the resolution was adopted.

## APPENDIX

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 4, the Committee on Rules and Administration submits the following changes in grades and steps:

Research Analyst	Peter Coniglio	Step 1 to Step 2 Effective June 5, 1981
Research Analyst	Susan Johnson	Step 2 to Step 3 Effective June 19, 1981
Research Analyst	Kathy Bryant	Step 2 to Step 3 Effective June 19, 1981
Research Analyst	John Frew	Step 1 to Step 2 Effective June 19, 1981
Research Analyst	Greg Nichols	Step 1 to Step 2 Effective June 19, 1981
Research Analyst	Jule Thorson	Step 1 to Step 2 Effective June 19, 1981
Secretary of the Senate	Linda Howarth Mackay	\$25,000 Effective June 19, 1981

CALVIN O. HULTMAN, Chairperson

### SUBCOMMITTEE ASSIGNMENTS

#### HOUSE FILE 876

State Government  
Nystrom, Chairperson  
Lura  
Schwengels  
Hutchins  
Slater

#### SSB 426

State Government  
Nystrom, Chairperson  
Lura  
Schwengels  
Hutchins  
Slater

#### SSB 428

State Government  
Lura, Chairperson  
Nystrom  
Schwengels  
Hutchins  
Slater

### STUDY BILL RECEIVED

S.S.B. 428 State Government

Relating to the reasons why Senate File 580 was not approved by the Senate.

### REPORTS OF COMMITTEE MEETINGS

#### RULES AND ADMINISTRATION

**Convened:** June 25, 1981, 8:10 a.m.

**Members Present:** Hultman, Chairperson, Hulse, Vice Chairperson; Ramsey, Holden and Junkins.

**Members Absent:** Kinley, Ranking Member.

**Other Committee Business:** Approved leave of absence for a research analyst; approved pay raises per regular schedule.

**Adjourned:** 8:35 a.m.

#### STATE GOVERNMENT

**Convened:** June 25, 1981, 4:00 p.m.

**Members Present:** Nystrom, Chairperson; Lura, Vice Chairperson; Slater, Ranking Member; Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden.

**Members Absent:** none.

**Final Bill Action:** House File 876, a bill for an act establishing the dates for the submission and application of certain acts incident to the process of legislative redistricting and reprecincting.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Nystrom, Lura, Slater, Briles, Carr, Craft, Drake, Gallagher, Gentleman, Hutchins, C. Miller, Palmer, Schwengels and Tieden. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 16.

**Other Committee Business:** SSB 428, a proposed committee resolution providing for the reasons why Senate File 580 was not approved by the Senate, failed recommendation for passage.

**Adjourned:** 4:30 p.m.

**MOTION TO RECONSIDER**

**MR. PRESIDENT:** I move to reconsider the vote by which Senate Concurrent Resolution 42 passed the Senate on June 25, 1981.

**JULIA GENTLEMAN**

**AMENDMENT FILED**

**S—3907**

**S. C.R.**

**42**

**Lowell L. Junkins**

**George R. Kinley**

**ADJOURNMENT**

On motion of Senator Hultman, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Friday, June 26, 1981.

# JOURNAL OF THE SENATE

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## THIRD CALENDAR DAY THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, June 26, 1981

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

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

The Journal of Thursday, June 25, 1981, was approved.

President pro tempore Ramsey took the chair at 9:05 a.m.

### QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

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

The Senate resumed session, President Branstad presiding.

### QUORUM CALL

Senator Hultman 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 Carney took the chair at 10:40 a.m.

### CONSIDERATION OF BILL

#### House File 876

On motion of Senator Lura, House File 876, a bill for an act establishing the dates for the submission and application of certain acts incident to the process of legislative redistricting and reprecincting, with report of committee recommending passage, was taken up for consideration.

President Branstad took the chair at 10:46 a.m.

Senator Rush asked and received unanimous consent that further action on **House File 876** be deferred.

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

The Senate resumed session, President Branstad presiding.

### QUORUM CALL

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

The vote revealed 46 present, 4 absent and a quorum present.

### BUSINESS PENDING

#### House File 876

The Senate resumed consideration of House File 876, previously deferred.

Senator Lura moved that the bill be read the last time now, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 876) the vote was:

Ayes, 50:

Anderson	Baughner	Bisenius	Briles
Brown	Carney	Carr	Coleman
Comito	Craft	DeKoster	Deluhery
Doyle	Drake	Dreeszen	Gallagher
Gentleman	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Kudart	Lura	Miller, A.V.	Miller, C.P.
Murray	Nystrom	Palmer	Priebe
Ramsey	Readinger	Rodgers	Rush
Schwengels	Slater	Small	Taylor
Tieden	Vande Hoef	Van Gilst	Waldstein
Wells	Yenger		

Nays, none.

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

**MOTIONS TO RECONSIDER WITHDRAWN****Senate File 580**

Senator Comito withdrew the motion to reconsider Senate File 580, a bill for an act providing for congressional and legislative redistricting effective for the 1982 general election, filed by him on June 25, 1981, and found on page 12 of the Senate Journal.

Senator Drake withdrew the motion to reconsider Senate File 580 filed by him on June 25, 1981, and found on page 12 of the Senate Journal.

Senator Lura withdrew the motion to reconsider Senate File 580 filed by him on June 25, 1981, and found on page 12 of the Senate Journal.

**REPORT OF COMMITTEE MEETING****RULES AND ADMINISTRATION**

**Convened:** June 26, 1981, 11:00 a.m.

**Members Present:** Hultman, Chairperson; Hulse, Vice Chairperson; Kinley, Ranking Member; Ramsey, Holden and Junkins.

**Final Bill Action:** Senate Resolution 21, a resolution providing for the reasons why Senate File 580 was not approved by the Senate.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 4: Hultman, Hulse, Ramsey and Holden. Nays, 2: Kinley and Junkins.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 16.

**Adjourned:** 11:07 a.m.

**INTRODUCTION OF RESOLUTION****SENATE RESOLUTION 21**

By: Committee on Rules and Administration

- 1 *Be It Resolved by the Senate, the reasons why Senate*
- 2 *File 580 was not approved by the Senate are as follows:*
- 3 1. The Senate believes the Legislative Service

4 Bureau should submit a third redistricting plan in  
 5 which the congressional districts are more compact  
 6 than the previously submitted plans.  
 7 2. The Senate believes the Legislative Service  
 8 Bureau should submit a third redistricting plan in  
 9 which more emphasis is placed on keeping counties in-  
 10 tact within legislative districts and in which less  
 11 emphasis is placed on keeping legislative districts  
 12 within congressional district boundaries in compari-  
 13 son with the previously submitted plans.

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

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

The Senate resumed session, President Branstad presiding.

### QUORUM CALL

Senator Hultman 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 RESOLUTION

#### Senate Resolution 21

On motion of Senator Lura, Senate Resolution 21, a resolution providing for the reasons why Senate File 580 was not approved by the Senate, filed on June 26, 1981, and found on pages 22 and 23 of the Senate Journal, was taken up for consideration.

Senator Slater offered amendment S—3909 filed by Senators Junkins, et al., from the floor to page 1 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3909 be adopted?" (S.R. 21) the vote was:

Ayes, 21:

Anderson  
 Deluhery  
 Hutchins

Brown  
 Doyle  
 Junkins

Carr  
 Gallagher  
 Kinley

Coleman  
 Husak  
 Miller, A.V.

Miller, C.P.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baugher	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3909 lost.

Senator Slater offered amendment S—3908 filed by Senators Junkins, et al., from the floor to page 1 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3908 be adopted?" (S.R. 21) the vote was:

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

Ayes, 21:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.R.	Palmer	Priebe	Rodgers
Rush	Slater	Small	Van Gilst
Wells			

Nays, 29:

Baugher	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Gentleman	Goodwin	Gratias
Hester	Holden	Hulse	Hultman
Jensen	Kudart	Lura	Murray
Nystrom	Ramsey	Readinger	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein
Yenger			

Amendment S—3908 lost.

Senator Lura moved the adoption of Senate Resolution 21.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (S.R. 21) the vote was:

Ayes, 28:

Baughner	Bisenius	Briles	Carney
Comito	Craft	DeKoster	Drake
Dreeszen	Goodwin	Gratias	Hester
Holden	Hulse	Hultman	Jensen
Kudart	Lura	Murray	Nystrom
Ramsey	Readinger	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Yenger

Nays, 22:

Anderson	Brown	Carr	Coleman
Deluhery	Doyle	Gallagher	Gentleman
Husak	Hutchins	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Rodgers	Rush	Slater	Small
Van Gilst	Wells		

The motion prevailed and the resolution was adopted.

### RECESS

On motion of Senator Hultman, the Senate recessed at 12:10 p.m., until 1:30 p.m.

### AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Branstad presiding.

### QUORUM CALL

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

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

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

The Senate resumed session, President Branstad presiding.

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

The Senate resumed session, President Branstad presiding.

#### REPORT OF COMMITTEE

#### RULES AND ADMINISTRATION

**Final Bill Action:** Senate Concurrent Resolution 43, a resolution relating to adjournment sine die of the extraordinary session of the sixty-ninth general assembly.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 5: Hultman, Hulse, Holden, Kinley and Junkins. Nays, none. Absent or not voting, 1: Ramsey.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 16.

#### ADOPTION OF RESOLUTION

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

SENATE CONCURRENT RESOLUTION 43  
By: Committee on Rules and Administration

- 1 *Be It Resolved by the Senate, the House Concurring,*
- 2 That when adjournment is had on Friday, June 26, 1981,
- 3 it be the final adjournment of the 1981 Extraordinary
- 4 Session of the Sixty-ninth General Assembly.

Senator Hultman moved the adoption of Senate Concurrent Resolution 43, which motion prevailed by a voice vote and Senate Concurrent Resolution 43 was adopted.

#### SECRETARY TO NOTIFY THE GOVERNOR AND THE HOUSE

Senator Hultman moved that the Secretary of the Senate be directed to send a written message to the Governor and to the House to inform them that the Senate was prepared to adjourn sine die at 2:15 p.m. pursuant to Senate Concurrent Resolution 43.

The motion prevailed by a voice vote.

## APPENDIX COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary:

### CITIZENS' AIDE/OMBUDSMAN

The annual report for the calendar year 1980 for the Citizens' Aide/Ombudsman, pursuant to Section 601G.18, 1981 Code.

### FINAL DISPOSITION OF MOTION TO RECONSIDER

Pursuant to Senate Rule 24, the following motion to reconsider which remained on the calendar upon the adjournment of the 1981 Extraordinary Session of the Sixty-ninth General Assembly will be considered to have **failed**:

Senate Concurrent Resolution 42 (adopted by the Senate), a resolution regarding plan III for legislative and congressional redistricting. Motion filed by Senator Gentleman on June 25, 1981.

### AMENDMENTS FILED

S—3908	S. R.	21	Lowell L. Junkins Tom Slater C.W. Bill Hutchins William D. Palmer James V. Gallagher Charles P. Miller Patrick J. Deluhery George R. Kinley Bob Carr Norman Rodgers Donald V. Doyle
S—3909	S. R.	21	Lowell L. Junkins Tom Slater

C.W. Bill Hutchins  
William D. Palmer  
James V. Gallagher  
Charles P. Miller  
Patrick J. Deluhery  
George R. Kinley  
Bob Carr  
Norman Rodgers  
Donald V. Doyle

### MOTION TO ADJOURN ADOPTED

Senator Hultman moved that the 1981 Extraordinary Session of the Sixty-ninth General Assembly adjourn sine die in accordance with Senate Concurrent Resolution 43, duly adopted.

The motion prevailed by a voice vote.

### 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 June 26, 1981, adopted the following resolutions in which the concurrence of the House was asked:

**Senate Concurrent Resolution 42**, a resolution regarding plan III for legislative and congressional redistricting and limiting the filing of amendments to the plan.

**Senate Concurrent Resolution 43**, a resolution providing for the adjournment of the 1981 Extraordinary Session of the Sixty-ninth General Assembly.

ALSO: That the House is prepared to adjourn sine die pursuant to Senate Concurrent Resolution 43.

### FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 43, duly adopted, the day of June 26, 1981, having arrived, President Branstad declared the 1981 Extraordinary Session of the Sixty-ninth General Assembly adjourned sine die.

**AMENDMENTS FILED**

**During The  
Sixty-ninth General Assembly  
1981 June Extraordinary Session**

S—3905

- 1 Amend Senate File 580 as follows:
- 2 1. Page 9, line 5, by inserting after the word
- 3 "intersects" the word "East".
- 4 2. Page 9, line 6, by inserting after the word
- 5 "along" the word "East".
- 6 3. Page 9, line 27, by striking the word "east"
- 7 and inserting in lieu thereof the word "west".
- 8 4. Page 10, line 24, by striking the words "the
- 9 north extension of".
- 10 5. Page 10, line 25, by striking the words "the
- 11 north extension of".
- 12 6. Page 11, by striking line 2 and inserting in
- 13 lieu thereof the following: "until it intersects
- 14 Linbud lane, then proceeding north along Linbud lane
- 15 until it intersects Alabar avenue, then proceeding".
- 16 7. Page 11, line 3, by striking the word "then".
- 17 8. Page 11, by striking line 30 and inserting
- 18 in lieu thereof the following: "road, then pro-
- 19 ceeding south along Wagner road until it".
- 20 9. Page 30, line 35, by inserting after the word
- 21 "intersects" the words "Kildee street, then pro-
- 22 ceeding east along Kildee street until it inter-
- 23 sects".
- 24 10. Page 42, by striking lines 8 through 11 and
- 25 inserting in lieu thereof the following: "Council
- 26 Bluffs, then proceeding south along the corporate
- 27 limits of the city of Council Bluffs until it
- 28 intersects the Norfolk and Western Railway Company
- 29 railroad track, then proceeding northwesterly
- 30 along the Norfolk and Western Railway Company rail-
- 31 road track until it intersects the east corporate
- 32 limit of the city of Council Bluffs, then proceeding
- 33 south along the corporate limits of the city of
- 34 Council Bluffs until it intersects old U.S. highway
- 35 275, then proceeding west along old U.S. highway
- 36 275".
- 37 11. Page 42, line 30, by striking the word
- 38 "Freemont" and inserting in lieu thereof the word
- 39 "Fremont".
- 40 12. Page 49, line 32, by inserting after the word
- 41 "drive" the words "until it intersects Melrose court,
- 42 then proceeding north along Melrose court".
- 43 13. Page 49, line 33, by striking the words
- 44 "north and then".
- 45 14. Page 51, line 5, by inserting after the word
- 46 "point" the words "of".
- 47 15. Page 57, line 7, by striking the word "even"

48 and inserting in lieu thereof the word "even-numbered".

COMMITTEE ON STATE GOVERNMENT  
JOHN N. NYSTROM, Chairperson

S—3906

1 Amend Senate File 580 as follows:  
2 1. Page 57, by striking line 35 through page 58,  
3 line 4, and inserting in lieu thereof the following:  
4 "Sec. 6. This Act, being deemed of immediate  
5 importance, takes effect from and after its publication  
6 in the Marshalltown Times-Republican, a newspaper  
7 published in Marshalltown, Iowa, and in The Council  
8 Bluffs Nonpareil, a newspaper published in Council  
9 Bluffs, Iowa."

COMMITTEE ON STATE GOVERNMENT  
JOHN N. NYSTROM, Chairperson

S—3907

1 Amend Senate Concurrent Resolution 42 as follows:  
2 1. Page 2 by striking lines 2 through 5 and inserting  
3 in lieu thereof the following: "text of a congress-  
4 sional plan and legislative redistricting plan sub-  
5 mitted pursuant to chapter 42 of the Code and  
6 comprising Senate Files 570 and 580 of the First  
7 Session of the Sixty-ninth General Assembly, and  
8 nonsubstantive corrections to the text of any such  
9 bills or amendments; and  
10 *Be It Further Resolved*, That notwithstanding Joint  
11 Rule 1 the Senate and House shall not repeal, amend,  
12 or suspend the rule embodied in this resolution  
13 except with the concurrence of two-thirds of the  
14 membership of both the House and the Senate."

LOWELL L. JUNKINS  
GEORGE R. KINLEY

S—3908

1 Amend Senate Resolution 21 as follows:  
2 1. Page 1, line 8 by inserting after the word  
3 "plan" the words "with a population deviation no  
4 greater than plan 2".

PATRICK J. DELUHERY  
GEORGE R. KINLEY  
BOB CARR  
NORMAN RODGERS

DONALD V. DOYLE  
LOWELL L. JUNKINS  
TOM SLATER  
C.W. BILL HUTCHINS  
WILLIAM D. PALMER  
JAMES V. GALLAGHER  
CHARLES P. MILLER

S—3909

- 1 Amend Senate Resolution 21 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "plan" the words "with a population deviation no
- 4 greater than plan 2".

PATRICK J. DELUHERY  
GEORGE R. KINLEY  
BOB CARR  
NORMAN RODGERS  
DONALD V. DOYLE  
LOWELL L. JUNKINS  
TOM SLATER  
C.W. BILL HUTCHINS  
WILLIAM D. PALMER  
JAMES V. GALLAGHER  
CHARLES P. MILLER

**SUPPLEMENT  
TO THE  
SENATE JOURNAL**

**Sixty-ninth General Assembly  
1981 June Extraordinary Session**

**BILL APPROVED SUBSEQUENT TO ADJOURNMENT  
OF THE JUNE, 1981, EXTRAORDINARY SESSION**

The following is a record of action on a bill by the Governor and transmitted to the Secretary of State after the close of the June, 1981, Extraordinary Session:

**H.F. 876**—Establishing the dates for the submission and application of certain acts incident to the process of legislative redistricting and reprecincting. Approved June 26, 1981.

**COMMUNICATION FROM THE SECRETARY OF STATE  
SUBSEQUENT TO ADJOURNMENT OF THE  
JUNE, 1981, EXTRAORDINARY SESSION**

July 10, 1981

**Ms. Linda Howarth Mackay**  
Secretary of the Senate  
State Capitol Building  
LOCAL

I hereby certify that House File 876 was published in the Ames Daily Tribune, Ames, Iowa, on July 2, 1981, and in The Record, Cedar Falls, Iowa, on July 4, 1981.

Respectfully submitted,  
**Mary Jane Odell**  
Secretary of State

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### CARR, ROBERT M.--Senator Tenth District

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### DELUHERY, PATRICK J.--Senator Forty-first District

Amendments filed--23, 24

### DOYLE, DONALD V.--Senator Twenty-sixth District

Amendments filed--23, 24

### GALLAGHER, JAMES V.--Senator Sixteenth District

Amendments filed--23, 24

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Senate Resolution 21, reasons for disapproval of legislative redistricting  
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**JUNKINS, LOWELL L.--Senator Forty-third District, Minority Floor Leader**

Amendments filed--15, 23, 24

Amendments offered--15

**KINLEY, GEORGE R.--Senator Thirty-fourth District**

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**MILLER, CHARLES P.--Senator Forty-second District**

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**PALMER, WILLIAM D.**---Senator Thirty-second District  
 Amendments filed--23, 24

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